

AMENDMENT TO RULES COMM. PRINT 119-33
OFFERED BY MR. NEGUSE OF COLORADO

Add at the end of subtitle A of title XVII the following:

1 **SEC. 17 ____ . ACTIVE DEBRIS REMEDIATION.**

2 (a) **PRIORITIZATION OF ORBITAL DEBRIS.—**

3 (1) **LIST.—**Not later than 90 days after the
4 date of the enactment of this Act, the Secretary of
5 Commerce, in consultation with the Administrator of
6 the National Aeronautics and Space Administration,
7 the Secretary of Defense, the Secretary of State, the
8 National Space Council, and representatives of the
9 commercial space industry, academia, and nonprofit
10 organizations, shall publish a list of select identified
11 orbital debris that may be remediated to—

12 (A) mitigate a threat to national security,
13 space assets, or military operations; and

14 (B) improve the safety and sustainability
15 of orbiting satellites and on-orbit activities.

16 (2) **CONTENTS.—**The list required under para-
17 graph (1)—

18 (A) shall be developed using appropriate
19 sources of data and information derived from

1 governmental and nongovernmental sources, in-
2 cluding space situational awareness data ob-
3 tained by the Office of Space Commerce, to the
4 extent practicable;

5 (B) shall include, to the extent prac-
6 ticable—

7 (i) a description of the approximate
8 age, location in orbit, size, mass, tumbling
9 state, post-mission passivation actions
10 taken, and national jurisdiction of each or-
11 bital debris identified; and

12 (ii) data required to inform decisions
13 regarding potential risk and feasibility of
14 safe remediation;

15 (C) may include orbital debris that poses a
16 significant risk to terrestrial people and assets,
17 including risk resulting from potential environ-
18 mental impacts from the uncontrolled reentry of
19 the orbital debris identified; and

20 (D) may include collections of small debris
21 that, as of the date of the enactment of this
22 Act, are untracked.

23 (3) PUBLIC AVAILABILITY; PERIODIC UP-
24 DATES.—

1 (A) IN GENERAL.—Subject to subpara-
2 graph (B), the list required under paragraph
3 (1) shall be published in unclassified form on a
4 publicly accessible internet website of the De-
5 partment of Commerce.

6 (B) EXCLUSION.—The Secretary may not
7 include on the list published under subpara-
8 graph (A) data acquired from nonpublic
9 sources.

10 (C) PERIODIC UPDATES.—Such list shall
11 be updated periodically.

12 (4) ACQUISITION, ACCESS, USE, AND HANDLING
13 OF DATA OR INFORMATION.—In carrying out the ac-
14 tivities under this subsection, the Secretary, in con-
15 sultation with the Secretary of Defense—

16 (A) shall acquire, access, use, and handle
17 data or information in a manner consistent with
18 applicable provisions of law and policy, includ-
19 ing laws and policies providing for the protec-
20 tion of privacy and civil liberties, and subject to
21 any restrictions required by the source of the
22 information;

23 (B) shall have access, upon written re-
24 quest, to all information, data, or reports of any
25 executive agency that the Secretary determines

1 necessary to carry out the activities under this
2 subsection, provided that such access is—

3 (i) conducted in a manner consistent
4 with applicable provisions of law and policy
5 of the originating agency, including laws
6 and policies providing for the protection of
7 privacy and civil liberties; and

8 (ii) consistent with due regard for the
9 protection from unauthorized disclosure of
10 classified information relating to sensitive
11 intelligence sources and methods or other
12 exceptionally sensitive matters; and

13 (C) may obtain commercially available in-
14 formation that may not be publicly available.

15 (b) ACTIVE ORBITAL DEBRIS REMEDIATION DEM-
16 ONSTRATION PROJECT.—

17 (1) ESTABLISHMENT.—Not later than 180 days
18 after the date of the enactment of this Act, subject
19 to the availability of appropriations, the Adminis-
20 trator, in consultation with the head of each relevant
21 Federal department or agency, shall establish a dem-
22 onstration project to make competitive awards for
23 the research, development, and demonstration of
24 technologies leading to the remediation of—

1 (A) orbital debris that interferes with mili-
2 tary operations or poses a threat to national se-
3 curity or space assets; and

4 (B) selected orbital debris identified under
5 subsection (a)(1).

6 (2) PURPOSE.—The purpose of the demonstra-
7 tion project shall be to enable eligible entities to pur-
8 sue the phased development and demonstration of
9 technologies and processes required for active debris
10 remediation.

11 (3) PROCEDURES AND CRITERIA.—In estab-
12 lishing the demonstration project, the Administrator
13 shall—

14 (A) establish—

15 (i) eligibility criteria for participation;

16 (ii) a process for soliciting proposals
17 from eligible entities;

18 (iii) criteria for the contents of such
19 proposals;

20 (iv) project compliance and evaluation
21 metrics; and

22 (v) project phases and milestones;

23 (B) identify government-furnished data or
24 equipment;

1 (C) develop a plan for National Aero-
2 nautics and Space Administration participation,
3 as appropriate, in technology development and
4 intellectual property rights that—

5 (i) leverages National Aeronautics and
6 Space Administration Centers that have
7 demonstrated expertise and historical
8 knowledge in measuring, modeling, charac-
9 terizing, and describing the current and fu-
10 ture orbital debris environment; and

11 (ii) develops the technical consensus
12 for adopting mitigation measures for such
13 participation; and

14 (D)(i) assign a project manager to oversee
15 the demonstration project and carry out project
16 activities under this subsection; and

17 (ii) in assigning such project manager, le-
18 verage National Aeronautics and Space Admin-
19 istration Centers and the personnel of National
20 Aeronautics and Space Administration Centers,
21 as practicable.

22 (4) RESEARCH AND DEVELOPMENT PHASE.—
23 With respect to orbital debris identified under para-
24 graph (1) of subsection (a), the Administrator shall,
25 to the extent practicable and subject to the avail-

1 ability of appropriations, carry out the additional re-
2 search and development activities necessary to ma-
3 ture technologies, in partnership with eligible enti-
4 ties, with the intent to close commercial capability
5 gaps and enable potential future remediation mis-
6 sions for such orbital debris, with a preference for
7 technologies that are capable of remediating orbital
8 debris that have a broad range of characteristics de-
9 scribed in paragraph (2)(B)(i) of such subsection.

10 (5) DEMONSTRATION MISSION PHASE.—

11 (A) IN GENERAL.—The Administrator
12 shall evaluate proposals for a demonstration
13 mission, and select and enter into a partnership
14 with an eligible entity, subject to the availability
15 of appropriations, with the intent to dem-
16 onstrate technologies determined by the Admin-
17 istrator to meet a level of technology readiness
18 sufficient to carry out on-orbit remediation of
19 select orbital debris.

20 (B) EVALUATION.—In evaluating pro-
21 posals for the demonstration mission, the Ad-
22 ministrator shall—

23 (i) consider the safety, feasibility,
24 cost, benefit, and maturity of the proposed
25 technology;

1 (ii) consider the potential for the pro-
2 posed demonstration to successfully reme-
3 diate orbital debris and to advance the
4 commercial state of the art with respect to
5 active debris remediation;

6 (iii) carry out a risk analysis of the
7 proposed technology that takes into consid-
8 eration the potential casualty risk to hu-
9 mans in space or on the Earth's surface;

10 (iv) in an appropriate setting, conduct
11 thorough testing and evaluation of the pro-
12 posed technology and each component of
13 such technology or system of technologies;
14 and

15 (v) consider the technical and finan-
16 cial feasibility of using the proposed tech-
17 nology to conduct multiple remediation
18 missions.

19 (C) CONSULTATION.—The Administrator
20 shall consult with the head of each relevant
21 Federal department or agency before carrying
22 out any demonstration mission under this para-
23 graph.

24 (D) ACTIVE DEBRIS REMEDIATION DEM-
25 ONSTRATION MISSION.—It is the sense of Con-

1 gress that the Administrator should consider
2 maximizing competition for, and use best prac-
3 tices to engage commercial entities in, an active
4 debris remediation demonstration mission.

5 (6) BRIEFING AND REPORTS.—

6 (A) INITIAL BRIEFING.—Not later than 30
7 days after the establishment of the demonstra-
8 tion mission under paragraph (1), the Adminis-
9 trator shall provide to the appropriate commit-
10 tees of Congress a briefing on the details of the
11 demonstration mission.

12 (B) ANNUAL REPORT.—Not later than one
13 year after the initial briefing under subpara-
14 graph (A) and annually thereafter until the
15 conclusion of the demonstration mission, the
16 Administrator shall submit to the appropriate
17 committees of Congress a status report on—

18 (i) the technology developed under the
19 demonstration mission;

20 (ii) progress toward the accomplish-
21 ment of the demonstration mission; and

22 (iii) any duplicative efforts carried out
23 or supported by the National Aeronautics
24 and Space Administration or the Depart-
25 ment of Defense.

1 (C) RECOMMENDATIONS.—Not later than
2 one year after the date on which the demonstra-
3 tion mission is carried out under this sub-
4 section, the Administrator, in consultation with
5 the head of each relevant Federal department
6 or agency, shall submit to Congress a report
7 that provides legislative, regulatory, and policy
8 recommendations to improve active debris reme-
9 diation missions, as applicable.

10 (D) TECHNICAL ANALYSIS.—

11 (i) IN GENERAL.—To inform decisions
12 regarding the acquisition of active debris
13 remediation services by the Federal Gov-
14 ernment, not later than one year after the
15 date on which an award is made under
16 paragraph (1), the Administrator shall
17 submit to Congress a report that—

18 (I) summarizes the cost-effective-
19 ness, and provides a technical analysis
20 of, technologies developed under the
21 demonstration mission;

22 (II) identifies any technology
23 gaps addressed by the demonstration
24 mission and any remaining technology
25 gaps; and

1 (III) provides, as applicable, any
2 further legislative, regulatory, and
3 policy recommendations to enable ac-
4 tive debris remediation missions.

5 (ii) AVAILABILITY.—The Administra-
6 tion shall make the report submitted under
7 clause (i) available to the Secretary, the
8 Secretary of Defense, and other relevant
9 Federal departments and agencies, as de-
10 termined by the Administrator.

11 (7) SENSE OF CONGRESS ON INTERNATIONAL
12 COOPERATION.—It is the sense of Congress that, in
13 carrying out the demonstration mission, it is critical
14 that the Administrator, in coordination with the Sec-
15 retary of State, and in consultation with the Na-
16 tional Space Council, cooperate with one or more
17 partner countries to enable the remediation of or-
18 bital debris that is under their respective jurisdic-
19 tions.

20 (c) AUTHORIZATION OF APPROPRIATIONS.—There is
21 authorized to be appropriated to the Administrator to
22 carry out this section \$150,000,000 for the period of fiscal
23 years 2026 through 2030.

24 (d) RULE OF CONSTRUCTION.—Nothing in this sec-
25 tion may be construed to grant the Administrator the au-

1 thority to issue any regulation relating to activities under
2 subsection (b) or related space activities under title 51,
3 United States Code.

4 (e) ACTIVE DEBRIS REMEDIATION SERVICES.—

5 (1) IN GENERAL.—To foster the competitive de-
6 velopment, operation, improvement, and commercial
7 availability of active debris remediation services, and
8 in consideration of the economic analysis required by
9 paragraph (2) and the briefing and reports under
10 subsection (b)(6), the Administrator and the head of
11 each relevant Federal department or agency may ac-
12 quire services for the remediation of orbital debris,
13 whenever practicable, through fair and open com-
14 petition for contracts that are well-defined, mile-
15 stone-based, and in accordance with the Federal Ac-
16 quisition Regulation.

17 (2) ECONOMIC ANALYSIS.—Based on the results
18 of the demonstration project, the Secretary, acting
19 through the Office of Space Commerce, shall publish
20 an assessment of the estimated Federal Government
21 and private sector demand for orbital debris remedi-
22 ation services for the 10-year period beginning in
23 2026.

24 (f) UNIFORM ORBITAL DEBRIS STANDARD PRAC-
25 TICES FOR UNITED STATES SPACE ACTIVITIES.—

1 (1) IN GENERAL.—Not later than 90 days after
2 the date of the enactment of this Act, the National
3 Space Council, in coordination with the Secretary,
4 the Administrator of the Federal Aviation Adminis-
5 tration, the Secretary of Defense, the Secretary of
6 State, the Federal Communications Commission,
7 and the Administrator, shall initiate an update to
8 the Orbital Debris Mitigation Standard Practices
9 that—

10 (A) considers planned space systems, in-
11 cluding satellite constellations; and

12 (B) addresses—

13 (i) collision risk;

14 (ii) explosion risk;

15 (iii) casualty probability;

16 (iv) post-mission disposal of space sys-
17 tems;

18 (v) time to disposal or de-orbit;

19 (vi) spacecraft collision avoidance and
20 automated identification capability; and

21 (vii) the ability to track orbital debris
22 of decreasing size.

23 (2) CONSULTATION.—In developing the update
24 under paragraph (1), the National Space Council, or
25 a designee of the National Space Council, shall seek

1 advice and input on commercial standards and best
2 practices from representatives of the commercial
3 space industry, academia, and nonprofit organiza-
4 tions, including through workshops and, as appro-
5 priate, advance public notice and comment processes
6 under chapter 5 of title 5, United States Code.

7 (3) PUBLICATION.—Not later than one year
8 after the date of the enactment of this Act, such up-
9 date shall be published in the Federal Register and
10 posted to the relevant Federal Government internet
11 websites.

12 (4) REGULATIONS.—To promote uniformity
13 and avoid duplication in the regulation of space ac-
14 tivity, including licensing by the Federal Aviation
15 Administration, the National Oceanic and Atmos-
16 pheric Administration, and the Federal Communica-
17 tions Commission, such update, after publication,
18 shall be used to inform the further development and
19 promulgation of Federal regulations relating to or-
20 bital debris.

21 (5) INTERNATIONAL PROMOTION.—To encour-
22 age effective and nondiscriminatory standards, best
23 practices, rules, and regulations implemented by
24 other countries, such update shall inform bilateral
25 and multilateral discussions focused on the author-

1 ization and continuing supervision of nongovern-
2 mental space activities.

3 (6) PERIODIC REVIEW.—Not less frequently
4 than every five years, the Orbital Debris Mitigation
5 Standard Practices referred to in paragraph (1)
6 shall be assessed and, if necessary, updated, used,
7 and promulgated in a manner consistent with this
8 section.

9 (g) STANDARD PRACTICES FOR SPACE TRAFFIC CO-
10 ORDINATION.—

11 (1) IN GENERAL.—The Secretary, in coordina-
12 tion with the Secretary of Defense and members of
13 the National Space Council and the Federal Com-
14 munications Commission, shall facilitate the develop-
15 ment of standard practices for on-orbit space traffic
16 coordination based on existing guidelines and best
17 practices used by Government and commercial space
18 industry operators.

19 (2) CONSULTATION.—In facilitating the devel-
20 opment of standard practices under paragraph (1),
21 the Secretary, through the Office of Space Com-
22 merce, in consultation with the National Institute of
23 Standards and Technology, shall engage in frequent
24 and routine consultation with representatives of the

1 commercial space industry, academia, and nonprofit
2 organizations.

3 (3) PROMOTION OF STANDARD PRACTICES.—On
4 completion of such standard practices, the Secretary,
5 the Secretary of State, the Secretary of Transpor-
6 tation, the Administrator, and the Secretary of De-
7 fense shall promote the adoption and use of the
8 standard practices for domestic and international
9 space missions.

10 (h) DEFINITIONS.—In this section:

11 (1) ACTIVE DEBRIS REMEDIATION.—The term
12 “active debris remediation”—

13 (A) means the deliberate process of facili-
14 tating the de-orbit, repurposing, or other dis-
15 posal of orbital debris, which may include mov-
16 ing orbital debris to a safe position, using an
17 object or technique that is external or internal
18 to the orbital debris; and

19 (B) does not include de-orbit, repurposing,
20 or other disposal of orbital debris by passive
21 means.

22 (2) ADMINISTRATOR.—The term “Adminis-
23 trator” means the Administrator of the National
24 Aeronautics and Space Administration.

1 (3) APPROPRIATE COMMITTEES OF CON-
2 GRESS.—The term “appropriate committees of Con-
3 gress” means—

4 (A) the Committee on Appropriations, the
5 Committee on Commerce, Science, and Trans-
6 portation, the Committee on Foreign Relations,
7 and the Committee on Armed Services of the
8 Senate; and

9 (B) the Committee on Appropriations, the
10 Committee on Science, Space, and Technology,
11 the Committee on Foreign Affairs, and the
12 Committee on Armed Services of the House of
13 Representatives.

14 (4) DEMONSTRATION PROJECT.—The term
15 “demonstration project” means the active orbital de-
16 bris remediation demonstration project carried out
17 under subsection (b).

18 (5) ELIGIBLE ENTITY.—The term “eligible enti-
19 ty” means—

20 (A) a United States-based—

21 (i) non-Federal, commercial entity;

22 (ii) institution of higher education (as
23 such term is defined in section 101(a) of
24 the Higher Education Act of 1965 (20
25 U.S.C. 1001(a)); or

1 (iii) nonprofit organization;

2 (B) any other United States-based entity
3 the Administrator considers appropriate; or

4 (C) a partnership of entities described in
5 subparagraphs (A) and (B).

6 (6) ORBITAL DEBRIS.—The term “orbital de-
7bris” means any human-made space object orbiting
8 Earth that—

9 (A) no longer serves an intended purpose;

10 and

11 (B)(i) has reached the end of its mission;

12 or

13 (ii) is incapable of safe maneuver or
14 operation; and

15 (C) poses a national security threat.

16 (7) PROJECT.—The term “project” means a
17 specific investment with defined requirements, a life-
18 cycle cost, a period of duration with a beginning and
19 an end, and a management structure that may inter-
20 face with other projects, agencies, and international
21 partners to yield new or revised technologies ad-
22 dressing strategic goals.

23 (8) SECRETARY.—The term “Secretary” means
24 the Secretary of Commerce.

1 (9) SPACE TRAFFIC COORDINATION.—The term
2 “space traffic coordination” means the planning, co-
3 ordination, and on-orbit synchronization of activities
4 to enhance the safety and sustainability of oper-
5 ations in the space environment and national secu-
6 rity.

