

AMENDMENT TO H.R. 6131
OFFERED BY MR. KEAN OF NEW JERSEY

Add at the end the following:

1 **SEC. 15. SPACE SITUATIONAL AWARENESS AND SPACE**
2 **TRAFFIC COORDINATION.**

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

8 (b) IMMUNITY.—The United States, any agencies and
9 instrumentalities thereof, and any individuals, firms, cor-
10 porations, and other persons acting for the United States,
11 including nongovernmental entities, shall be immune from
12 any suit in any court for any cause of action arising from
13 the provision or receipt of space situational awareness
14 services or information, whether or not provided in accord-
15 ance with this section, or any related action or omission.

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

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

3 (A) location tracking data;

4 (B) positional and orbit determination in-
5 formation; and

6 (C) conjunction data messages; and

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

10 (d) DATABASE ON SATELLITE LOCATION AND BE-
11 HAVIOR.—The Assistant Secretary of Commerce for Space
12 Commerce shall provide access for the public, at no
13 charge, a fully updated, unclassified database of informa-
14 tion concerning space objects and behavior that includes—

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

20 (2) the provision of basic space situational
21 awareness services and space traffic coordination
22 based on the data referred to in paragraph (1), in-
23 cluding basic analytics, tracking calculations, and
24 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 advanced space situa-
10 tional awareness products, to the maximum extent
11 practicable; 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 advanced space situational awareness
17 services offered 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;

11 (4) facilitate the development of standardization
12 and consistency in data reporting, in collaboration
13 with satellite owners and operators, commercial
14 space situational awareness data and service pro-
15 viders, the academic community, and nonprofit orga-
16 nizations; and

17 (5) encourage foreign governments to partici-
18 pate in unclassified data sharing arrangements for
19 space situational awareness and space traffic coordi-
20 nation.

21 (g) OTHER TRANSACTION AUTHORITY.—In carrying
22 out the activities required by this section, the Secretary
23 of Commerce shall enter into such contracts, leases, coop-
24 erative agreements, or other transactions as may be nec-
25 essary.

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

5 **SEC. 16. MODIFICATIONS TO OFFICE OF SPACE COMMERCE.**

6 (a) LOCATION OF OFFICE.—Subsection (a) of section
7 50702 of title 51, United States Code, is amended by in-
8 serting before the end period the following: “, which, not
9 later than 5 years after the date of the enactment of the
10 SAFE Orbit Act of 2023, shall transition to a principal
11 physical location within the Office of the Secretary of
12 Commerce”.

13 (b) ADDITIONAL FUNCTIONS OF OFFICE.—Sub-
14 section (c) of such section is amended—

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

17 (2) in paragraph (5), by striking the period at
18 the end and inserting a semicolon; and

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

20 “(6) to perform space situational awareness and
21 space traffic management duties pursuant to the
22 SAFE Orbit Act of 2023.”.

23 (c) ASSISTANT SECRETARY OF COMMERCE FOR
24 SPACE COMMERCE.—

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

3 “(b) ASSISTANT SECRETARY.—The Office shall be
4 headed by the Assistant Secretary of Commerce for Space
5 Commerce, who shall—

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

8 “(2) report directly to the Secretary of Com-
9 merce; and

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

13 (2) CONFORMING AMENDMENTS.—

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

16 (i) in the subsection heading, by strik-
17 ing “DIRECTOR” and inserting “ASSIST-
18 ANT SECRETARY”; and

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

22 (B) Section 5315 of title 5, United States
23 Code, is amended by striking “Assistant Secre-
24 taries of Commerce (11)” and inserting “As-
25 sistant Secretaries of Commerce (12)”.

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

