

Meanwhile, they are calling our access bill for the uninsured a poison pill. How dare they.

Now I ask you, Mr. Speaker, what is poisonous about expanding community health centers for the poor? What is poisonous about giving the cashier at the hardware store the same tax deduction for health care that now a corporate CEO gets? What is poisonous about letting every American have a medical savings account? What is poisonous about letting small business band together to buy cheaper coverage for their workers? What is poisonous, Mr. Speaker, about giving hard-working families special relief for providing long-term care for their aging parents?

Mr. Speaker, there are 44.3 million Americans that do not think access to affordable health coverage is a poison pill. The only poison in this debate is the callousness of the do-nothing Democrats. They ought to be ashamed, Mr. Speaker.

#### REPUBLICANS DO LITTLE OR NOTHING ON ISSUES THAT CONCERN THE AMERICAN PEOPLE

(Mr. DOGGETT asked and was given permission to address the House for 1 minute.)

Mr. DOGGETT. Mr. Speaker, this term, do-nothing Democrats, is a curious term to me. As best I remember, the Republicans have a majority in this House, the Republicans have a majority in the United States Senate; and yet they have been unable to complete their work. We have begun this new Federal fiscal year without the necessary appropriations acts and they have yet to even present one of the largest of those appropriations acts for our consideration. Likewise, they have produced so far this year, perhaps, the most unique set of legislative accomplishments largely centering on naming a few places and buildings and memorial coins and doing little or nothing on the real issues that concern the American people.

One of those real issues is having a true patients' bill of rights for those in managed health care. With consideration of important consumer legislation delayed this month after month, week after week, we will finally this week have an opportunity to provide Americans some real protection with a genuine patients' bill of rights. That is what Democratic efforts, joined with a handful of Republicans who were willing to buck their leadership to stand up for the rights of ordinary Americans against mismanaged care, can accomplish.

Give us a Democratic majority, and my colleagues will really see what Democrats can do to address health care and other concerns of American Families.

#### UNDERSTAND THE FACTS ABOUT THE OLDER AMERICANS ACT

(Mr. GOODLING asked and was given permission to address the House for 1 minute.)

Mr. GOODLING. First of all, Mr. Speaker, I would tell the gentleman that I just read in the newspaper last week where the minority leader said that the Democrats are determining what the legislation is on the floor of the House, so that is kind of interesting. But that is not why I wanted to speak.

I have heard a lot of people, many, talking about the Older Americans Act, and unfortunately they do not know what they are talking about. The Older Americans Act, which we worked on for 6 months, the gentleman from California (Mr. MCKEON) and the gentleman from California (Mr. MARTINEZ) and the gentleman from Nebraska (Mr. BARRETT), as a matter of fact does more than it has ever done before in an authorization as far as employment programs are concerned, as far as States are concerned. If my colleagues only understood the way the legislation is now and has been for years, says that 45 percent of all of the money will stay in Washington, 55 percent will go back to the State. That is not the way it has been appropriated. It has been appropriate 78 and 22. But that is not the way it is authorized. We improved that, and we said just reverse, 55 percent will stay here, 45 percent will go back.

So be sure to understand the facts about what it was we wanted to present which we will not present during this session of Congress again.

#### NEVER AGAIN

(Mr. SENSENBRENNER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SENSENBRENNER. Mr. Speaker, my good friend from Texas (Mr. DOGGETT) has a very short memory. He tells the House and the American people to give us a Democratic majority and we will show them what we can do. Mr. Speaker, I remember the last time there was a Democratic majority and the Speaker from Texas, and the House passed no appropriations bills at all by the 30th of September, and all 13 appropriation bills ended up being put in one huge massive and continuing resolution that the President of the United States, Ronald Reagan, plunked on that desk there, stack after stack after stack, and said no way will I ever sign one of those continuing resolutions again.

Now that is what happened the last time there was a Democratic majority, and I hope that we never have that happen again under either a Republican or Democratic majority.

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#### EARNING THE RESPECT OF AMERICA

(Mr. LAMPSON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LAMPSON. Mr. Speaker, perhaps the best thing to do, to sum up all of this, is let us get past the partisan rhetoric, get down to business, and do our jobs, and maybe then America will respect what we are doing here.

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. MILLER of Florida). Pursuant to clause 8 of rule XX, the Chair announces that he will postpone further proceedings today on each motion to suspend the rules on which a recorded vote or the yeas and nays are ordered or on which the vote is objected to under clause 6 of rule XX.

Any rollcall votes on postponed questions will be taken after debate has concluded on all motions to suspend the rules, but not before 6 p.m. today.

#### COMMERCIAL SPACE TRANSPORTATION COMPETITIVENESS ACT OF 1999

Mr. SENSENBRENNER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2607) to promote the development of the commercial space transportation industry, to authorize appropriations for the Office of the Associate Administrator for Commercial Space Transportation, to authorize appropriations for the Office of Space Commercialization, and for other purposes, as amended.

The Clerk read as follows:

H.R. 2607

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Commercial Space Transportation Competitiveness Act of 1999".

#### SEC. 2. FINDINGS.

The Congress finds that—

(1) a robust United States space transportation industry is vital to the Nation's economic well-being and national security;

(2) a 5-year extension of the excess third party claims payment provision of chapter 701 of title 49, United States Code, (Commercial Space Launch Activities) is necessary at this time to protect the private sector from uninsurable levels of liability;

(3) enactment of this extension will have a beneficial impact on the international competitiveness of the United States space transportation industry;

(4) space transportation may eventually move into more airplane-style operations;

(5) during the next 3 years the Federal Government and the private sector should analyze and determine whether a more appropriate and effective liability risk-sharing regime can be achieved and, if so, develop and propose the new regime to Congress at least 2 years prior to the expiration of the extension contained in this Act;

(6) the areas of responsibility of the Office of the Associate Administrator for Commercial Space Transportation have significantly increased as a result of—

(A) the rapidly expanding commercial space transportation industry and associated government licensing requirements;

(B) regulatory activity as a result of the emerging commercial reusable launch vehicle industry; and

(C) the increased regulatory activity associated with commercial operation of launch and reentry sites; and

(7) the Office of the Associate Administrator for Commercial Space Transportation should engage in only those promotional activities which directly support its regulatory mission.

### SEC. 3. OFFICE OF COMMERCIAL SPACE TRANSPORTATION.

(a) AMENDMENT.—Section 70119 of title 49, United States Code, is amended to read as follows:

#### “§70119. Office of Commercial Space Transportation

“There are authorized to be appropriated to the Secretary of Transportation for the activities of the Office of the Associate Administrator for Commercial Space Transportation—

“(1) \$6,275,000 for fiscal year 1999;

“(2) \$7,000,000 for fiscal year 2000;

“(3) \$8,300,000 for fiscal year 2001; and

“(4) \$9,840,000 for fiscal year 2002.”.

(b) TABLE OF SECTIONS AMENDMENT.—The item relating to section 70119 in the table of sections of chapter 701 of title 49, United States Code, is amended to read as follows:

“70119. Office of Commercial Space Transportation.”.

### SEC. 4. OFFICE OF SPACE COMMERCIALIZATION.

(a) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary of Commerce for the activities of the Office of Space Commercialization—

(1) \$530,000 for fiscal year 2000;

(2) \$550,000 for fiscal year 2001; and

(3) \$570,000 for fiscal year 2002.

(b) REPORT TO CONGRESS.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Commerce shall transmit to the Congress a report on the Office of Space Commercialization detailing the activities of the Office, the materials produced by the Office, the extent to which the Office has fulfilled the functions established for it by the Congress, and the extent to which the Office has participated in inter-agency efforts.

### SEC. 5. COMMERCIAL SPACE TRANSPORTATION INDEMNIFICATION EXTENSION.

Section 70113(f) of title 49, United States Code, is amended by striking “December 31, 1999” and inserting “December 31, 2004”.

### SEC. 6. LIABILITY REGIME FOR COMMERCIAL SPACE TRANSPORTATION.

(a) REPORT REQUIREMENT.—Not later than 18 months after the date of the enactment of this Act, the Secretary of Transportation shall transmit to the Congress a report on the liability risk-sharing regime in the United States for commercial space transportation.

(b) CONTENTS.—The report required by this section shall—

(1) analyze the adequacy, propriety, and effectiveness of, and the need for, the current liability risk-sharing regime in the United States for commercial space transportation;

(2) examine the current liability and liability risk-sharing regimes in other countries with space transportation capabilities;

(3) examine whether it is appropriate for all space transportation activities to be deemed “ultrahazardous activities” for which a strict liability standard may be ap-

plied and, if not, what liability regime should attach to space transportation activities, whether ultrahazardous activities or not;

(4) examine how relevant international treaties affect the Federal Government’s liability for commercial space launches and whether the current domestic liability risk-sharing regime meets or exceeds the requirements of those treaties;

(5) examine whether and when the commercial space transportation liability regime could be conformed to the approach of the airline liability regime; and

(6) include recommendations on whether the commercial space transportation liability regime should be modified and, if so, what modifications are appropriate and what actions are required to accomplish those modifications.

(c) SECTIONS.—The report required by this section shall include—

(1) a section containing the views of—

(A) the Office of the Associate Administrator for Commercial Space Transportation;

(B) the National Aeronautics and Space Administration;

(C) the Department of Defense;

(D) the Office of Space Commercialization; and

(E) any other interested Federal agency, on the issues described in subsection (b);

(2) a section containing the views of United States commercial space transportation providers on the issues described in subsection (b);

(3) a section containing the views of United States commercial space transportation customers on the issues described in subsection (b);

(4) a section containing the views of the insurance industry on the issues described in subsection (b); and

(5) a section containing views obtained from public comment received as a result of notice in Commerce Business Daily, the Federal Register, and appropriate Federal agency Internet websites on the issues described in subsection (b).

The Secretary of Transportation shall enter into appropriate arrangements for a non-Federal entity or entities to provide the sections of the report described in paragraphs (2), (3), and (4).

### SEC. 7. STUDY OF APPROPRIATIONS IMPACT ON SPACE COMMERCIALIZATION.

Within 90 days after the later of the date of enactment of this Act or the date of enactment of the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 2000, the Comptroller General, in consultation with the Administrator of the National Aeronautics and Space Administration and United States commercial space industry providers and customers, shall transmit to the Congress a report on the impact of that appropriations Act on the future development of the United States commercial space industry.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Wisconsin (Mr. SENSENBRENNER) and the gentleman from Texas (Mr. LAMPSON) each will control 20 minutes.

The Chair recognizes the gentleman from Wisconsin (Mr. SENSENBRENNER).

GENERAL LEAVE

Mr. SENSENBRENNER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 2607, as amended.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

(Mr. SENSENBRENNER asked and was given permission to revise and extend his remarks.)

Mr. SENSENBRENNER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 2607, the Commercial Space Transportation Competitiveness Act of 1999, provides a 5-year extension for what is commonly referred to as indemnification. This extension is necessary to protect space transportation companies from uninsurable levels of liability and to enhance the international competitiveness of the American companies. The current indemnification provision expires at the end of this year, so we need to move quickly in order to get this extension enacted before the end of the year.

H.R. 2607 also includes a reporting provision on whether the current risk-sharing regime should be modified. The report calls for separate sections from the Federal Government, the U.S. space transportation providers and customers, the insurance industry and the general public. This report will provide the basis for Congressional hearings and public debate in the future and should provide the framework for the new regime in plenty of time before this extension expires in 2004.

The bill also includes authorizations for the Office of Commercial Space Transportation and the Office of Space Commercialization, and requires a report on the objectives, activities and plans of the Office of Space Commercialization.

In short, this is a straightforward bill. It only contains, one, the indemnification extension; two, a report on how indemnification might be structured in the future; three, authorizations for two small commercial space offices; and, four, a section requiring a GAO report.

I strongly support this bill, and urge my colleagues to vote in favor of it.

Mr. Speaker, I reserve the balance of my time.

Mr. LAMPSON. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I want to rise in support of H.R. 2607. As the gentleman from Wisconsin (Chairman SENSENBRENNER) has very eloquently stated, this bill addresses a clear need of the U.S. commercial space industry.

A central feature of the bill is a 5-year extension of the commercial space launch indemnification authority that has existed in law since 1988. That authority has established a risk-sharing regime between the launch industry and the Federal Government. That indemnification authority has helped to level the international playing field with non-U.S. space launch companies whose governments have provided them with similar risk-sharing arrangements. The provisions have not cost the U.S. taxpayer a single dollar since they went into force a decade ago.

The indemnification authority has been renewed once since its initial establishment, and H.R. 2607 would extend that authority for another 5 years. I believe that extension of the indemnification authority is in our Nation's best interests, and I urge Members to vote to suspend the rules and pass the bill.

Mr. Speaker, I reserve the balance of my time.

Mr. SENSENBRENNER. Mr. Speaker, I yield such time as he may consume to the gentleman from California (Mr. ROHRABACHER).

(Mr. ROHRABACHER asked and was given permission to revise and extend his remarks.)

Mr. ROHRABACHER. Mr. Speaker, I thank the gentleman from Wisconsin, my friend and chairman of the Committee on Science, for discharging H.R. 2607 and bringing it to the floor today.

Mr. Speaker, this legislation is just one more thing that this Congress is doing to respond to the Cox Committee's report and strengthen America's space transportation industry. This bill authorizes two important offices which regulate and promote this industry and renews commercial launch indemnification authority for 5 years beyond its expiration at the end of this year.

America's space transportation industry is still in its childhood as far as maturity goes. It is becoming very dynamic. We are now experiencing and witnessing many reusable launch as well as expendable launch vehicles under development that in the future will serve America well.

In the future, I would hope that the government could shoulder less risk so that the industry is fully motivated to invest in more reliable and safe and reusable launch vehicles. In fact, as the reusables that are under development now and the expendables that are under development now come into fruition, as they are put into practice and they are put into service for the American people, we expect these space transportation systems to be developed and to be further improved so that indemnification will not quite be the issue that it is at this stage in America's space program.

Furthermore, this legislation sets in place an independent process to advise the Congress on how the government and the private sector should share the risk in space transportation activities in the future. So we are preparing for that day when this type of indemnification may no longer be necessary.

In particular, we are asking launch companies, their customers and their insurers as well, to serve and to give us input into how and when we might carefully change the current regime. By renewing the current regime for 5 years and giving industry the opportunity to shape the future, I believe we are serving the taxpayers well and giving America's space transportation companies a stable business environment so they can become more competitive and so that they can develop

these new space transportation technologies that will keep America the number one power in commercial space as well as the number one power in some of the space projects that are being developed for dual use with the Defense Department and NASA as well as in the private sector.

Mr. Speaker, I again thank the gentleman from Wisconsin, the chairman of the committee, for discharging this bill, and for supporting it, and for the leadership he has provided for America's space industry.

Mr. GORDON. Mr. Speaker, I want to speak in support of H.R. 2607. This bill has as its central element a provision that would extend the launch indemnification authority that was established in the Commercial Space Launch Act, as amended. That authority established a predictable, well understood risk-sharing regime that has helped the growth of the U.S. commercial space launch industry over the intervening decade. The provision of limited indemnification has long been a cornerstone of our nation's approach to preserving a healthy and competitive launch industry.

However, under the existing statute, these provisions will expire at the end of the current calendar year unless renewed. H.R. 2607 would extend those provisions for another five years. At our hearings this year, there has been a broad consensus on the need to renew the indemnification authority. I hope that we will do so today.

In addition to the indemnification extension, the bill contains a number of other provisions that I am less enthusiastic about. For example, one finding of the bill would limit the Department of Transportation's ability to engage in non-regulatory activities that have done much to advance the state of the U.S. launch industry.

In addition, there are funding levels in the bill for the Department of Transportation's Office of Commercial Space Transportation that may not be commensurate with the regulatory responsibilities that Congress has levied upon that Office. However, since I am confident that those concerns can be addressed in Conference, I did not see any reason to prevent the bill from being considered on the suspension calendar. In my opinion, it is important that we move this bill forward and ensure that the launch indemnification authority is renewed in a timely manner.

Mr. HALL of Texas. Mr. Speaker, I rise in support of H.R. 2607.

The U.S. commercial space launch industry currently leads the worlds, and we can all be proud of that.

At the same time, U.S. companies face tough competition from overseas launch providers.

And each of those non-U.S. companies have the support of their countries in sharing the risks associated with launching payloads into space.

One of the important ways that we have been able to keep the commercial playing field level is through the indemnification provisions contained in the Commercial Space Launch Act, as amended.

Unfortunately, those provisions are set to expire at the end of this year if they aren't renewed.

H.R. 2607 will extend the indemnification provisions for another five years.

I think that these provisions are critical to the continued health of the U.S. commercial space launch industry, and I urge my colleagues to support H.R. 2607.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I support H.R. 2607, the Commercial Space Transportation Competitiveness Act of 1999. This act will further support the development of America's commercial space transportation industry by bolstering our ability to compete in the international arena.

The commercial launch industry has grown tremendously during the last decade. Our nation's companies hold close to 50 percent of the world market share, and most important, our launch vehicles have a strong reliability record. With the incredible leaps that we have experienced in the technology field, the use of commercial satellites has increasingly become more and more important. In addition both NASA and the Department of Defense are increasingly making use of commercial launch services. Most notable experts predict continued growth in the industry.

As a Member of the House Science Committee, I attended the hearings that examined this bill and the barriers to commercial space launches. During those hearings, the space transportation industry expressed the opinion that we could do more. This bill begins to address these concerns and shows the industry that Congress has not lost focus on the bigger picture.

The measure most often mentioned by the industry was the extension of the commercial space launch indemnification provision. Begun in 1988 by an amendment to the Commercial Space Launch Act, this measure significantly lowered the barriers to growth in the commercial space transportation industry. These amendments in the wake of the Challenger disaster put forth a risk-sharing regime. This indemnification between the Federal government and the commercial industry was designed to help transition and foster growth within the commercial industry.

H.R. 2607 will provide for the extension of the Commercial Space Transportation Indemnification Extension. In addition, this act is asking the Transportation Department to examine and make a determination regarding a better risk-sharing regime.

This bill is an important step but we need to continue to answer the questions of how the federal government can continue to facilitate growth in the commercial industry five to ten years from now. As technology continues to advance many of our constituents and the industries in our districts will want affordable access to space and in order to further open the space frontier America needs to have a strong commercial space transportation industry.

Mr. LAMPSON. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. SENSENBRENNER. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Wisconsin (Mr. SENSENBRENNER) that the House suspend the rules and pass the bill, H.R. 2607, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.