

(A), and annually thereafter until the conclusion of the 1 or more demonstration missions, the Administrator shall submit to the appropriate committees of Congress a status report on—

(i) the technology developed under the demonstration project;

(ii) progress toward the accomplishment of the 1 or more demonstration missions; and

(iii) any duplicative efforts carried out or supported by the National Aeronautics and Space Administration or the Department of Defense.

(C) **RECOMMENDATIONS.**—Not later than 1 year after the date on which the first demonstration mission is carried out under this subsection, the Administrator, in consultation with the head of each relevant Federal department or agency, shall submit to Congress a report that provides legislative, regulatory, and policy recommendations to improve active debris remediation missions, as applicable.

(D) **TECHNICAL ANALYSIS.**—

(i) **IN GENERAL.**—To inform decisions regarding the acquisition of active debris remediation services by the Federal Government, not later than 1 year after the date on which an award is made under paragraph (1), the Administrator shall submit to Congress a report that—

(I) summarizes the cost-effectiveness, and provides a technical analysis of, technologies developed under the demonstration project;

(II) identifies any technology gaps addressed by the demonstration project and any remaining technology gaps; and

(III) provides, as applicable, any further legislative, regulatory, and policy recommendations to enable active debris remediation missions.

(ii) **AVAILABILITY.**—The Administration shall make the report submitted under clause (i) available to the Secretary, the Secretary of Defense, and other relevant Federal departments and agencies, as determined by the Administrator.

(7) **SENSE OF CONGRESS ON INTERNATIONAL COOPERATION.**—It is the sense of Congress that, in carrying out the demonstration project, it is critical that the Administrator, in coordination with the Secretary of State and in consultation with the National Space Council, cooperate with one or more partner countries to enable the remediation of orbital debris that is under their respective jurisdictions.

(C) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated to the Administrator to carry out this section \$150,000,000 for the period of fiscal years 2024 through 2028.

(d) **RESCISSION OF UNOBLIGATED FUNDS.**—Unobligated balances of amounts appropriated or otherwise made available by subsection (c) as of September 30, 2028, shall be rescinded not later than December 31, 2028.

(e) **RULE OF CONSTRUCTION.**—Nothing in this section may be construed to grant the Administrator the authority to issue any regulation relating to activities under subsection (b) or related space activities under title 51, United States Code.

#### SEC. 5. ACTIVE DEBRIS REMEDIATION SERVICES.

(a) **IN GENERAL.**—To foster the competitive development, operation, improvement, and commercial availability of active debris remediation services, and in consideration of the economic analysis required by subsection (b) and the briefing and reports under section 4(b)(6), the Administrator and the head of each relevant Federal department or agency may acquire services for the remediation of orbital debris, whenever practicable, through fair and open competition for contracts that are well-defined, milestone-based, and in accordance with the Federal Acquisition Regulation.

(b) **ECONOMIC ANALYSIS.**—Based on the results of the demonstration project, the Secretary, acting through the Office of Space Commerce, shall publish an assessment of the estimated Federal Government and private sector demand for orbital debris remediation services for the 10-year period beginning in 2025.

#### SEC. 6. UNIFORM ORBITAL DEBRIS STANDARD PRACTICES FOR UNITED STATES SPACE ACTIVITIES.

(a) **IN GENERAL.**—Not later than 90 days after the date of the enactment of this Act, the National Space Council, in coordination with the Secretary, the Administrator of the Federal Aviation Administration, the Secretary of Defense, the Secretary of State, the Federal Communications Commission, and the Administrator, shall initiate an update to the Orbital Debris Mitigation Standard Practices that—

(1) considers planned space systems, including satellite constellations; and

(2) addresses—

(A) collision risk;

(B) explosion risk;

(C) casualty probability;

(D) post-mission disposal of space systems;

(E) time to disposal or de-orbit;

(F) spacecraft collision avoidance and automated identification capability; and

(G) the ability to track orbital debris of decreasing size.

(b) **CONSULTATION.**—In developing the update under subsection (a), the National Space Council, or a designee of the National Space Council, shall seek advice and input on commercial standards and best practices from representatives of the commercial space industry, academia, and nonprofit organizations, including through workshops and, as appropriate, advance public notice and comment processes under chapter 5 of title 5, United States Code.

(c) **PUBLICATION.**—Not later than 1 year after the date of the enactment of this Act, such update shall be published in the Federal Register and posted to the relevant Federal Government internet websites.

(d) **REGULATIONS.**—To promote uniformity and avoid duplication in the regulation of space activity, including licensing by the Federal Aviation Administration, the National Oceanic and Atmospheric Administration, and the Federal Communications Commission, such update, after publication, shall be used to inform the further development and promulgation of Federal regulations relating to orbital debris.

(e) **INTERNATIONAL PROMOTION.**—To encourage effective and nondiscriminatory standards, best practices, rules, and regulations implemented by other countries, such update shall inform bilateral and multilateral discussions focused on the authorization and continuing supervision of nongovernmental space activities.

(f) **PERIODIC REVIEW.**—Not less frequently than every 5 years, the Orbital Debris Mitigation Standard Practices referred to in subsection (a) shall be assessed and, if necessary, updated, used, and promulgated in a manner consistent with this section.

#### SEC. 7. STANDARD PRACTICES FOR SPACE TRAFFIC COORDINATION.

(a) **IN GENERAL.**—The Secretary, in coordination with the Secretary of Defense and members of the National Space Council and the Federal Communications Commission, shall facilitate the development of standard practices for on-orbit space traffic coordination based on existing guidelines and best practices used by Government and commercial space industry operators.

(b) **CONSULTATION.**—In facilitating the development of standard practices under subsection (a), the Secretary, through the Office of Space Commerce, in consultation with the

National Institute of Standards and Technology, shall engage in frequent and routine consultation with representatives of the commercial space industry, academia, and nonprofit organizations.

(c) **PROMOTION OF STANDARD PRACTICES.**—On completion of such standard practices, the Secretary, the Secretary of State, the Secretary of Transportation, the Administrator, and the Secretary of Defense shall promote the adoption and use of the standard practices for domestic and international space missions.

#### LAUNCH COMMUNICATIONS ACT

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 209, S. 1648.

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

The senior assistant legislative clerk read as follows:

A bill (S. 1648) to facilitate access to the electromagnetic spectrum for commercial space launches and commercial space reentries, and for other purposes.

There being no objection, the Senate proceeded to consider the bill which was reported from the Committee on Commerce, Science, and Transportation with amendments as follows:

(The parts of the bill intended to be stricken are in boldfaced brackets, and the parts of the bill intended to be inserted are in italic.)

S. 1648

*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 “Launch Communications Act”.

#### SEC. 2. ACCESS TO ELECTROMAGNETIC SPECTRUM FOR COMMERCIAL SPACE LAUNCHES AND REENTRIES.

(a) **SERVICE RULES; ALLOCATION.**—

(1) **IN GENERAL.**—Not later than 90 days after the date of the enactment of this Act, the Commission shall—

(A) complete any proceeding in effect as of such date of enactment related to the adoption of service rules for access to the frequencies described in subsection (c) for commercial space launches and commercial space reentries, including technical specifications, eligibility requirements, and coordination procedures to preserve the defense capabilities of the United States; and

(B) allocate on a secondary basis such frequencies for commercial space launches and commercial space reentries.

(2) **COORDINATION WITH NATIONAL TELECOMMUNICATIONS AND INFORMATION ADMINISTRATION.**—The coordination procedures adopted under paragraph (1)(A) shall include requirements for persons conducting commercial space launches and commercial space reentries to coordinate with the Assistant Secretary regarding access to the frequencies described in subsection (c) for commercial space launches and commercial space reentries.

(3) **LIMITATION.**—Access to the frequencies described in subsection (c) in accordance with the service rules adopted under subparagraph (A) of paragraph (1), and the allocation of such frequencies under subparagraph (B) of that paragraph, shall be limited to the use of such frequencies for commercial space launches and commercial space reentries.

(b) **STREAMLINING OF PROCESS FOR GRANTING AUTHORIZATIONS.**—Not later than 180

days after the date of the enactment of this Act, the Commission shall issue new regulations to streamline the process for granting authorizations for access to the frequencies described in subsection (c) for commercial space launches and commercial space reentries so as to provide for—

(1) authorizations that include access to such frequencies for multiple commercial space launches from 1 or more Federal space launch sites and multiple commercial space reentries to 1 or more Federal space [launch sites] *reentry sites*;

(2) authorizations that include access to such frequencies for multiple commercial space launches from 1 or more private space launch sites and multiple commercial space reentries to 1 or more private space [launch sites], *reentry sites*, upon successful coordination with any Federal space launch site within a range for access to such frequencies such that such a commercial space launch or commercial space reentry [would cause] *would not cause harmful interference with Federal systems*;

(3) authorizations that include access to multiple uses of such frequencies for commercial space launch or commercial space reentry;

(4) [automation of the processes of the Commission to review] *electronic filing and processing of applications for authorizations for access to such frequencies for commercial space launches and commercial space reentries*; and

(5) improved coordination by the Commission with the Assistant Secretary (who shall coordinate with the head of any other Federal agency, as the Assistant Secretary considers appropriate) to increase the speed of review of applications for authorizations for access to such frequencies for commercial space launches and commercial space reentries, *including coordination to increase automation similar to the automation described in the service rules established by the Commission and the Assistant Secretary to promote the development and use, by entities other than the Federal Government, of spectrum in other bands, including bands with the frequencies between 71 and 76 gigahertz, between 81 and 86 gigahertz, and between 92 and 95 gigahertz*.

(c) **FREQUENCIES DESCRIBED.**—The frequencies described in this subsection are the frequencies between 2025 and 2110 megahertz, between 2200 and 2290 megahertz, and between 2360 and 2395 megahertz.

(d) **RULE OF CONSTRUCTION.**—Each range of frequencies described in this section shall be construed to be inclusive of the upper and lower frequencies in the range.

(e) **DEFINITIONS.**—In this section:

(1) **ASSISTANT SECRETARY.**—The term “Assistant Secretary” means the Assistant Secretary of Commerce for Communications and Information.

(2) **COMMERCIAL SPACE LAUNCH.**—The term “commercial space launch” means a launch licensed under chapter 509 of title 51, United States Code.

(3) **COMMERCIAL SPACE REENTRY.**—The term “commercial space reentry” means a reentry licensed under chapter 509 of title 51, United States Code.

(4) **COMMISSION.**—The term “Commission” means the Federal Communications Commission.

Mr. SCHUMER. I ask unanimous consent that the committee-reported amendments be agreed to; that the bill, as amended, be considered read a third time and passed; and that the motion to reconsider be considered made and laid upon the table.

The committee-reported amendments were agreed to.

The bill (S. 1648), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed as follows:

S. 1648

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

#### SECTION 1. SHORT TITLE.

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(A) complete any proceeding in effect as of such date of enactment related to the adoption of service rules for access to the frequencies described in subsection (c) for commercial space launches and commercial space reentries, including technical specifications, eligibility requirements, and coordination procedures to preserve the defense capabilities of the United States; and

(B) allocate on a secondary basis such frequencies for commercial space launches and commercial space reentries.

(2) **COORDINATION WITH NATIONAL TELECOMMUNICATIONS AND INFORMATION ADMINISTRATION.**—The coordination procedures adopted under paragraph (1)(A) shall include requirements for persons conducting commercial space launches and commercial space reentries to coordinate with the Assistant Secretary regarding access to the frequencies described in subsection (c) for commercial space launches and commercial space reentries.

(3) **LIMITATION.**—Access to the frequencies described in subsection (c) in accordance with the service rules adopted under subparagraph (A) of paragraph (1), and the allocation of such frequencies under subparagraph (B) of that paragraph, shall be limited to the use of such frequencies for commercial space launches and commercial space reentries.

(b) **STREAMLINING OF PROCESS FOR GRANTING AUTHORIZATIONS.**—Not later than 180 days after the date of the enactment of this Act, the Commission shall issue new regulations to streamline the process for granting authorizations for access to the frequencies described in subsection (c) for commercial space launches and commercial space reentries so as to provide for—

(1) authorizations that include access to such frequencies for multiple commercial space launches from 1 or more Federal space launch sites and multiple commercial space reentries to 1 or more Federal space reentry sites;

(2) authorizations that include access to such frequencies for multiple commercial space launches from 1 or more private space launch sites and multiple commercial space reentries to 1 or more private space reentry sites, upon successful coordination with any Federal space launch site within a range for access to such frequencies such that such a commercial space launch or commercial space reentry would not cause harmful interference with Federal systems;

(3) authorizations that include access to multiple uses of such frequencies for commercial space launch or commercial space reentry;

(4) electronic filing and processing of applications for authorizations for access to such frequencies for commercial space launches and commercial space reentries; and

(5) improved coordination by the Commission with the Assistant Secretary (who shall

coordinate with the head of any other Federal agency, as the Assistant Secretary considers appropriate) to increase the speed of review of applications for authorizations for access to such frequencies for commercial space launches and commercial space reentries, including coordination to increase automation similar to the automation described in the service rules established by the Commission and the Assistant Secretary to promote the development and use, by entities other than the Federal Government, of spectrum in other bands, including bands with the frequencies between 71 and 76 gigahertz, between 81 and 86 gigahertz, and between 92 and 95 gigahertz.

(c) **FREQUENCIES DESCRIBED.**—The frequencies described in this subsection are the frequencies between 2025 and 2110 megahertz, between 2200 and 2290 megahertz, and between 2360 and 2395 megahertz.

(d) **RULE OF CONSTRUCTION.**—Each range of frequencies described in this section shall be construed to be inclusive of the upper and lower frequencies in the range.

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(2) **COMMERCIAL SPACE LAUNCH.**—The term “commercial space launch” means a launch licensed under chapter 509 of title 51, United States Code.

(3) **COMMERCIAL SPACE REENTRY.**—The term “commercial space reentry” means a reentry licensed under chapter 509 of title 51, United States Code.

(4) **COMMISSION.**—The term “Commission” means the Federal Communications Commission.

#### ORDERS FOR WEDNESDAY, NOVEMBER 1, 2023

Mr. SCHUMER. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand adjourned until 10 a.m. on Wednesday, November 1; that following the prayer and the pledge, the Journal of Proceedings be approved to date, the morning hour be deemed expired, the time for the two leaders be reserved for their use later in the day, and morning business be closed; that upon the conclusion of morning business, the Senate resume consideration of Calendar No. 198, H.R. 4366.

The PRESIDING OFFICER. Without objection, so ordered.

Mr. SCHUMER. For the information of the Senate, there will be two rollcall votes at 11:30 on Paul amendments No. 1217 and No. 1347, as provided under the order of October 24, with additional rollcall votes in the afternoon so we can complete action on the minibus.

#### ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. SCHUMER. Mr. President, if there is no further business to come before the Senate, I ask that it stand adjourned under the previous order.

There being no objection, the Senate, at 7:28 p.m., adjourned until Wednesday, November 1, 2023, at 10 a.m.

#### CONFIRMATIONS

Executive nominations confirmed by the Senate October 31, 2023: