

Calendar No. 170

119TH CONGRESS
1ST SESSION**S. 428****[Report No. 119–65]**

To promote space situational awareness and space traffic coordination and to modify the functions and leadership of the Office of Space Commerce, and for other purposes.

IN THE SENATE OF THE UNITED STATES

FEBRUARY 5, 2025

Mr. CORNYN (for himself, Mr. PETERS, Mr. WICKER, Mrs. BLACKBURN, Mr. HICKENLOOPER, Mr. KELLY, Mr. SCHMITT, and Mr. LUJÁN) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

SEPTEMBER 29, 2025

Reported by Mr. CRUZ, with amendments

[Omit the parts struck through and insert the parts printed in *italic*]

A BILL

To promote space situational awareness and space traffic coordination and to modify the functions and leadership of the Office of Space Commerce, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Situational Awareness
3 of Flying Elements in Orbit Act” or the “SAFE Orbit
4 Act”.

5 **SEC. 2. SPACE SITUATIONAL AWARENESS AND SPACE TRAF-**
6 **FIC COORDINATION.**

7 (a) IN GENERAL.—The Secretary of Commerce shall
8 facilitate safe operations in space and encourage the devel-
9 opment of commercial space capabilities by acquiring and
10 disseminating unclassified data, analytics, information,
11 and services on space activities.

12 (b) IMMUNITY.—The United States, any agencies and
13 instrumentalities thereof, and any individuals, firms, cor-
14 porations, and other persons acting for the United States
15 Government, including nongovernmental entities, shall be
16 immune from any suit in any court for any cause of action
17 arising from the provision or receipt of space situational
18 awareness services or information, whether or not pro-
19 vided in accordance with this section, or any related action
20 or omission.

21 (c) ACQUISITION OF DATA.—The Assistant Secretary
22 of Commerce for Space Commerce (established under sec-
23 tion 50702(b) of title 51, United States Code, as amended
24 by section 3) is authorized to acquire—

25 (1) data, analytics, information, and services,
26 including with respect to—

1 (A) location tracking data;

2 (B) positional and orbit determination in-
3 formation; and

4 (C) conjunction data messages; and

5 (2) such other data, analytics, information, and
6 services as the Secretary of Commerce determines
7 necessary to avoid collisions of space objects.

8 (d) DATABASE ON SATELLITE LOCATION AND BE-
9 HAVIOR.—The Assistant Secretary of Commerce for Space
10 Commerce shall provide access for the public, at no
11 charge, *to* a fully updated, unclassified database of infor-
12 mation concerning space objects and behavior that in-
13 cludes—

14 (1) the data and information acquired under
15 subsection (c), except to the extent that such data
16 or information is classified or a trade secret (as de-
17 fined in section 1839 of title 18, United States
18 Code); and

19 (2) the provision of basic space situational
20 awareness services and space traffic coordination
21 based on the data referred to in paragraph (1), in-
22 cluding basic analytics, tracking calculations, and
23 conjunction data messages.

1 (e) BASIC SPACE SITUATIONAL AWARENESS SERV-
2 ICES.—The Assistant Secretary of Commerce for Space
3 Commerce—

4 (1) shall provide to satellite operators, at no
5 charge, basic space situational awareness services,
6 including the data, analytics, information, and serv-
7 ices described in subsection (c);

8 (2) in carrying out paragraph (1), may not
9 compete with private sector space situational aware-
10 ness products, to the maximum extent practicable;
11 and

12 (3) not less frequently than every 3 years, shall
13 review the basic space situational awareness services
14 described in paragraph (1) to ensure that such serv-
15 ices provided by the Federal Government do not
16 compete with space situational awareness services of-
17 fered by the private sector.

18 (f) REQUIREMENTS FOR DATA ACQUISITION AND
19 DISSEMINATION.—In acquiring data, analytics, informa-
20 tion, and services under subsection (c) and disseminating
21 data, analytics, information, and services under sub-
22 sections (d) and (e), the Assistant Secretary of Commerce
23 for Space Commerce shall—

24 (1) leverage commercial capabilities to the max-
25 imum extent practicable;

1 (2) prioritize the acquisition of data, analytics,
2 information, and services from commercial industry
3 located ~~in~~ or licensed in the United States to supple-
4 ment data collected by United States Government
5 agencies, including the Department of Defense and
6 the National Aeronautics and Space Administration;

7 (3) appropriately protect proprietary data, in-
8 formation, and systems of firms located in the
9 United States, including by using appropriate infra-
10 structure and cybersecurity measures, including
11 measures set forth in the most recent version of the
12 Cybersecurity Framework, or successor document,
13 maintained by the National Institute of Standards
14 and Technology;

15 (4) facilitate the development of standardization
16 and consistency in data reporting, in collaboration
17 with satellite owners and operators, commercial
18 space situational awareness data and service pro-
19 viders, the academic community, nonprofit organiza-
20 tions, and the Director of the National Institute of
21 Standards and Technology; and

22 (5) encourage foreign governments to partici-
23 pate in unclassified data sharing arrangements for
24 space situational awareness and space traffic coordi-
25 nation.

1 (g) OTHER TRANSACTION AUTHORITY.—In carrying
 2 out the activities required by this section, the Secretary
 3 of Commerce shall enter into such contracts, leases, coop-
 4 erative agreements, or other transactions as may be nec-
 5 essary.

6 (h) SPACE OBJECT DEFINED.—In this section, the
 7 term “space object” means any object launched into space,
 8 or created in space, robotically or by humans, including
 9 an object’s component parts.

10 **SEC. 3. OFFICE OF SPACE COMMERCE.**

11 (a) DEFINITIONS.—

12 (1) IN GENERAL.—Section 50701 of title 51,
 13 United States Code, is amended to read as follows:

14 **“§ 50701. Definitions**

15 “In this chapter:

16 “(1) ASSISTANT SECRETARY.—The term ‘As-
 17 sistant Secretary’ means the Assistant Secretary of
 18 Commerce for Space Commerce.

19 “(2) BUREAU.—The term ‘Bureau’ means the
 20 Bureau of Space Commerce established under sec-
 21 tion 50702.

22 “(3) ORBITAL DEBRIS.—The term ‘orbital de-
 23bris’—

24 “(A) means—

1 “(i) any human-made space object or-
 2 biting Earth that—

3 “(I) no longer serves an intended
 4 purpose;

5 “(II) has reached the end of its
 6 mission; or

7 “(III) is incapable of safe maneu-
 8 ver or operation; and

9 “(ii) a rocket body and other hard-
 10 ware left in orbit as a result of normal
 11 launch and operational activities; and

12 “(B) includes fragmentation debris pro-
 13 duced by failure or collision of human-made
 14 space objects.

15 “(4) SECRETARY.—The term ‘Secretary’ means
 16 the Secretary of Commerce.

17 “(5) SPACE OBJECT.—The term ‘space object’
 18 means any object launched into space or created in
 19 space, robotically or by humans, including the com-
 20 ponent parts of such an object.

21 “(6) SPACE SITUATIONAL AWARENESS.—The
 22 term ‘space situational awareness’ means—

23 “(A) the identification, characterization,
 24 tracking, and the predicted movement and be-
 25 havior of space objects and orbital debris; and

1 “(B) the understanding of the space oper-
2 ational environment.

3 “(7) SPACE TRAFFIC COORDINATION.—The
4 term ‘space traffic coordination’ means the planning,
5 assessment, and coordination of activities to enhance
6 the safety, stability, and sustainability of operations
7 in the space environment.”.

8 (2) CLERICAL AMENDMENT.—The table of sec-
9 tions for chapter 507 of title 51, United States
10 Code, is amended by striking the item relating to
11 section 50701 and inserting the following:

“50701. Definitions.”.

12 (b) TRANSITION OF OFFICE TO BUREAU.—Sub-
13 section (a) of section 50702 of title 51, United States
14 Code, is amended by inserting before the period at the
15 end the following: “, which, not later than 5 years after
16 the date of the enactment of *the SAFE Orbit Act* ~~this Act~~
17 , shall be elevated by the Secretary of Commerce from an
18 office within the National Oceanic and Atmospheric Ad-
19 ministration to a bureau reporting directly to the Office
20 of the Secretary of Commerce”.

21 (c) ADDITIONAL FUNCTIONS OF BUREAU.—Sub-
22 section (c) of such section is amended—

23 (1) in paragraph (4), by striking “; and” and
24 inserting a semicolon;

1 (2) in paragraph (5), by striking the period at
 2 the end and inserting “; and”; and

3 (3) by adding at the end the following:

4 “(6) to perform space situational awareness and
 5 space traffic management duties pursuant to the
 6 SAFE Orbit Act.”.

7 (d) ASSISTANT SECRETARY OF COMMERCE FOR
 8 SPACE COMMERCE.—

9 (1) IN GENERAL.—Subsection (b) of such sec-
 10 tion is amended to read as follows:

11 “(b) ASSISTANT SECRETARY.—The Bureau shall be
 12 headed by the Assistant Secretary of Commerce for Space
 13 Commerce, who shall—

14 “(1) be appointed by the President, by and with
 15 the advice and consent of the Senate;

16 “(2) report directly to the Secretary of Com-
 17 merce; and

18 “(3) have a rate of pay that is equal to the rate
 19 payable for level IV of the Executive Schedule under
 20 section 5315 of title 5.”.

21 (2) CONFORMING AMENDMENTS.—

22 (A) Section 50702(d) of title 51, United
 23 States Code, is amended—

(i) in the subsection heading, by striking “DIRECTOR” and inserting “ASSISTANT SECRETARY”; and

(ii) in the matter preceding paragraph (1), by striking “Director” and inserting “Assistant Secretary”.

(B) Section 5315 of title 5, United States Code, is amended by striking “Assistant Secretaries of Commerce (11)” and inserting “Assistant Secretaries of Commerce (12)”.

(3) REFERENCES.—On and after the date of the enactment of this Act, any reference in any law or regulation to the Director of the Office of Space Commerce shall be deemed to be a reference to the Assistant Secretary of Commerce for Space Commerce.

~~(e) TRANSITION REPORT.—~~

(e) OFFICE OF SPACE COMMERCE STAFFING.—

(1) REQUIRED STAFF LEVELS DURING OFFICE TO BUREAU TRANSITION.—Not later than 30 days after the date of the enactment of this Act, and annually thereafter until the date that is 1 year after the date on which the transition from office to bureau is complete, the Secretary of Commerce (referred to in this subsection as the “Secretary”) and the Assistant Sec-

1 *retary of Commerce for Space Commerce (referred to*
 2 *in this subsection as the “Assistant Secretary”)*
 3 *shall—*

4 *(A) complete a staffing plan for the Office*
 5 *of Space Commerce, consistent with the functions*
 6 *described in section 50702 of title 51, United*
 7 *States Code, as amended by this Act, and the*
 8 *transition from an office to a bureau; and*

9 *(B) submit such plan to the Committee on*
 10 *Commerce, Science, and Transportation of the*
 11 *Senate and the Committee on Science, Space,*
 12 *and Technology of the House of Representatives.*

13 *(2) NOTIFICATION OF TERMINATIONS NOT BASED*
 14 *ON PERFORMANCE.—Subject to the availability of ap-*
 15 *propriations, the Secretary or the Assistant Secretary*
 16 *shall not reduce the number of full-time equivalent*
 17 *positions in the Office of Space Commerce or the Bu-*
 18 *reau of Space Commerce for any reason other than*
 19 *performance without prior notification to the Com-*
 20 *mittee on Commerce, Science, and Transportation of*
 21 *the Senate and the Committee on Science, Space, and*
 22 *Technology of the House of Representatives.*

23 *(f) TRANSITION REPORT.—*

24 *(1) IN GENERAL.—Not later than 1 year after*
 25 *the date of the enactment of this Act, the Secretary of*

1 *Commerce shall submit to the appropriate committees*
 2 *of Congress a report that sets forth transition and*
 3 *continuity of operations plans for the functional and*
 4 *administrative transfer of the Office of Space Com-*
 5 *merce from the National Oceanic and Atmospheric*
 6 *Administration to a bureau reporting to the Office of*
 7 *the Secretary of Commerce.*

8 (2) *GOAL.—The goal of transition and con-*
 9 *tinuity of operations planning shall be to minimize*
 10 *the cost and administrative burden of establishing the*
 11 *Bureau of Space Commerce while maximizing the ef-*
 12 *iciency and effectiveness of the functions and respon-*
 13 *sibilities of the Bureau of Space Commerce, in ac-*
 14 *cordance with this section and the amendments made*
 15 *by this section.*

16 (3) *APPROPRIATE COMMITTEES OF CONGRESS*
 17 *DEFINED.—In this subsection, the term “appropriate*
 18 *committees of Congress” means—*

19 (A) *the Committee on Commerce, Science,*
 20 *and Transportation and the Committee on Ap-*
 21 *propriations of the Senate; and*

22 (B) *the Committee on Science, Space, and*
 23 *Technology and the Committee on Appropria-*
 24 *tions of the House of Representatives.*

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