

At the appropriate place, insert the following:

**SEC. \_\_\_\_ . GAO REPORT ON IMPLEMENTATION.**

(a) **STUDY.**—The Comptroller General of the United States shall conduct a study on the implementation of the information sharing system developed under this Act.

(b) **REPORT.**—Not later than 1 year after the date on which the information sharing procedures described in this Act are implemented, the Comptroller General shall submit to Congress a report on the study conducted under subsection (a), which shall include an assessment of—

(1) the effectiveness of the information sharing system in sharing cyber threat indicators, including an approximate number of cyber threat indicators shared;

(2) the extent to which the information sharing procedures described in this Act—

(A) are used by private entities; and

(B) are effective at screening out personal information or information that identifies a specific person not directly related to a cybersecurity threat;

(3) the extent to which private entities have implemented procedures to remove personal information or information that identifies a specific person not directly related to a cybersecurity threat prior to sharing cyber threat indicators with a Federal entity, consistent with the requirements of this Act;

(4) the extent to which the Department of Homeland Security has implemented procedures to remove personal information or information that identifies a specific person not directly related to a cybersecurity threat prior to sharing cyber threat indicators with private entities or other Federal entities, consistent with the requirements of this Act; and

(5) the effectiveness of data security implemented by Federal entities that are involved in the sharing of cyber threat indicators.

**SA 2612.** Mr. FRANKEN (for himself, Mr. LEAHY, and Mr. WYDEN) submitted an amendment intended to be proposed by him to the bill S. 754, to improve cybersecurity in the United States through enhanced sharing of information about cybersecurity threats, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 3, strike line 21 and all that follows through page 5, line 8, and insert the following:

system that is reasonably likely to result in an unauthorized effort to adversely impact the security, availability, confidentiality, or integrity of an information system or information that is stored on, processed by, or transiting an information system.

(B) **EXCLUSION.**—The term “cybersecurity threat” does not include any action that solely involves a violation of a consumer term of service or a consumer licensing agreement.

(6) **CYBER THREAT INDICATOR.**—The term “cyber threat indicator” means information that is necessary to describe or identify—

(A) malicious reconnaissance, including anomalous patterns of communications that appear to be transmitted for the purpose of gathering technical information related to a cybersecurity threat or security vulnerability;

(B) a method of defeating a security control or exploitation of a security vulnerability;

(C) a security vulnerability, including anomalous activity that appears to indicate the existence of a security vulnerability;

(D) a method of causing a user with legitimate access to an information system or information that is stored on, processed by, or

transiting an information system to unwittingly enable the defeat of a security control or exploitation of a security vulnerability;

(E) malicious cyber command and control;

(F) the harm caused by an incident, including a description of the information exfiltrated as a result of a particular cybersecurity threat;

(G) any other attribute of a cybersecurity threat, if disclosure of such information is not otherwise prohibited by law; or

**SA 2613.** Mr. CARPER submitted an amendment intended to be proposed by him to the bill S. 754, to improve cybersecurity in the United States through enhanced sharing of information about cybersecurity threats, and for other purposes; which was ordered to lie on the table; as follows:

On page 22, strike lines 13 through 19 and insert the following:

(i) are shared in as close to real time as practicable with all appropriate Federal entities and in accordance with Attorney General policies, procedures, and guidelines and any applicable statutory requirements; and

On page 22, line 20, strike “(iii)” and insert “(ii)”.

On page 30, strike lines 4 through 8 and insert the following:

(C) ensures that the appropriate Federal entities receive such cyber threat indicators in as close to real time as practicable and in accordance with Attorney General policies, procedures, and guidelines and any applicable statutory requirements;

Beginning on page 31, strike line 20 and all that follows through page 32, line 6, and insert the following:

(B) the appropriate Federal entities receive such cyber threat indicators and defensive measures through the process within the Department of Homeland Security in as close to real time as practicable and in accordance with Attorney General policies, procedures, and guidelines and any applicable statutory requirements.

(4) **OTHER FEDERAL ENTITIES.**—The process developed and implemented under paragraph (1) shall ensure that other Federal entities receive such cyber threat indicators and defensive measures shared with the Federal Government through the process in as close to real time as practicable and in accordance with Attorney General policies, procedures, and guidelines and any applicable statutory requirements.

**SA 2614.** Mr. CARPER submitted an amendment intended to be proposed by him to the bill S. 754, to improve cybersecurity in the United States through enhanced sharing of information about cybersecurity threats, and for other purposes; which was ordered to lie on the table; as follows:

Strike paragraph (1) of section 4(c) and insert the following:

(1) **IN GENERAL.**—

(A) **SHARING WITH ALL ENTITIES.**—Except as provided in paragraph (2) and notwithstanding any other provision of law, an entity may, for the purposes permitted under this Act and consistent with the protection of classified information, share with, or receive from, any other entity or the Federal Government in a manner consistent with section 5(c)(1)(B) a cyber threat indicator or defensive measure.

(B) **SHARING WITH FEDERAL ENTITIES.**—Except as provided in paragraph (2) and consistent with other applicable laws, an entity may, for the purposes permitted under this Act and consistent with the protection of

classified information, share with, or receive from, the Federal Government a cyber threat indicator or defensive measure.

**SA 2615.** Mr. CARPER submitted an amendment intended to be proposed by him to the bill S. 754, to improve cybersecurity in the United States through enhanced sharing of information about cybersecurity threats, and for other purposes; which was ordered to lie on the table; as follows:

On page 22, line 16, insert “unnecessary” after “delay.”.

## NOTICE OF INTENT TO OBJECT TO PROCEEDING

I, Senator CHARLES E. GRASSLEY, intend to object to proceeding to the nomination of David Malcolm Robinson to be Assistant Secretary of State (Conflict and Stabilization Operations), PN337; and Coordinator for Reconstruction and Stabilization, PN336, dated August 4, 2015.

## AUTHORITY FOR COMMITTEES TO MEET

### COMMITTEE ON ARMED FORCES

Mr. BURR. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on August 4, 2015, at 9:30 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

### COMMITTEE ON FINANCE

Mr. BURR. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on August 4, 2015, at 10 a.m., in room SD-215 of the Dirksen Senate Office Building, to conduct a hearing entitled “A Way Back Home: Preserving Families and Reducing the Need for Foster Care.”

The PRESIDING OFFICER. Without objection, it is so ordered.

### COMMITTEE ON FOREIGN RELATIONS

Mr. BURR. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on August 4, 2015, at 10 a.m., to conduct a hearing entitled “JCPOA: Non-Proliferations, Inspections, and Nuclear Constraints.”

The PRESIDING OFFICER. Without objection, it is so ordered.

### COMMITTEE ON FOREIGN RELATIONS

Mr. BURR. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on August 4, 2015, at 2:30 p.m., to conduct a hearing entitled “Nominations.”

The PRESIDING OFFICER. Without objection, it is so ordered.

### COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. BURR. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on August 4,

2015, at 10 a.m., to conduct a hearing entitled “Oversight of the Bureau of Prisons: First-Hand Accounts of Challenges Facing the Federal Prison System.”

The PRESIDING OFFICER. Without objection, it is so ordered.

#### SELECT COMMITTEE ON INTELLIGENCE

Mr. BURR. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on August 4, 2015, at 3 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### SUBCOMMITTEE ON SUPERFUND, WASTE MANAGEMENT, AND REGULATORY OVERSIGHT

Mr. BURR. Mr. President, I ask unanimous consent that the Subcommittee on Superfund, Waste Management, and Regulatory Oversight of the Committee on Environment and Public Works be authorized to meet during the session of the Senate on August 4, 2015, at 9:30 a.m., in room SD-406 of the Dirksen Senate Office Building, to conduct a hearing entitled “Oversight of Litigation at EPA and FWS: Impacts on the U.S. Economy, States, Local Communities and the Environment.”

The PRESIDING OFFICER. Without objection, it is so ordered.

#### U.S. COMMERCIAL SPACE LAUNCH COMPETITIVENESS ACT

Mr. ROUNDS. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 159, S. 1297.

The PRESIDING OFFICER. The clerk will report the bill by title.

The senior assistant legislative clerk reads as follows:

A bill (S. 1297) to update the Commercial Space Launch Act by amending title 51, United States Code, to promote competitiveness of the U.S. commercial space sector, and for other purposes.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Commerce, Science, and Transportation, with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

S. 1297

#### SECTION 1. SHORT TITLE.

This Act may be cited as the “U.S. Commercial Space Launch Competitiveness Act”.

#### SEC. 2. REFERENCES TO TITLE 51, UNITED STATES CODE.

Except as otherwise expressly provided, wherever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of title 51, United States Code.

#### SEC. 3. LIABILITY INSURANCE AND FINANCIAL RESPONSIBILITY REQUIREMENTS.

(a) SENSE OF CONGRESS.—It is the sense of Congress that it is in the public interest to update the methodology used to calculate the maximum probable loss from claims under section 50914 of title 51, United States Code, with a validated risk profile approach in order to consistently compute valid and reasonable maximum probable loss values.

(b) IMPLEMENTATION.—Not later than September 30, 2015, the Secretary of Transportation,

in consultation with the commercial space sector and insurance providers, shall—

(1) evaluate and, if necessary, develop a plan to update the methodology used to calculate the maximum probable loss from claims under section 50914 of title 51, United States Code;

(2) in evaluating or developing a plan under paragraph (1)—

(A) ensure that the Federal Government is not exposed to greater costs than intended and that launch companies are not required to purchase more insurance coverage than necessary; and

(B) consider the impact of the cost to both the industry and the Government of implementing an updated methodology; and

(3) submit the evaluation, and any plan, to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science, Space, and Technology of the House of Representatives.

#### SEC. 4. LAUNCH LIABILITY EXTENSION.

Section 50915(f) is amended by striking “December 31, 2016” and inserting “December 31, 2020”.

#### SEC. 5. COMMERCIAL SPACE LAUNCH LICENSING AND EXPERIMENTAL PERMITS.

Section 50906 is amended—

(1) in subsection (d), by striking “launched or reentered” and inserting “launched or reentered under that permit”;

(2) by amending subsection (d)(1) to read as follows:

“(1) research and development to test design concepts, equipment, or operating techniques;”;

(3) in subsection (d)(3) by striking “prior to obtaining a license”;

(4) in subsection (e)(1) by striking “suborbital rocket design” and inserting “suborbital rocket or suborbital rocket design”; and

(5) by amending subsection (g) to read as follows:

“(g) The Secretary may issue a permit under this section notwithstanding any license issued under this chapter. The issuance of a license under this chapter may not invalidate a permit issued under this section.”.

#### SEC. 6. LICENSING REPORT.

Not later than 120 days after the date of enactment of this Act, the Secretary of Transportation shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science, Space, and Technology of the House of Representatives a report on approaches for streamlining the licensing and permitting process of launch vehicles, reentry vehicles, or components of launch or reentry vehicles, to enable non-launch flight operations related to space transportation. The report shall include approaches to improve efficiency, reduce unnecessary costs, resolve inconsistencies, remove duplication, and minimize unwarranted constraints. The report shall also include an assessment of existing private and government infrastructure, as appropriate, in future licensing activities.

#### SEC. 7. SPACE AUTHORITY.

(a) IN GENERAL.—Not later than 120 days after the date of enactment of this Act, the Director of the Office of Science and Technology Policy, in consultation with the Secretary of State, the Secretary of Transportation, the Administrator of the National Aeronautics and Space Administration, the heads of other relevant Federal agencies, and the commercial space sector, shall—

(1) assess current, and proposed near-term, commercial non-governmental activities conducted in space;

(2) identify appropriate oversight authorities for the activities described in paragraph (1);

(3) recommend an oversight approach that would prioritize safety, utilize existing authorities, minimize burdens, promote the U.S. commercial space sector, and meet the United States obligations under international treaties; and

(4) submit to the Committee on Commerce, Science, and Transportation of the Senate and

the Committee on Science, Space, and Technology of the House of Representatives a report on the assessment and recommended approaches.

(b) EXCEPTION.—Nothing in this section shall apply to the activities of the ISS national laboratory as described in section 504 of the National Aeronautics and Space Administration Authorization Act of 2010 (42 U.S.C. 18354), including any research or development projects utilizing the ISS national laboratory.

#### SEC. 8. SPACE SURVEILLANCE AND SITUATIONAL AWARENESS DATA.

Not later than 120 days after the date of enactment of this Act, the Secretary of Transportation in concurrence with the Secretary of Defense shall—

(1) in consultation with the heads of other relevant Federal agencies, study the feasibility of processing and releasing safety-related space situational awareness data and information to any entity consistent with national security interests and public safety obligations of the United States; and

(2) submit a report on the feasibility study to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science, Space, and Technology of the House of Representatives.

#### SEC. 9. EXTENSION OF CERTAIN SAFETY REGULATION REQUIREMENTS.

(a) EXTENSION OF CERTAIN SAFETY REGULATION REQUIREMENTS.—Section 50905(c)(3) is amended by striking “Beginning on October 1, 2015” and inserting “Beginning on October 1, 2020”.

(b) CONSTRUCTION.—Section 50905(c) is amended by adding at the end the following:

“(5) Nothing in this subsection shall be construed to limit the authority of the Secretary to discuss potential regulatory approaches with the commercial space sector, including observations, findings, and recommendations from the Commercial Space Transportation Advisory Committee, prior to the issuance of a notice of proposed rulemaking.”.

(c) REPORT.—Not later than 270 days after the date of enactment of this Act, the Secretary of Transportation, in consultation with the commercial space sector, including the Commercial Space Transportation Advisory Committee, shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science, Space, and Technology of the House of Representatives a report specifying key industry metrics that might indicate readiness of the commercial space sector and the Department of Transportation to transition to a regulatory approach under section 50905(c)(3) of title 51, United States Code, that considers space flight participant, government astronaut, and crew safety.

(d) BIENNIAL REPORT.—Beginning on December 31, 2016, and biennially thereafter, the Secretary of Transportation, in consultation and coordination with the commercial space sector, including the Commercial Space Transportation Advisory Committee, shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science, Space, and Technology of the House of Representatives a report that identifies the activities, described in subsections (c) and (d) of section 50905 of title 51, United States Code, most appropriate for regulatory action, if any, and a proposed transition plan for such regulations.

#### SEC. 10. INDUSTRY VOLUNTARY CONSENSUS STANDARDS.

(a) INDUSTRY VOLUNTARY CONSENSUS STANDARDS.—Section 50905(c), as amended in section 9 of this Act, is further amended by adding at the end the following:

“(6) The Secretary shall continue to work with the commercial space sector, including the Commercial Space Transportation Advisory Committee, to facilitate the development of voluntary consensus standards based on recommended best practices to improve the safety of