

[ C O M M I T T E E   P R I N T ]

October 26, 1983

98TH CONGRESS  
1ST SESSION

H. R. \_\_\_\_\_

IN THE HOUSE OF REPRESENTATIVES

Mr. \_\_\_\_\_ introduced the following bill; which was referred to the Committee on \_\_\_\_\_

A BILL

To establish a system to promote the use of land remote-sensing satellite data, and for other purposes.

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

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1 That this Act may be cited as the "Land Remote-Sensing  
2 Commercialization Act of 1983".

3 TITLE I--DECLARATION OF FINDINGS, PURPOSES, AND POLICIES  
4 FINDINGS

5 SEC. 101. The Congress finds and declares that--

6 (1) the continuous collection and utilization of  
7 civil remote-sensing data from satellites is of major  
8 benefit in managing the Earth's natural resources;

9 (2) a vigorous, private sector involvement in space  
10 is often appropriate and can provide a sound basis for  
11 future growth of space-based technologies;

12 (3) there is a need to determine the extent to which  
13 it is appropriate and in the national interest for the  
14 private sector to assume full responsibility for land  
15 remote-sensing;

16 (4) United States land remote-sensing involves  
17 international commitments;

18 (5) United States land remote-sensing involves  
19 legitimate national security concerns;

20 (6) to fully utilize the strengths of the private  
21 sector, any process of commercialization of land remote-  
22 sensing should involve maximum competition and minimum  
23 subsidy;

24 (7) it is in the national interest of the United  
25 States to maintain international leadership in civil

1 remote-sensing technology and to promote profitable land  
2 remote-sensing ventures;

3 (8) land remote-sensing development has been  
4 inhibited by lack of market development, and private  
5 industry is best suited to develop these markets;

6 (9) at the present time it is unclear that the  
7 private sector alone will develop a total land  
8 remote-sensing system because of the high risk and large  
9 capital expenditures involved;

10 (10) cooperation of government and industry is  
11 required to guarantee both a United States' capability  
12 and data continuity in land remote-sensing;

13 (11) such cooperation should be structured to  
14 minimize both the amount of government support and the  
15 degree of government regulation;

16 (12) the time is appropriate to encourage  
17 cooperation of government and industry to guarantee the  
18 viability of the United States' land remote-sensing  
19 capability; and

20 (13) there is no compelling reason to commercialize  
21 meteorological satellites at this time.

22 PURPOSES

23 SEC. 102. It is therefore the purpose of this Act--

24 (1) to guide the United States Government in  
25 achieving full, prompt, and proper involvement of the

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1 private sector in civil land remote-sensing from space;

2 (2) to preserve the United States' leading position  
3 in civil remote-sensing, to preserve its national  
4 security, and to fulfill its international obligations;

5 (3) to prescribe conditions for assuring continuity  
6 of remote-sensing data while protecting public and  
7 private non-discriminatory access to these data;

8 (4) to minimize the duration and amount of any  
9 further Federal investment that might be necessary to  
10 achieve full commercialization of civil remote-sensing;  
11 and

12 (5) to prohibit commercialization of meteorological  
13 satellites at this time.

14 POLICIES

15 SEC. 103. (a) It shall be the policy of the United  
16 States to preserve its right to acquire and disseminate  
17 digital remote-sensing data, provided that such data are  
18 made available to all potential users on a non-  
19 discriminatory basis.

20 (b) It shall be the policy of the United States both to  
21 commercialize those space remote-sensing functions that  
22 properly lend themselves to private sector operation and to  
23 avoid competition by the Government with such commercial  
24 operations, while continuing to preserve our national  
25 security, to honor our international obligations, and to

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1 retain in the Government those remote-sensing functions that  
2 are essentially of a public service nature.

3 DEFINITIONS

4 SEC. 104. For purposes of this Act--

5 (1) The term "'digital remote-sensing data'" means  
6 the unprocessed and minimally processed signals  
7 collected from civilian remote-sensing satellites. Such  
8 minimal processing shall be limited to rectification of  
9 instrumental distortions, registration with respect to  
10 features on the Earth, and calibration of spectral  
11 response. Such term does not include conclusions,  
12 manipulations, or calculations derived from such signals  
13 or combination of the signals with other data or  
14 information. Unless otherwise limited, digital remote-  
15 sensing data includes land and ocean sensed data.

16 (2) The term "'Secretary.'" means the Secretary of  
17 Commerce.

18 (3) The term "'on a non-discriminatory basis'" means  
19 without preference, bias, or any other special  
20 financial, delivery, or technical arrangement which  
21 would favor one buyer or class of buyers over another.

22 (4) The term "'Landsat system'" means Landsat 1, 2,  
23 3, 4, and D-prime, and related ground equipment,  
24 systems, and facilities, and any successor land remote-  
25 sensing satellites launched prior to the commencement of

1 the six-year period covered by the contract under  
2 section 302.

3 TITLE II--CONTRACT FOR OPERATION OF EXISTING LAND  
4 REMOTE-SENSING SATELLITE SYSTEM  
5 CONTRACTING FOR OPERATION

6 SEC. 201. (a) In accordance with the requirements of  
7 this title, the Secretary may, subject to the availability  
8 of appropriations therefor, contract with a United States  
9 private sector party or parties to operate the Landsat  
10 system and to market digital remote-sensing data generated  
11 by such system, including archived data.

12 (b) The Secretary shall have no authority to enter into  
13 any contract for the purpose of making digital remote-  
14 sensing data commercially available unless such contract is  
15 entered into in accordance with this Act.

16 (c) A contract awarded under the authority of subsection  
17 (a) shall be awarded competitively in accordance with the  
18 conditions of section 203. Each such contract shall be of  
19 such limited duration as may be necessary to permit the  
20 contract to be reawarded periodically and competitively in  
21 accordance with such conditions.

22 (d) No provision of this title shall be construed to  
23 permit the transfer to any contractor of title to any part  
24 or all of the Landsat system.

25

SALE OF DATA

1 SEC. 202. (a) Any contract entered into pursuant to  
2 section 201 shall provide (1) that the contractor will offer  
3 to sell copies of the original digital remote-sensing data  
4 on a non-discriminatory basis, and (2) that the contractor  
5 will make publicly available the terms and conditions upon  
6 which it will sell such data..

7 (b) If the contractor desires to sell information  
8 products obtained by processing of the digital remote-  
9 sensing data, such business shall be carried out in a manner  
10 which prevents the contractor from having a competitive  
11 advantage over other firms engaged or proposing to engage in  
12 such data processing. The contract shall therefore specify  
13 in part that:

14 (1) such processing business shall be carried on  
15 through an organizationally separate unit;

16 (2) such unit shall pay for the digital remote-  
17 sensing data on a non-discriminatory basis; and

18 (3) in addition, such unit shall not be given  
19 favored access to data, such as early receipt of data,  
20 special formatting of the data, early notice of format  
21 changes, favorable reproduction terms, or other similar  
22 advantages.

23 (c) No provision of this section shall exempt the  
24 contractor from any other provision of law.

25 CONDITIONS OF COMPETITION FOR CONTRACT

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1 SEC. 203. (a) The Secretary of Commerce shall, as part  
2 of his advertisement for the competition for the contract  
3 authorized by section 201, identify and publish  
4 international obligations, national security concerns (with  
5 appropriate protection of sensitive information), domestic  
6 legal considerations, and any other standards or conditions  
7 which a private contractor shall be required to meet. In  
8 addition, the Secretary shall publish his criteria for  
9 determining the practical demise of the space segment of the  
10 Landsat system.

11 (b) The Secretary shall select the contractor on the  
12 basis of--

13 (1) the best financial return to the Government,  
14 including payment of royalties on data sales and the  
15 ability to operate the system at a saving to the  
16 Government;

17 (2) ability to meet the obligations, concerns,  
18 standards, and conditions identified under subsection  
19 (a);

20 (3) technical competence, including the ability to  
21 assure continuity of data;

22 (4) ability to market aggressively digital remote-  
23 sensing data;

24 (5) absence of any conflicts-of-interest which could  
25 inhibit non-discriminatory access to such data; and



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1           (6) ability to effect a smooth transition with the  
2 contractor selected under title III of this Act.

3                           FOREIGN GROUND STATIONS

4           SEC. 204. The contract shall provide for continued  
5 supply of digital remote-sensing data to foreign ground  
6 stations for the life, and according to the terms, of those  
7 agreements between the United States Government and such  
8 foreign ground stations that are in force on the date of  
9 enactment of this Act. Upon the expiration of such  
10 agreements, or in the case of foreign ground stations that  
11 have no agreement with the United States on such date of  
12 enactment, the contract shall provide for the contractor to  
13 make digital remote-sensing data available to foreign users  
14 on a non-discriminatory basis.

15 TITLE III--PROVISION OF DATA CONTINUITY DURING TRANSITION

16   PERIOD

17   PURPOSES AND DEFINITIONS

18           SEC. 301. (a) It is the purpose of this title--

19                   (1) to provide for a transition between Government  
20 operation and fully private, commercial operation of  
21 land remote-sensing satellite systems;

22                   (2) to determine, in an orderly manner and with  
23 minimal risk during the transition period, whether fully  
24 private operation of land remote-sensing is in the best  
25 interest of the Nation; and

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1 (3) to provide for the effective continuity of MSS  
2 data for six years after the practical demise of the  
3 space segment of the Landsat system.

4 (b) For purposes of this title--

5 (1) the term "'Multi-Spectral Scanner'" means the  
6 instrument popularly referred to by that name and  
7 carried on the Landsat 4 and Landsat D-prime satellites;  
8 and

9 (2) the term "'MSS data'" means digital remote-  
10 sensing data which, from the point of view of a data  
11 user, are--

12 (A) functionally equivalent to data from the  
13 Multi-Spectral Scanner; and

14 (B) fully compatible with data; and equipment  
15 used to process data, from such Scanner.

16 CONTRACT FOR DATA AVAILABILITY AND CONTINUITY

17 SEC. 302. (a) The Secretary shall, subject to the  
18 availability of appropriations therefor and subject to the  
19 licensing conditions established under title IV, contract  
20 with a United States private sector party or parties, by  
21 means of an open, competitive process, for the provision by  
22 such party or parties of the capability of generating MSS  
23 data and selling and delivering such data to the Federal  
24 Government. The capability shall include, at a minimum, the  
25 capability to generate and deliver MSS data at the annual

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1 volume and rate of Federal usage during fiscal year 1983, as  
2 determined by the Secretary. The capability may be provided  
3 by the contractor using whatever technologies the contractor  
4 may select. The contractor, at his option and cost, may make  
5 available data of a higher quantity than is required or of a  
6 higher quality than MSS data.

7 (b) The contract authorized by subsection (a) shall  
8 provide--

9 (1) for a prepayment by the Government to cover a  
10 portion of the capital cost of providing such  
11 capability, which may be paid in installments (A) based  
12 on progress prior to the beginning of the 6-year period  
13 of data delivery described in subsection (c), and (B)  
14 the sum of which shall be less than the total initial  
15 cost of the system; and

16 (2) that sale of digital remote-sensing data shall  
17 be in accordance with the provisions of section 303 of  
18 this title.

19 (c) The Secretary shall contract for the capability to  
20 generate and deliver MSS data beginning at an appropriate  
21 date that is determined by the time necessary to build and  
22 launch the necessary equipment and to obtain a license  
23 therefor under title IV, the projected practical demise of  
24 the space segment of the Landsat system, the need for data,  
25 total costs, and such other factors as he deems appropriate.

1 The contract shall provide for reasonable assurance of  
2 continuing the capability of generating and delivering MSS  
3 data for six years.

4 (d) The Secretary may allow the contractor to buy or  
5 otherwise acquire the use of surplus equipment of the  
6 Landsat system. Officials of other Federal civilian agencies  
7 are authorized and encouraged to cooperate with the  
8 Secretary in carrying out this subsection.

9 (e) The Secretary is authorized to provide for the  
10 capability by licensing a private sector party or parties in  
11 accordance with title IV of this Act to utilize (on a space-  
12 available basis) civilian government satellites as platforms  
13 for a civil remote-sensing satellite system, if the private  
14 sector party or parties immediately reimburses the  
15 Government for all related costs incurred with respect to  
16 such utilization, including a reasonable, proportionate  
17 share of fixed, spacecraft, data transmission, and launch  
18 costs.

19 (f) The contract shall be awarded on the basis of:

20 (1) the one-time cost of providing the capability;

21 (2) the royalty offered to the Federal Government on  
22 data sales;

23 (3) ability to meet the conditions for obtaining a  
24 license under title IV;

25 (4) the reliability, technical competence, and

1 financial condition of the contractor;

2 (5) the ability of the contractor to provide digital  
3 remote-sensing data on a timely, continuous, and  
4 reliable basis;

5 (6) the contractor's ability to develop the  
6 remote-sensing data market;

7 (7) the ability to effect a smooth transition with  
8 any contractor selected under title II; and

9 (8) the contractor's ability to supplement basic  
10 capabilities specified in section 302(a) by adding  
11 remote-sensing capabilities (at the contractor's  
12 expense) which maintain the United States' leadership in  
13 remote-sensing.

14 (g) If, as a result of the competitive process required  
15 by subsection (a), the Secretary receives no bid which he  
16 finds acceptable under the conditions of this Act, the  
17 Secretary shall so certify to the Congress. Thirty days  
18 after so certifying, the Secretary may reopen the  
19 competition. If no acceptable bids are received after such  
20 subsequent competition, or if the Secretary decides not to  
21 reopen the competition, the Secretary shall so certify to  
22 the Congress. Ninety days after so certifying, the Secretary  
23 may proceed to assure MSS data continuity by procurement and  
24 operation of the necessary systems, subject to the  
25 availability of appropriations therefor. Such procurement

1 and operation may include generation of data of a higher  
2 quality than MSS data.

3 SALE OF DATA

4 SEC. 303. (a) Any contract entered into pursuant to  
5 section 302 shall provide (1) that the contractor will offer  
6 to sell copies of the original digital remote-sensing data  
7 on a non-discriminatory basis, and (2) that the contractor  
8 will make publicly available the terms and conditions upon  
9 which it will sell such data.

10 (b) Any sale of digital remote-sensing data to Federal  
11 agencies shall be on a non-discriminatory basis, but at  
12 least 5 percent of the price of each sale shall be rebated  
13 to the Government (and thereby reduce the total net cost to  
14 the Government) as a royalty payment to the United States  
15 Treasury. Data sales to non-Federal buyers shall not be  
16 subject to such a rebate.

17 (c) If the contractor desires to sell information  
18 products obtained by processing of the digital remote-  
19 sensing data, such business shall be carried out in a manner  
20 which prevents the contractor from having a competitive  
21 advantage over other firms engaged or proposing to engage in  
22 such data processing. The contract shall therefore specify  
23 in part that:

24 (1) such processing business shall be carried on  
25 through an organizationally separate unit;

1 (2) such unit shall pay for the digital remote-  
2 sensing data on a non-discriminatory basis; and

3 (3) in addition, such unit shall not be given  
4 favored access to data, such as early receipt of data,  
5 special formatting of the data, early notice of format  
6 changes, favorable reproduction terms, or other similar  
7 advantages.

8 (d) No provision of this section shall exempt the  
9 contractor from any other provision of law.

10 REPORT

11 SEC. 304. Two years after the date of the commencement  
12 of the 6-year period covered by the contract under section  
13 302(c), the Secretary of Commerce shall report to the  
14 President and to the Congress on the progress of the  
15 transition to fully private financing, ownership, and  
16 operation of the remote-sensing satellite system, together  
17 with any recommendations for action.

18 TITLE IV--LICENSING OF PRIVATE REMOTE-SENSING SATELLITE

19 SYSTEMS

20 GENERAL AUTHORITY

21 SEC. 401. The Secretary of Commerce is authorized and  
22 required, in consultation with other appropriate Federal  
23 agencies, to license qualified private sector party or  
24 parties, consortia of private sector parties, or consortia  
25 of private sector parties and Government agencies to operate



1 civil remote-sensing satellite systems in accordance with  
2 the provisions of this title.

3 CONDITIONS FOR OPERATION

4 SEC. 402. (a) No party or consortium may operate any  
5 remote-sensing satellite system which is subject to the  
6 jurisdiction or control of the United States without a  
7 license pursuant to section 401.

8 (b) A party or consortium shall be licensed to operate  
9 its system subject to the following conditions:

10 (1) The system shall be operated in such manner as  
11 to preserve and promote the national security of the  
12 United States and to observe and implement the  
13 international obligations of the United States.

14 (2) Digital remote-sensing data shall be made  
15 available to all potential users on a non-discriminatory  
16 basis.

17 (3) In the case of a consortium, the system shall be  
18 administered by a central, responsible entity  
19 established by the consortium for that purpose.

20 (4) No license issued under this title shall protect  
21 the license holder from fair competition from other  
22 license holders.

23 (5) Before any party or consortium terminates its  
24 operations under the license, it shall make disposition  
25 of any satellites in space in a manner satisfactory to



1 the President.

2 (6) Any party or consortium proposing to be licensed  
3 under section 401 shall agree, as a condition for the  
4 receipt of such license, to provide to the Secretary any  
5 data generated under such license which the Secretary  
6 may request for the purpose of archiving pursuant to  
7 section 602.

#### 8 AGENCY ROLES

9 SEC. 403. (a) The Secretary shall offer his offices for  
10 assistance in the formation of consortia under this title.

11 (b) Federal agencies are authorized and encouraged to  
12 conduct joint ventures in satellite remote-sensing systems  
13 by forming consortia with private firms in accordance with  
14 the provisions of section 401 of this Act, if--

15 (1) such activities are appropriate to the agencies'  
16 mission;

17 (2) appropriated funds are available for that  
18 purpose; and

19 (3) such activities will not compete with United  
20 States private sector activities.

#### 21 TERMINATION

22 SEC. 405. If, at the expiration of ten years after the  
23 date of enactment of this Act, no firm or consortium has  
24 been licensed and continued in operation under the  
25 provisions of this title, the authority of this title shall

1 terminate.

2 TITLE V--RESEARCH AND DEVELOPMENT

3 CONTINUED FEDERAL RESEARCH AND DEVELOPMENT

4 SEC. 501. The Administrator of the National Aeronautics  
5 and Space Administration, the Administrator of the National  
6 Oceanic and Atmospheric Administration, and the heads of  
7 other Federal agencies are directed to continue remote-  
8 sensing research and development and are encouraged to  
9 conduct experimental space remote-sensing programs  
10 (including applications programs) and to develop  
11 remote-sensing technologies in support of their authorized  
12 missions, using funds appropriated for those purposes. In  
13 carrying out such programs Federal agencies are authorized  
14 and encouraged to cooperate with private industry.

15 USE OF EXPERIMENTAL DATA

16 SEC. 502. Data gathered in Federal experimental space  
17 remote-sensing programs may be used in related research and  
18 development programs funded by the Federal Government,  
19 including applications programs, but not for commercial uses  
20 or in competition with private sector activities, except as  
21 permitted by section 503.

22 SALE OF EXPERIMENTAL DATA

23 SEC. 503. (a) Data gathered in Federal experimental  
24 space remote-sensing programs may be competitively sold en  
25 bloc (consistent with national security interests and

1 international obligations of the United States) to any  
2 United States entity which will market the data on a non-  
3 discriminatory basis.

4 (b) The entity shall pay to the United States Treasury a  
5 royalty of at least 5 percent of the sale price for all data  
6 sold to the Federal Government.

7 TITLE VI--GENERAL PROVISIONS

8 "OPEN SKIES"

9 SEC. 601. (a) Satellite digital remote-sensing data  
10 generated by any system operator under the provisions of  
11 this Act shall be made available to all users on a non-  
12 discriminatory basis in accordance with the requirements of  
13 this Act.

14 (b). For the purposes of this title, the term "system  
15 operator" means a contractor under title II or III or a  
16 license holder under title IV.

17 ARCHIVING OF DATA

18 SEC. 602. (a). In order to preserve many of the public  
19 benefits of civil remote-sensing from space, including  
20 long-term global environmental monitoring, the Secretary  
21 shall provide both for long-term storage and maintenance of  
22 data as described in subsection (b) and for access to those  
23 data.

24 (b)(1) The Secretary shall provide storage, maintenance,  
25 and access for digital remote-sensing data from the Landsat

1 system.

2 (2) The Secretary shall provide storage, maintenance,  
3 and access for digital remote-sensing data generated  
4 pursuant to title III.

5 (3) The Secretary may provide storage, maintenance, and  
6 access for digital remote-sensing data generated by license  
7 holders under title IV if the Secretary finds that such data  
8 have sufficient immediate or potential public benefit.

9 (c) Original data or copies thereof shall be promptly  
10 made available to the Secretary by the system operator in a  
11 form suitable for processing for data storage, maintenance,  
12 and access. The Secretary is authorized (subject to the  
13 availability of appropriations) to pay to such system  
14 operator reasonable costs for reproduction and transmittal  
15 of the data.

16 (d)(1) Copies of stored data may not be made available  
17 from the archive except (A) to the system operator  
18 originally providing the data, or (B) pursuant to paragraph  
19 (2) or (3) of this subsection.

20 (2) Copies of stored data may be made available to  
21 persons requesting them if the system operator originally  
22 providing the data so authorizes the Secretary in writing.

23 (3) Copies of stored data may be made available to  
24 persons requesting them without authorization of the system  
25 operator after 15 years after the date of the generation of

1 the data.

2 (4) Persons or system operators requesting and receiving  
3 copies of the data from the archive shall pay to the  
4 Secretary reasonable costs of reproduction and transmittal.


5 (5) Nothing in this subsection shall release the  
6 Secretary from his obligation to provide data storage,  
7 maintenance, and access.

8 (e) In carrying out the functions of this section, the  
9 Secretary may use existing facilities or he may contract  
10 with a private sector party or parties for the performance  
11 of such functions, subject to the availability of  
12 appropriations therefor.

13 NONREPRODUCTION

14 SEC. 603. Satellite digital remote-sensing data  
15 generated by any system operator under the provisions of  
16 this Act may be sold under the condition that such data  
17 shall not be reproduced and disseminated by the purchaser.

18 REGULATIONS

19 SEC. 604. The Secretary may promulgate regulations for   
20 the implementation of the provisions of this Act.

21 REIMBURSEMENT FOR ASSISTANCE

22 SEC. 605. The Administrator of the National Aeronautics  
23 and Space Administration, the Secretary of Defense, and the  
24 heads of other Federal agencies are authorized to provide  
25 assistance to operators of remote-sensing systems under the

1 provisions of this Act. Substantial assistance, such as  
2 launch services, shall be reimbursed by the operator.

3 PENALTIES AND REMEDIES

4 SEC. 606. Licenses issued by the Secretary under the  
5 provisions of this Act may provide for penalties and  
6 remedies for noncompliance with the terms of the license in  
7 order to preserve and protect the interests of the United  
8 States.

9 RADIO FREQUENCY ALLOCATION

10 SEC. 607. The Federal Communications Commission is  
11 authorized and encouraged to allocate to any license holder  
12 under title IV of this Act access to Government radio  
13 frequencies and other civil radio frequencies appropriate  
14 for space remote-sensing systems in a timely manner  
15 consistent with the national interest.

16 CONSULTATION

17 SEC. 608. (a) The Secretary shall consult with the  
18 Secretary of Defense on all matters under this Act affecting  
19 national security. The Secretary of Defense shall be  
20 responsible for identifying and notifying the Secretary of  
21 those national security concerns of the United States which  
22 are relevant to activities under this Act.

23 (b) The Secretary shall consult with the Secretary of  
24 State on all international matters. The Secretary of State  
25 shall be responsible for identifying and notifying the

1 Secretary of those international obligations and commitments  
2 of the United States which are relevant to activities under  
3 this Act.

4 (c)(1) The Secretary is authorized to make  
5 determinations as to the appropriateness and reasonableness  
6 of conditions based on national security or international  
7 obligations which may be imposed on license holders by other  
8 Federal agencies.

9 (2) If, as a result of conditions imposed on a  
10 contractor on the basis of national security or  
11 international obligations, the Secretary determines that  
12 additional costs will be incurred by the contractor, the  
13 Secretary may require the agency or agencies requesting such  
14 conditions to reimburse the contractor for such costs.

15 TITLE VII--PROHIBITION OF COMMERCIALIZATION OF WEATHER

16 SATELLITES

17 PROHIBITION

18 SEC. 701. Neither the President nor any other official  
19 of the Government shall make any effort to lease, sell, or  
20 transfer to the private sector, commercialize, or otherwise  
21 dismantle any portion of the weather satellite systems  
22 operated by the Department of Commerce or any successor  
23 agency.

24 FUTURE CONSIDERATIONS

25 SEC. 702. Regardless of any change in circumstances

1 subsequent to the enactment of this Act, even if such change  
2 makes it appear to be in the national interest to  
3 commercialize weather satellites, neither the President nor  
4 any official shall make any effort to commercialize weather  
5 satellites unless this title has first been repealed.