

AMENDMENT TO
RULES COMMITTEE PRINT 119-33
OFFERED BY MRS. BIGGS OF SOUTH CAROLINA

At the end of subtitle B of title XVII, add the following new section:

1 **SEC. 17__ . AMERICAN SPACE LEADERSHIP FOR THE 21ST**
2 **CENTURY ACT.**

3 (a) **SHORT TITLE.**—This section may be cited as the
4 “American Space Leadership for the 21st Century Act”.

5 (b) **SENSE OF CONGRESS.**—It is the sense of Con-
6 gress that—

7 (1) maintaining space as a secure, stable, and
8 accessible domain is vital to United States national
9 security, economic prosperity, and technological lead-
10 ership;

11 (2) the United States should coordinate diplo-
12 matic, economic, and security tools to ensure space
13 remains secure and accessible for future use;

14 (3) it is in the interest of the United States to
15 cooperate with its allies and partners to promote
16 space security of the United States and its allies and
17 partners, including through information sharing, co-

1 ordination, and development of interoperable space
2 capabilities;

3 (4) United States space companies are a soft
4 power tool for the nation, providing unique capabili-
5 ties that support the needs of allies and partners,
6 while extending American influence, enhancing
7 United States security and resiliency in space, and
8 benefiting the United States economy;

9 (5) threats to United States space capabilities
10 are growing in scale, speed, and sophistication, risk-
11 ing space-enabled services that underpin national se-
12 curity and power United States economic growth;
13 and

14 (6) the prohibition on the placement of nuclear
15 weapons and other weapons of mass destruction in
16 space, as outlined in the Outer space Treaty of 1967
17 (entered into force with respect to the United States
18 on October 10, 1967), is important for the continued
19 use of space by all nations.

20 (c) COUNTERING THREATS TO SPACE SECURITY OF
21 UNITED STATES.—

22 (1) IN GENERAL.—The Secretary of State, act-
23 ing through the Under Secretary for Arms Control
24 and International Security, shall lead the diplomatic

1 engagements of the Department of State to mitigate
2 threats to the space security of the United States.

3 (2) RESPONSIBILITIES.—Under subsection (a),
4 the Under Secretary, in coordination with the head
5 of any other relevant bureau of the Department of
6 State or other Federal department or agency, may—

7 (A) assess current threats to the space in-
8 terests of the United States and anticipate fu-
9 ture threats from low earth orbit through
10 cislunar space, including by leveraging allied
11 and partner capabilities to assess and attribute
12 actions in space;

13 (B) characterize and communicate threats
14 with allies and partners, where determined ap-
15 propriate, including risks posed by civil, mili-
16 tary, or commercial cooperation with the Peo-
17 ple's Republic of China or the Russian Federa-
18 tion;

19 (C) coordinate with allies and partners, in-
20 cluding by identifying strategic locations where
21 additional space infrastructure or military co-
22 operation would promote the space security of
23 the United States and its allies and partners;
24 and

1 (D) lead the efforts of the Department of
2 State to promote international norms of behav-
3 ior in space that are favorable to the national
4 security and foreign policy priorities of the
5 United States.

6 (d) SPACE RISK REDUCTION MEASURES.—

7 (1) IN GENERAL.—The Secretary of State, act-
8 ing through the Under Secretary for Arms Control
9 and International Security, may pursue international
10 norms and transparency and confidence-building
11 measures on issues of space arms control and mili-
12 tary-related space policy issues.

13 (2) RISK REDUCTION.—The Under Secretary,
14 in coordination with the head of any other Federal
15 department or agency, may pursue international risk
16 reduction efforts for the purposes of—

17 (A) shaping international norms in space
18 to deter actions in space that would disrupt the
19 space systems of the United States and its al-
20 lies and partners;

21 (B) enhancing the ability of the United
22 States and its allies and partners to assess, at-
23 tribute, and respond to destabilizing actions in
24 space, including by helping the United States
25 identify if a country places or plans to place a

1 nuclear weapon or nuclear-capable delivery vehi-
2 cle in space;

3 (C) increasing the strategic costs to an ad-
4 versary for disruptive actions in space;

5 (D) improving communication among allies
6 and partners to reduce the risk of
7 miscommunication or miscalculation regarding
8 threat reduction activities in space;

9 (E) reducing the risk of miscommunication
10 and miscalculation with the People's Republic
11 of China or the Russian Federation;

12 (F) enhancing international cooperation on
13 space domain awareness; and

14 (G) mitigating the intentional creation of
15 debris in space.

16 (e) INTERNATIONAL AGREEMENTS RELATED TO
17 OUTER SPACE.—

18 (1) IN GENERAL.—The Secretary of State, in
19 consultation with the heads of any other Federal de-
20 partment or agency such secretary determines ap-
21 propriate, is authorized to enter into international
22 agreements with allies and partners that enhance
23 United States outer space security—

24 (A) for the purposes of—

1 (i) information sharing, promoting
2 international access, where appropriate and
3 practical, to United States Government or
4 commercial outer space capabilities, sys-
5 tems, or services; or

6 (ii) achieving the responsibilities set
7 forth in section 3(b); and

8 (B) which are mutually beneficial and con-
9 sistent with the national security or foreign pol-
10 icy priorities of the United States.

11 (2) CONGRESSIONAL CONSULTATION.—The
12 Secretary of State shall consult with the appropriate
13 congressional committees when considering entering
14 into an agreement under subsection (a).

15 (3) CONGRESSIONAL NOTIFICATION.—The Sec-
16 retary of State shall notify the appropriate congres-
17 sional committees of its intent to enter into an
18 agreement under subsection (a) not later than 15
19 days before the date on which such secretary enters
20 into such agreement.

21 (4) RULE OF CONSTRUCTION.—Nothing in this
22 section shall be construed to affect the normal proce-
23 dures for seeking advice and consent from the Sen-
24 ate on treaties within the meaning of Article II of
25 the United States Constitution.

1 (f) SPACE SECURITY DIALOGUES.—The Secretary of
2 State, in coordination with the Secretary of Defense and
3 the head of any other Federal department or agency, may
4 initiate space security dialogues with key allies and part-
5 ners of the United States, which may be held in conjunc-
6 tion with civil and commercial space dialogues, as a forum
7 to discuss efforts to improve allied and partner contribu-
8 tions to collective space security, including by—

9 (1) identifying opportunities to integrate space
10 security issues into collective defense and deterrence
11 concepts;

12 (2) determining priority areas for investment in
13 space systems that are interoperable and com-
14plementary to space systems of the United States;

15 (3) identify and pursue mechanisms to leverage
16 collective industrial base strengths of allied and
17 partner countries to promote secure and resilient
18 supply chains;

19 (4) identify opportunities where promoting
20 United States space companies can address security
21 and resiliency needs of allies and partners; and

22 (5) coordinating approaches to diplomatic en-
23 gagements in international forums on space security
24 issues, including risk reduction efforts, norm-build-

1 ing activities, and engagements in standards-setting
2 organizations that enhance stability and deterrence.

3 (g) CONSULTATIONS ON THREATS TO UNITED
4 STATES SPACE SECURITY.—

5 (1) IN GENERAL.—No later than 90 days after
6 the date of the enactment of this section, and annu-
7 ally thereafter for 3 years, the Secretary of State,
8 acting through the Under Secretary for Arms Con-
9 trol and International Security, shall consult the ap-
10 propriate congressional committees on the current
11 and emerging threats to the space security of the
12 United States. The consultations may include—

13 (A) information on any roles and respon-
14 sibilities of the Department of State pursuant
15 to Executive Order 14369 (90 Fed. Reg.
16 60537; relating to ensuring American space su-
17 periority);

18 (B) threats posed to the space interests of
19 the United States and its allies and partners
20 from the military or dual-use space systems of
21 the adversaries of the United States;

22 (C) an assessment of such adversaries' in-
23 tentions in the space domain and their posture
24 toward developing international norms or bilat-

1 eral or multilateral risk reduction mechanisms
2 in space;

3 (D) the Department of State's efforts to
4 prevent such adversaries from endangering the
5 space systems of the United States, including
6 through efforts with allies and partners and
7 shaping international norms for behavior in
8 space;

9 (E) information on any country's plans or
10 intent to put a nuclear weapon in space;

11 (F) the intent to of the People's Republic
12 of China or the Russian Federation to use
13 ground-based or in-orbit counterspace systems
14 against the space assets of the United States or
15 efforts to hold such assets at risk;

16 (G) the status of international discussions
17 on space arms control or related space security
18 issues, including transparency and confidence
19 building measures and space security dialogues
20 undertaken under section 6;

21 (H) an identification of any existing bar-
22 riers, including policies, processes, or authori-
23 ties that limit the ability of United States com-
24 panies to cooperate with allies and partners,

1 and information on the steps the Secretary of
2 State is taking to address such barriers; and

3 (I) actions taken in the preceding year, or
4 planned coordination for the proceeding year,
5 with allies and partners to safeguard the space
6 security interests of the United States and its
7 allies and partners.

8 (2) ADVERSARY CHANGES.—Not later than 30
9 days after the date on which the Secretary of State
10 determines that there has been a significant change
11 to the space posture, intention, or capability of an
12 adversary of the United States, the Secretary shall
13 notify and consult the appropriate congressional
14 committees on such change.

15 (h) APPROPRIATE CONGRESSIONAL COMMITTEES
16 DEFINED.—In this section, the term “appropriate con-
17 gressional committees” means—

18 (1) the Committee on Foreign Affairs of the
19 House of Representatives; and

20 (2) the Committee on Foreign Relations of the
21 Senate.

