

***In the Senate of the United States,***

*November 10, 2015.*

*Resolved*, That the bill from the House of Representatives (H.R. 2262) entitled “An Act to facilitate a pro-growth environment for the developing commercial space industry by encouraging private sector investment and creating more stable and predictable regulatory conditions, and for other purposes.”, do pass with the following

**AMENDMENT:**

Strike all after the enacting clause and insert the following:

1 ***SECTION 1. SHORT TITLE; TABLE OF CONTENTS; REF-***  
2 ***ERENCES.***

3 (a) *SHORT TITLE.—This Act may be cited as the*  
4 *“U.S. Commercial Space Launch Competitiveness Act”.*

5 (b) *TABLE OF CONTENTS.—The table of contents of this*  
6 *Act is as follows:*

*Sec. 1. Short title; table of contents; references.*

***TITLE I—SPURRING PRIVATE AEROSPACE COMPETITIVENESS AND  
ENTREPRENEURSHIP***

*Sec. 101. Short title.*

- Sec. 102. International launch competitiveness.*
- Sec. 103. Indemnification for space flight participants.*
- Sec. 104. Launch license flexibility.*
- Sec. 105. Licensing report.*
- Sec. 106. Federal jurisdiction.*
- Sec. 107. Cross waivers.*
- Sec. 108. Space authority.*
- Sec. 109. Orbital traffic management.*
- Sec. 110. Space surveillance and situational awareness data.*
- Sec. 111. Consensus standards and extension of certain safety regulation requirements.*
- Sec. 112. Government astronauts.*
- Sec. 113. Streamline commercial space launch activities.*
- Sec. 114. Operation and utilization of the ISS.*
- Sec. 115. State commercial launch facilities.*
- Sec. 116. Space support vehicles study.*
- Sec. 117. Space launch system update.*

*TITLE II—COMMERCIAL REMOTE SENSING*

- Sec. 201. Annual reports.*
- Sec. 202. Statutory update report.*

*TITLE III—OFFICE OF SPACE COMMERCE*

- Sec. 301. Renaming of office of space commercialization.*
- Sec. 302. Functions of the office of space commerce.*

*TITLE IV—SPACE RESOURCE EXPLORATION AND UTILIZATION*

- Sec. 401. Short title.*
- Sec. 402. Title 51 amendment.*
- Sec. 403. Disclaimer of extraterritorial sovereignty.*

1       (c) *REFERENCES TO TITLE 51, UNITED STATES*  
 2 *CODE.—Except as otherwise expressly provided, wherever*  
 3 *in this Act an amendment or repeal is expressed in terms*  
 4 *of an amendment to, or repeal of, a section or other provi-*  
 5 *sion, the reference shall be considered to be made to a section*  
 6 *or other provision of title 51, United States Code.*

1 **TITLE I—SPURRING PRIVATE**  
2 **AEROSPACE COMPETITIVE-**  
3 **NESS AND ENTREPRENEUR-**  
4 **SHIP**

5 **SEC. 101. SHORT TITLE.**

6 *This title may be cited as the “Spurring Private Aero-*  
7 *space Competitiveness and Entrepreneurship Act of 2015”*  
8 *or “SPACE Act of 2015”.*

9 **SEC. 102. INTERNATIONAL LAUNCH COMPETITIVENESS.**

10 (a) *SENSE OF CONGRESS.—It is the sense of Congress*  
11 *that it is in the public interest to update the methodology*  
12 *used to calculate the maximum probable loss from claims*  
13 *under section 50914 of title 51, United States Code, with*  
14 *a validated risk profile approach in order to consistently*  
15 *compute valid and reasonable maximum probable loss val-*  
16 *ues.*

17 (b) *IMPLEMENTATION.—Not later than 180 days after*  
18 *the date of enactment of this Act, the Secretary of Transpor-*  
19 *tation, in consultation with the commercial space sector*  
20 *and insurance providers, shall—*

21 (1) *evaluate the methodology used to calculate*  
22 *the maximum probable loss from claims under section*  
23 *50914 of title 51, United States Code, and, if nec-*  
24 *essary, develop a plan to update that methodology;*

1           (2) *in evaluating or developing a plan under*  
2 *paragraph (1)—*

3           (A) *ensure that the Federal Government is*  
4 *not exposed to greater costs than intended and*  
5 *that launch companies are not required to pur-*  
6 *chase more insurance coverage than necessary;*  
7 *and*

8           (B) *consider the impact of the cost to both*  
9 *the industry and the Government of imple-*  
10 *menting an updated methodology; and*

11           (3) *submit the evaluation, and any plan, to the*  
12 *Committee on Commerce, Science, and Transpor-*  
13 *tation of the Senate and the Committee on Science,*  
14 *Space, and Technology of the House of Representa-*  
15 *tives.*

16           (c) *INDEPENDENT ASSESSMENT.—Not later than 270*  
17 *days after the date the evaluation is submitted under sub-*  
18 *section (b)(3), the Comptroller General shall submit to the*  
19 *Committee on Commerce, Science, and Transportation of*  
20 *the Senate and the Committee on Science, Space, and Tech-*  
21 *nology of the House of Representatives an assessment of—*

22           (1) *the analysis and conclusions provided by the*  
23 *Secretary of Transportation in the evaluation, and*  
24 *any plan, under subsection (b);*

1           (2) *the implementation schedule proposed by the*  
2           *Secretary in the plan described in paragraph (1);*

3           (3) *the suitability of the plan described in para-*  
4           *graph (1) for implementation; and*

5           (4) *any further actions needed to implement the*  
6           *plan described in paragraph (1) or otherwise accom-*  
7           *plish the purpose of this section.*

8           (d) **LAUNCH LIABILITY EXTENSION.**—*Section 50915(f)*  
9           *is amended by striking “December 31, 2016” and inserting*  
10          *“September 30, 2025”.*

11 **SEC. 103. INDEMNIFICATION FOR SPACE FLIGHT PARTICI-**  
12                                   **PANTS.**

13          (a) **IN GENERAL.**—*Chapter 509 is amended—*

14               (1) *in section 50914(a)—*

15                   (A) *in paragraph (4), by adding at the end*  
16                   *the following:*

17                               *“(E) space flight participants.”; and*

18                               (B) *by adding at the end the following:*

19                               *“(5) Subparagraph (E) of paragraph (4) ceases*  
20                   *to be effective September 30, 2025.”; and*

21               (2) *in section 50915(a)—*

22                   (A) *in paragraph (1), by striking “a li-*  
23                   *icensee or transferee under this chapter, a con-*  
24                   *tractor, subcontractor, or customer of the licensee*  
25                   *or transferee, or a contractor or subcontractor of*

1           *a customer, but not against a space flight partic-*  
 2           *ipant,” and inserting “a person described in*  
 3           *paragraph (3)(A)”;* and

4                   *(B) by adding at the end the following:*

5           *“(3)(A) A person described in this subparagraph*  
 6           *is—*

7                   *“(i) a licensee or transferee under this chap-*  
 8           *ter;*

9                   *“(ii) a contractor, subcontractor, or cus-*  
 10           *tomers of the licensee or transferee;*

11                   *“(iii) a contractor or subcontractor of a cus-*  
 12           *tomers; or*

13                   *“(iv) a space flight participant.*

14                   *“(B) Clause (iv) of subparagraph (A) ceases to*  
 15           *be effective September 30, 2025.”.*

16 **SEC. 104. LAUNCH LICENSE FLEXIBILITY.**

17           *Section 50906 is amended—*

18                   *(1) in subsection (d)—*

19                           *(A) in the matter preceding paragraph (1),*  
 20                   *by striking “that will be launched or reentered”*  
 21                   *and inserting “or reusable launch vehicles that*  
 22                   *will be launched into a suborbital trajectory or*  
 23                   *reentered under that permit”;*

24                           *(B) by amending paragraph (1) to read as*  
 25                   *follows:*

1           “(1) research and development to test design con-  
2           cepts, equipment, or operating techniques;” and

3           (C) in paragraph (3)—

4           (i) by striking “prior to obtaining a li-  
5           cense”; and

6           (ii) by inserting “or vehicle” after “de-  
7           sign of the rocket”;

8           (2) in subsection (e)—

9           (A) in paragraph (1), by striking “sub-  
10           orbital rocket design” and inserting “suborbital  
11           rocket or suborbital rocket design, or for a par-  
12           ticular reusable launch vehicle or reusable launch  
13           vehicle design,”; and

14           (B) in paragraph (2), by inserting “or  
15           launch vehicle” after “the suborbital rocket”;

16           (3) by amending subsection (g) to read as fol-  
17           lows:

18           “(g) The Secretary may issue a permit under this sec-  
19           tion notwithstanding any license issued under this chapter.  
20           The issuance of a license under this chapter may not invali-  
21           date a permit issued under this section.”; and

22           (4) in subsection (h), by inserting “or reusable  
23           launch vehicle” after “suborbital rocket”.

1 **SEC. 105. LICENSING REPORT.**

2 *Not later than 120 days after the date of enactment*  
3 *of this Act, the Secretary of Transportation shall submit*  
4 *to the Committee on Commerce, Science, and Transpor-*  
5 *tation of the Senate and the Committee on Science, Space,*  
6 *and Technology of the House of Representatives a report*  
7 *on approaches for streamlining the licensing and permit-*  
8 *ting process of launch vehicles, reentry vehicles, or compo-*  
9 *nents of launch or reentry vehicles, to enable non-launch*  
10 *flight operations related to space transportation. The report*  
11 *shall include approaches to improve efficiency, reduce un-*  
12 *necessary costs, resolve inconsistencies, remove duplication,*  
13 *and minimize unwarranted constraints. The report shall*  
14 *also include an assessment of existing private and govern-*  
15 *ment infrastructure, as appropriate, in future licensing ac-*  
16 *tivities.*

17 **SEC. 106. FEDERAL JURISDICTION.**

18 *Section 50914 is amended by adding at the end the*  
19 *following:*

20 *“(g) FEDERAL JURISDICTION.—Any claim by a third*  
21 *party or space flight participant for death, bodily injury,*  
22 *or property damage or loss resulting from an activity car-*  
23 *ried out under the license shall be the exclusive jurisdiction*  
24 *of the Federal courts.”.*

25 **SEC. 107. CROSS WAIVERS.**

26 *Section 50914(b)(1) is amended to read as follows:*



1           “(1)(A) A launch or reentry license issued or  
2 transferred under this chapter shall contain a provi-  
3 sion requiring the licensee or transferee to make a re-  
4 ciprocal waiver of claims with applicable parties in-  
5 volved in launch services or reentry services under  
6 which each party to the waiver agrees to be respon-  
7 sible for personal injury to, death of, or property  
8 damage or loss sustained by it or its own employees  
9 resulting from an activity carried out under the ap-  
10 plicable license.

11           “(B) In this paragraph, the term ‘applicable  
12 parties’ means—

13           “(i) contractors, subcontractors, and cus-  
14 tomers of the licensee or transferee;

15           “(ii) contractors and subcontractors of the  
16 customers; and

17           “(iii) space flight participants.

18           “(C) Clause (iii) of subparagraph (B) ceases to  
19 be effective September 30, 2025.”.

20 **SEC. 108. SPACE AUTHORITY.**

21           (a) *IN GENERAL.*—Not later than 120 days after the  
22 date of enactment of this Act, the Director of the Office of  
23 Science and Technology Policy, in consultation with the  
24 Secretary of State, the Secretary of Transportation, the Ad-  
25 ministrator of the National Aeronautics and Space Admin-

1 *istration, the heads of other relevant Federal agencies, and*  
2 *the commercial space sector, shall—*

3 *(1) assess current, and proposed near-term, com-*  
4 *mmercial non-governmental activities conducted in*  
5 *space;*

6 *(2) identify appropriate authorization and su-*  
7 *per vision authorities for the activities described in*  
8 *paragraph (1);*

9 *(3) recommend an authorization and supervision*  
10 *approach that would prioritize safety, utilize existing*  
11 *authorities, minimize burdens to the industry, pro-*  
12 *mote the U.S. commercial space sector, and meet the*  
13 *United States obligations under international trea-*  
14 *ties; and*

15 *(4) submit to the Committee on Commerce,*  
16 *Science, and Transportation of the Senate and the*  
17 *Committee on Science, Space, and Technology of the*  
18 *House of Representatives a report on the activities de-*  
19 *scribed in paragraphs (1), (2), and (3).*

20 *(b) EXCEPTION.—Nothing in this section shall apply*  
21 *to the activities of the ISS national laboratory as described*  
22 *in section 504 of the National Aeronautics and Space Ad-*  
23 *ministration Authorization Act of 2010 (42 U.S.C. 18354),*  
24 *including any research or development projects utilizing the*  
25 *ISS national laboratory.*

1 **SEC. 109. ORBITAL TRAFFIC MANAGEMENT.**

2       (a) *SENSE OF CONGRESS.*—*It is the sense of the Con-*  
3 *gress that an improved framework may be necessary for*  
4 *space traffic management of United States Government as-*  
5 *sets and United States private sector assets in outer space*  
6 *and orbital debris mitigation.*

7       (b) *STUDY.*—*Not later than 90 days after the date of*  
8 *enactment of this Act, the Administrator of the National*  
9 *Aeronautics and Space Administration, in consultation*  
10 *with the Secretary of Transportation, the Chair of the Fed-*  
11 *eral Communications Commission, the Secretary of Com-*  
12 *merce, and the Secretary of Defense, shall enter into an ar-*  
13 *rangement with an independent systems engineering and*  
14 *technical assistance organization to study alternate frame-*  
15 *works for the management of space traffic and orbital ac-*  
16 *tivities.*

17       (c) *CONTENTS.*—*The study shall include the following:*

18           (1) *An assessment of current regulations, best*  
19 *practices, and industry standards that apply to space*  
20 *traffic management and orbital debris mitigation.*

21           (2) *An assessment of current statutory authori-*  
22 *ties granted to the Federal Communications Commis-*  
23 *sion, the Department of Transportation, and the De-*  
24 *partment of Commerce that apply to space traffic*  
25 *management and orbital debris mitigation and how*  
26 *those agencies utilize and coordinate those authorities.*

1           (3) *A review of all space traffic management and*  
2 *orbital debris requirements under treaties and other*  
3 *international agreements to which the United States*  
4 *is a signatory, and other nonbinding international*  
5 *arrangements in which the United States partici-*  
6 *pates, and the manner and extent to which the Fed-*  
7 *eral Government complies with those requirements*  
8 *and arrangements.*

9           (4) *An assessment of existing Federal Govern-*  
10 *ment assets used to conduct space traffic management*  
11 *and space situational awareness.*

12           (5) *An assessment of the risk to space traffic*  
13 *management associated with smallsats and any nec-*  
14 *essary Government coordination for their launch and*  
15 *utilization to avoid congestion of the orbital environ-*  
16 *ment and improve space situational awareness.*

17           (6) *An assessment of existing private sector in-*  
18 *formation sharing activities associated with space sit-*  
19 *uational awareness and space traffic management.*

20           (7) *Recommendations related to the appropriate*  
21 *framework for the protection of the health, safety, and*  
22 *welfare of the public and economic vitality of the*  
23 *space industry.*

24           (d) *REPORT.*—*Not later than 1 year after the date of*  
25 *enactment of this Act, the Administrator shall submit to*

1 *the Committee on Commerce, Science, and Transportation*  
2 *of the Senate and the Committee on Science, Space, and*  
3 *Technology of the House of Representatives the study re-*  
4 *quired in subsection (b).*

5 *(e) DEPARTMENT OF DEFENSE AUTHORITIES.—*

6 *(1) SENSE OF CONGRESS.—It is the sense of*  
7 *Congress that the Department of Defense plays a vital*  
8 *and unique role in protecting national security assets*  
9 *in space.*

10 *(2) RULE OF CONSTRUCTION.—Nothing in this*  
11 *section may be construed to affect the authority of the*  
12 *Secretary of Defense as it relates to safeguarding the*  
13 *national security.*

14 **SEC. 110. SPACE SURVEILLANCE AND SITUATIONAL AWARE-**  
15 **NESS DATA.**

16 *Not later than 120 days after the date of enactment*  
17 *of this Act, the Secretary of Transportation in concurrence*  
18 *with the Secretary of Defense shall—*

19 *(1) in consultation with the heads of other rel-*  
20 *evant Federal agencies, study the feasibility of proc-*  
21 *essing and releasing safety-related space situational*  
22 *awareness data and information to any entity con-*  
23 *sistent with national security interests and public*  
24 *safety obligations of the United States; and*

1           (2) *submit a report on the feasibility study to*  
2           *the Committee on Commerce, Science, and Transpor-*  
3           *tation of the Senate and the Committee on Science,*  
4           *Space, and Technology of the House of Representa-*  
5           *tives.*

6 **SEC. 111. CONSENSUS STANDARDS AND EXTENSION OF**  
7           **CERTAIN SAFETY REGULATION REQUIRE-**  
8           **MENTS.**

9           *Section 50905(c) is amended—*

10           (1) *in paragraph (1), by inserting “IN GEN-*  
11           *ERAL.—” before “The Secretary”;*

12           (2) *in paragraph (2), by inserting “REGULA-*  
13           *TIONS.—” before “Regulations”;*

14           (3) *by striking paragraph (3);*

15           (4) *by redesignating paragraph (4) as para-*  
16           *graph (10);*

17           (5) *by inserting after paragraph (2) the fol-*  
18           *lowing:*

19           “(3) *FACILITATION OF STANDARDS.—The Sec-*  
20           *retary shall continue to work with the commercial*  
21           *space sector, including the Commercial Space Trans-*  
22           *portation Advisory Committee, or its successor orga-*  
23           *nization, to facilitate the development of voluntary*  
24           *industry consensus standards based on recommended*  
25           *best practices to improve the safety of crew, govern-*

1 *ment astronauts, and space flight participants as the*  
2 *commercial space sector continues to mature.*

3 “(4) *COMMUNICATION AND TRANSPARENCY.—*  
4 *Nothing in this subsection shall be construed to limit*  
5 *the authority of the Secretary to discuss potential reg-*  
6 *ulatory approaches, potential performance standards,*  
7 *or any other topic related to this subsection with the*  
8 *commercial space industry, including observations,*  
9 *findings, and recommendations from the Commercial*  
10 *Space Transportation Advisory Committee, or its suc-*  
11 *cessor organization, prior to the issuance of a notice*  
12 *of proposed rulemaking. Such discussions shall not be*  
13 *construed to permit the Secretary to promulgate in-*  
14 *dustry regulations except as otherwise provided in*  
15 *this section.*

16 “(5) *INTERIM VOLUNTARY INDUSTRY CONSENSUS*  
17 *STANDARDS REPORTS.—*

18 “(A) *IN GENERAL.—Not later than Decem-*  
19 *ber 31, 2016, and every 30 months thereafter*  
20 *until December 31, 2021, the Secretary, in con-*  
21 *sultation and coordination with the commercial*  
22 *space sector, including the Commercial Space*  
23 *Transportation Advisory Committee, or its suc-*  
24 *cessor organization, shall submit to the Com-*  
25 *mittee on Commerce, Science, and Transpor-*

1            *tation of the Senate and the Committee on*  
2            *Science, Space, and Technology of the House of*  
3            *Representatives a report on the progress of the*  
4            *commercial space transportation industry in de-*  
5            *veloping voluntary industry consensus standards*  
6            *that promote best practices to improve industry*  
7            *safety.*

8            *“(B) CONTENTS.—The report shall include,*  
9            *at a minimum—*

10            *“(i) any voluntary industry consensus*  
11            *standards that have been accepted by the in-*  
12            *dustry at large;*

13            *“(ii) the identification of areas that*  
14            *have the potential to become voluntary in-*  
15            *dustry consensus standards that are cur-*  
16            *rently under consideration by the industry*  
17            *at large;*

18            *“(iii) an assessment from the Secretary*  
19            *on the general progress of the industry in*  
20            *adopting voluntary industry consensus*  
21            *standards;*

22            *“(iv) any lessons learned about vol-*  
23            *untary industry consensus standards, best*  
24            *practices, and commercial space launch op-*  
25            *erations;*



1           “(v) any lessons learned associated  
2           with the development, potential application,  
3           and acceptance of voluntary industry con-  
4           sensus standards, best practices, and com-  
5           mercial space launch operations; and

6           “(vi) recommendations, findings, or ob-  
7           servations from the Commercial Space  
8           Transportation Advisory Committee, or its  
9           successor organization, on the progress of  
10          the industry in developing voluntary indus-  
11          try consensus standards that promote best  
12          practices to improve industry safety.

13          “(6) *REPORT*.—Not later than 270 days after the  
14          date of enactment of the *SPACE Act of 2015*, the Sec-  
15          retary, in consultation and coordination with the  
16          commercial space sector, including the *Commercial*  
17          *Space Transportation Advisory Committee*, or its suc-  
18          cessor organization, shall submit to the *Committee on*  
19          *Commerce, Science, and Transportation of the Senate*  
20          and the *Committee on Science, Space, and Technology*  
21          of the *House of Representatives* a report specifying  
22          key industry metrics that might indicate readiness of  
23          the commercial space sector and the *Department of*  
24          *Transportation* to transition to a safety framework  
25          that may include regulations under paragraph (9)

1 *that considers space flight participant, government*  
2 *astronaut, and crew safety.*

3 “(7) *REPORTS.*—*Not later than March 31 of*  
4 *each of 2018 and 2022, the Secretary, in consultation*  
5 *and coordination with the commercial space sector,*  
6 *including the Commercial Space Transportation Ad-*  
7 *visory Committee, or its successor organization, shall*  
8 *submit to the Committee on Commerce, Science, and*  
9 *Transportation of the Senate and the Committee on*  
10 *Science, Space, and Technology of the House of Rep-*  
11 *resentatives a report that identifies the activities, de-*  
12 *scribed in this subsection and subsection (d) most ap-*  
13 *propriate for a new safety framework that may in-*  
14 *clude regulatory action, if any, and a proposed tran-*  
15 *sition plan for such safety framework.*

16 “(8) *INDEPENDENT REVIEW.*—*Not later than De-*  
17 *cember 31, 2022, an independent systems engineering*  
18 *and technical assistance organization or standards*  
19 *development organization contracted by the Secretary*  
20 *shall submit to the Committee on Commerce, Science,*  
21 *and Transportation of the Senate and the Committee*  
22 *on Science, Space, and Technology of the House of*  
23 *Representatives an assessment of the readiness of the*  
24 *commercial space industry and the Federal Govern-*  
25 *ment to transition to a safety framework that may*

1 *include regulations. As part of the review, the con-*  
2 *tracted organization shall evaluate—*

3 *“(A) the progress of the commercial space*  
4 *industry in adopting voluntary industry con-*  
5 *sensus standards as reported by the Secretary in*  
6 *the interim assessments included in the reports*  
7 *under paragraph (5);*

8 *“(B) the progress of the commercial space*  
9 *industry toward meeting the key industry*  
10 *metrics identified by the report under paragraph*  
11 *(6), including the knowledge and operational ex-*  
12 *perience obtained by the commercial space indus-*  
13 *try while providing services for compensation or*  
14 *hire; and*

15 *“(C) whether the areas identified in the re-*  
16 *ports under paragraph (5) are appropriate for*  
17 *regulatory action, or further development of vol-*  
18 *untary industry consensus standards, consid-*  
19 *ering the progress evaluated in subparagraphs*  
20 *(A) and (B) of this paragraph.*

21 *“(9) LEARNING PERIOD.—Beginning on October*  
22 *1, 2023, the Secretary may propose regulations under*  
23 *this subsection without regard to subparagraphs (C)*  
24 *and (D) of paragraph (2). The development of any*  
25 *such regulations shall take into consideration the*

1        *evolving standards of the commercial space flight in-*  
2        *dustry as identified in the reports published under*  
3        *paragraphs (5), (6), and (7).”;* and

4                *(6) in paragraph (10), as redesignated, by in-*  
5        *serting “RULE OF CONSTRUCTION.—” before “Noth-*  
6        *ing”.*

7        **SEC. 112. GOVERNMENT ASTRONAUTS.**

8                *(a) FINDINGS AND PURPOSE.—Section 50901(15) is*  
9        *amended by inserting “, government astronauts,” after*  
10        *“crew” each place it appears.*

11                *(b) SENSE OF CONGRESS.—The National Aeronautics*  
12        *and Space Administration has a need to fly government*  
13        *astronauts (as defined in section 50902 of title 51, United*  
14        *States Code, as amended) within commercial launch vehi-*  
15        *cles and reentry vehicles under chapter 509 of that title.*  
16        *This need was identified by the Secretary of Transportation*  
17        *and the Administrator of the National Aeronautics and*  
18        *Space Administration due to the intended use of commer-*  
19        *cial launch vehicles and reentry vehicles developed under*  
20        *the Commercial Crew Development Program, authorized in*  
21        *section 402 of the National Aeronautics and Space Admin-*  
22        *istration Authorization Act of 2010 (124 Stat. 2820; Public*  
23        *Law 111–267). It is the sense of Congress that the authority*  
24        *delegated to the Administration by the amendment made*

1 *by subsection (d) of this section should be used for that pur-*  
2 *pose.*

3 (c) *DEFINITION OF GOVERNMENT ASTRONAUT.—Sec-*  
4 *tion 50902 is amended—*

5 (1) *by redesignating paragraphs (4) through (22)*  
6 *as paragraphs (7) through (25), respectively; and*

7 (2) *by inserting after paragraph (3) the fol-*  
8 *lowing:*

9 “(4) ‘government astronaut’ means an indi-  
10 *vidual who—*

11 “(A) *is designated by the National Aero-*  
12 *navitics and Space Administration under section*  
13 *20113(n);*

14 “(B) *is carried within a launch vehicle or*  
15 *reentry vehicle in the course of his or her em-*  
16 *ployment, which may include performance of ac-*  
17 *tivities directly relating to the launch, reentry,*  
18 *or other operation of the launch vehicle or re-*  
19 *entry vehicle; and*

20 “(C) *is either—*

21 “(i) *an employee of the United States*  
22 *Government, including the uniformed serv-*  
23 *ices, engaged in the performance of a Fed-*  
24 *eral function under authority of law or an*  
25 *Executive act; or*

1                   “(i) *an international partner astro-*  
2                   *naut.*”

3                   “(5) ‘*international partner astronaut*’ means an  
4                   *individual designated under Article 11 of the Inter-*  
5                   *national Space Station Intergovernmental Agreement,*  
6                   *by a partner to that agreement other than the United*  
7                   *States, as qualified to serve as an International*  
8                   *Space Station crew member.*”

9                   “(6) ‘*International Space Station Intergovern-*  
10                   *mental Agreement*’ means the *Agreement Concerning*  
11                   *Cooperation on the International Space Station,*  
12                   *signed at Washington January 29, 1998 (TIAS*  
13                   *12927).*”.

14                   (d) *POWERS OF THE NATIONAL AERONAUTICS AND*  
15                   *SPACE ADMINISTRATION IN PERFORMANCE OF FUNC-*  
16                   *TIONS.—Section 20113 is amended by adding at the end*  
17                   *the following:*

18                   “(n) *IDENTIFICATION OF GOVERNMENT ASTRO-*  
19                   *NAUTS.—For purposes of a license issued or transferred by*  
20                   *the Secretary of Transportation under chapter 509 to*  
21                   *launch a launch vehicle or to reenter a reentry vehicle car-*  
22                   *rying a government astronaut (as defined in section 50902),*  
23                   *the Administration shall designate a government astronaut*  
24                   *in accordance with requirements prescribed by the Adminis-*  
25                   *tration.*”.

1       (e) *DEFINITION OF LAUNCH.*—Paragraph (7) of sec-  
2       tion 50902, as redesignated, is amended by striking “and  
3       any payload, crew, or space flight participant” and insert-  
4       ing “and any payload or human being”.

5       (f) *DEFINITION OF LAUNCH SERVICES.*—Paragraph  
6       (9) of section 50902, as redesignated, is amended by strik-  
7       ing “payload, crew (including crew training), or space  
8       flight participant” and inserting “payload, crew (including  
9       crew training), government astronaut, or space flight par-  
10      ticipant”.

11      (g) *DEFINITION OF REENTER AND REENTRY.*—Para-  
12      graph (16) of section 50902, as redesignated, is amended  
13      by striking “and its payload, crew, or space flight partici-  
14      pants, if any,” and inserting “and its payload or human  
15      beings, if any,”.

16      (h) *DEFINITION OF REENTRY SERVICES.*—Paragraph  
17      (17) of section 50902, as redesignated, is amended by strik-  
18      ing “payload, crew (including crew training), or space  
19      flight participant, if any,” and inserting “payload, crew  
20      (including crew training), government astronaut, or space  
21      flight participant, if any,”.

22      (i) *DEFINITION OF SPACE FLIGHT PARTICIPANT.*—  
23      Paragraph (20) of section 50902, as redesignated, is amend-  
24      ed to read as follows:

1           “(20) ‘space flight participant’ means an indi-  
2           vidual, who is not crew or a government astronaut,  
3           carried within a launch vehicle or reentry vehicle.”.

4           (j) *DEFINITION OF THIRD PARTY.*—Paragraph  
5           (24)(E) of section 50902, as redesignated, is amended by  
6           inserting “, government astronauts,” after “crew”.

7           (k) *RESTRICTIONS ON LAUNCHES, OPERATIONS, AND*  
8           *REENTRIES; SINGLE LICENSE OR PERMIT.*—Section  
9           50904(d) is amended by striking “activities involving crew  
10          or space flight participants” and inserting “activities in-  
11          volving crew, government astronauts, or space flight par-  
12          ticipants”.

13          (l) *LICENSE APPLICATIONS AND REQUIREMENTS; AP-*  
14          *PLICATIONS.*—Section 50905 is amended—

15                 (1) in subsection (a)(2), by striking “crews and  
16                 space flight participants” and inserting “crew, gov-  
17                 ernment astronauts, and space flight participants”;

18                 (2) in subsection (b)(2)(D), by striking “crew or  
19                 space flight participants” and inserting “crew, gov-  
20                 ernment astronauts, or space flight participants”;  
21                 and

22                 (3) in subsection (c)—

23                         (A) in paragraph (1), by striking “crew  
24                         and space flight participants” and inserting



1           “crew, government astronauts, and space flight  
2           participants”; and

3           (B) in paragraph (2), by striking “to crew  
4           or space flight participants” each place it ap-  
5           pears and inserting “to crew, government astro-  
6           nauts, or space flight participants”.

7           (m) *MONITORING ACTIVITIES*.—Section 50907(a) is  
8           amended by striking “at a site used for crew or space flight  
9           participant training” and inserting “at a site not owned  
10          or operated by the Federal Government or a foreign govern-  
11          ment used for crew, government astronaut, or space flight  
12          participant training”.

13          (n) *ADDITIONAL SUSPENSIONS*.—Section 50908(d)(1)  
14          is amended by striking “to crew or space flight partici-  
15          pants” each place it appears and inserting “to any human  
16          being”.

17          (o) *RELATIONSHIP TO OTHER EXECUTIVE AGENCIES,*  
18          *LAWS, AND INTERNATIONAL OBLIGATIONS; NONAPPLICA-*  
19          *TION*.—Section 50919(g) is amended to read as follows:

20           “(g) *NONAPPLICATION*.—

21           “(1) *IN GENERAL*.—This chapter does not apply  
22          to—

23           “(A) a launch, reentry, operation of a  
24          launch vehicle or reentry vehicle, operation of a  
25          launch site or reentry site, or other space activ-

1 *ity the Government carries out for the Govern-*  
 2 *ment; or*

3 *“(B) planning or policies related to the*  
 4 *launch, reentry, operation, or activity under sub-*  
 5 *paragraph (A).*

6 *“(2) RULE OF CONSTRUCTION.—The following*  
 7 *activities are not space activities the Government car-*  
 8 *ries out for the Government under paragraph (1):*

9 *“(A) A government astronaut being carried*  
 10 *within a launch vehicle or reentry vehicle under*  
 11 *this chapter.*

12 *“(B) A government astronaut performing*  
 13 *activities directly relating to the launch, reentry,*  
 14 *or other operation of the launch vehicle or re-*  
 15 *entry vehicle under this chapter.”.*

16 **SEC. 113. STREAMLINE COMMERCIAL SPACE LAUNCH AC-**  
 17 **TIVITIES.**

18 *(a) SENSE OF CONGRESS.—It is the sense of Congress*  
 19 *that eliminating duplicative requirements and approvals*  
 20 *for commercial launch and reentry operations will promote*  
 21 *and encourage the development of the commercial space sec-*  
 22 *tor.*

23 *(b) REAFFIRMATION OF POLICY.—Congress reaffirms*  
 24 *that the Secretary of Transportation, in overseeing and co-*

1 *ordinating commercial launch and reentry operations,*  
2 *should—*

3           (1) *promote commercial space launches and reen-*  
4 *tries by the private sector;*

5           (2) *facilitate Government, State, and private sec-*  
6 *tor involvement in enhancing U.S. launch sites and*  
7 *facilities;*

8           (3) *protect public health and safety, safety of*  
9 *property, national security interests, and foreign pol-*  
10 *icy interests of the United States; and*

11           (4) *consult with the head of another executive*  
12 *agency, including the Secretary of Defense or the Ad-*  
13 *ministrator of the National Aeronautics and Space*  
14 *Administration, as necessary to provide consistent*  
15 *application of licensing requirements under chapter*  
16 *509 of title 51, United States Code.*

17 *(c) REQUIREMENTS.—*

18           (1) *IN GENERAL.—The Secretary of Transpor-*  
19 *tation under section 50918 of title 51, United States*  
20 *Code, and subject to section 50905(b)(2)(C) of that*  
21 *title, shall consult with the Secretary of Defense, the*  
22 *Administrator of the National Aeronautics and Space*  
23 *Administration, and the heads of other executive*  
24 *agencies, as appropriate—*

1           (A) to identify all requirements that are im-  
2 posed to protect the public health and safety,  
3 safety of property, national security interests,  
4 and foreign policy interests of the United States  
5 relevant to any commercial launch of a launch  
6 vehicle or commercial reentry of a reentry vehi-  
7 cle; and

8           (B) to evaluate the requirements identified  
9 in subparagraph (A) and, in coordination with  
10 the licensee or transferee and the heads of the rel-  
11 evant executive agencies—

12           (i) determine whether the satisfaction  
13 of a requirement of one agency could result  
14 in the satisfaction of a requirement of an-  
15 other agency; and

16           (ii) resolve any inconsistencies and re-  
17 move any outmoded or duplicative require-  
18 ments or approvals of the Federal Govern-  
19 ment relevant to any commercial launch of  
20 a launch vehicle or commercial reentry of a  
21 reentry vehicle.

22           (2) *REPORTS.*—Not later than 180 days after the  
23 date of enactment of this Act, and annually thereafter  
24 until the Secretary of Transportation determines no  
25 outmoded or duplicative requirements or approvals of

1     *the Federal Government exist, the Secretary of Trans-*  
2     *portation, in consultation with the Secretary of De-*  
3     *fense, the Administrator of the National Aeronautics*  
4     *and Space Administration, the commercial space sec-*  
5     *tor, and the heads of other executive agencies, as ap-*  
6     *propriate, shall submit to the Committee on Com-*  
7     *merce, Science, and Transportation of the Senate, the*  
8     *Committee on Science, Space, and Technology of the*  
9     *House of Representatives, and the congressional de-*  
10    *fense committees a report that includes the following:*

11            *(A) A description of the process for the ap-*  
12            *plication for and approval of a permit or license*  
13            *under chapter 509 of title 51, United States*  
14            *Code, for the commercial launch of a launch ve-*  
15            *hicle or commercial reentry of a reentry vehicle,*  
16            *including the identification of—*

17                    *(i) any unique requirements for oper-*  
18                    *ating on a United States Government*  
19                    *launch site, reentry site, or launch property;*  
20                    *and*

21                    *(ii) any inconsistent, outmoded, or du-*  
22                    *PLICATIVE requirements or approvals.*

23            *(B) A description of current efforts, if any,*  
24            *to coordinate and work across executive agencies*  
25            *to define interagency processes and procedures*

1       *for sharing information, avoiding duplication of*  
2       *effort, and resolving common agency require-*  
3       *ments.*

4               *(C) Recommendations for legislation that*  
5       *may further—*

6                       *(i) streamline requirements in order to*  
7                       *improve efficiency, reduce unnecessary costs,*  
8                       *resolve inconsistencies, remove duplication,*  
9                       *and minimize unwarranted constraints;*  
10                      *and*

11                      *(ii) consolidate or modify requirements*  
12                      *across affected agencies into a single appli-*  
13                      *cation set that satisfies the requirements*  
14                      *identified in paragraph (1)(A).*

15       (3) *DEFINITIONS.—For purposes of this sub-*  
16       *section—*

17                      *(A) any applicable definitions set forth in*  
18                      *section 50902 of title 51, United States Code,*  
19                      *shall apply;*

20                      *(B) the terms “launch”, “reenter”, and “re-*  
21                      *entry” include landing of a launch vehicle or re-*  
22                      *entry vehicle; and*

23                      *(C) the terms “United States Government*  
24                      *launch site” and “United States Government re-*  
25                      *entry site” include any necessary facility, at*

1           *that location, that is commercially operated on*  
2           *United States Government property.*

3 **SEC. 114. OPERATION AND UTILIZATION OF THE ISS.**

4           *(a) SENSE OF CONGRESS.—It is the sense of Congress*  
5 *that—*

6           *(1) maximum utilization of partnerships, sci-*  
7 *entific research, commercial applications, and explo-*  
8 *ration test bed capabilities of the ISS is essential to*  
9 *ensuring the greatest return on investments made by*  
10 *the United States and its international partners in*  
11 *the development, assembly, and operations of that*  
12 *unique facility; and*

13           *(2) every effort should be made to ensure that de-*  
14 *isions regarding the service life of the ISS are based*  
15 *on the station’s projected capability to continue pro-*  
16 *viding effective and productive research and explo-*  
17 *ration test bed capabilities.*

18           *(b) CONTINUATION OF THE INTERNATIONAL SPACE*  
19 *STATION.—*

20           *(1) IN GENERAL.—Section 501 of the National*  
21 *Aeronautics and Space Administration Authorization*  
22 *Act of 2010 (42 U.S.C. 18351) is amended—*

23           *(A) in the heading, by striking “**THROUGH***  
24 ***2020**”; and*

1           (B) in subsection (a), by striking “through  
2           at least 2020” and inserting “through at least  
3           2024”.

4           (2) *MAINTENANCE OF THE UNITED STATES SEG-*  
5           *MENT AND ASSURANCE OF CONTINUED OPERATIONS*  
6           *OF THE INTERNATIONAL SPACE STATION.*—Section  
7           503 of the National Aeronautics and Space Adminis-  
8           tration Authorization Act of 2010 (42 U.S.C. 18353)  
9           is amended—

10           (A) in subsection (a), by striking “through  
11           at least September 30, 2020” and inserting  
12           “through at least September 30, 2024”; and

13           (B) in subsection (b)(1), by striking “In  
14           carrying out subsection (a), the Administrator”  
15           and inserting “The Administrator”.

16           (3) *RESEARCH CAPACITY ALLOCATION AND INTE-*  
17           *GRATION OF RESEARCH PAYLOADS.*—Section 504(d) of  
18           the National Aeronautics and Space Administration  
19           Authorization Act of 2010 (42 U.S.C. 18354(d)) is  
20           amended by striking “September 30, 2020” each place  
21           it appears and inserting “at least September 30,  
22           2024”.

23           (4) *MAINTAINING USE THROUGH AT LEAST*  
24           2024.—Section 70907 is amended to read as follows:



1 **“§ 70907. Maintaining use through at least 2024**

2       “(a) *POLICY.*—*The Administrator shall take all nec-*  
 3 *essary steps to ensure that the International Space Station*  
 4 *remains a viable and productive facility capable of poten-*  
 5 *tial United States utilization through at least September*  
 6 *30, 2024.*

7       “(b) *NASA ACTIONS.*—*In furtherance of the policy*  
 8 *under subsection (a), the Administrator shall ensure, to the*  
 9 *extent practicable, that the International Space Station, as*  
 10 *a designated national laboratory—*

11               “(1) *remains viable as an element of overall ex-*  
 12 *ploration and partnership strategies and approaches;*

13               “(2) *is considered for use by all NASA mission*  
 14 *directorates, as appropriate, for technically appro-*  
 15 *priate scientific data gathering or technology risk re-*  
 16 *duction demonstrations; and*

17               “(3) *remains an effective, functional vehicle pro-*  
 18 *viding research and test bed capabilities for the*  
 19 *United States through at least September 30, 2024.”.*

20               (5) *TECHNICAL AND CONFORMING AMEND-*  
 21 *MENTS.*—

22               (A) *TABLE OF CONTENTS OF 2010 ACT.*—*The*  
 23 *item relating to section 501 in the table of con-*  
 24 *tents in section 1(b) of the National Aeronautics*  
 25 *and Space Administration Authorization Act of*

1           2010 (124 Stat. 2806) is amended by striking  
2           “through 2020”.

3                   (B) *TABLE OF CONTENTS OF CHAPTER*  
4           709.—*The table of contents for chapter 709 is*  
5           *amended by amending the item relating to sec-*  
6           *tion 70907 to read as follows:*

*“70907. Maintaining use through at least 2024.”.*

7   **SEC. 115. STATE COMMERCIAL LAUNCH FACILITIES.**

8           (a) *SENSE OF CONGRESS.—It is the sense of Congress*  
9           *that—*

10                   (1) *State involvement, development, ownership,*  
11           *and operation of launch facilities can enable growth*  
12           *of the Nation’s commercial suborbital and orbital*  
13           *space endeavors and support both commercial and*  
14           *Government space programs;*

15                   (2) *State launch facilities and the people and*  
16           *property in the affected launch areas of those facilities*  
17           *may be subject to risks resulting from an activity car-*  
18           *ried out under a license under chapter 509 of title 51,*  
19           *United States Code; and*

20                   (3) *to ensure the success of the commercial*  
21           *launch industry and the safety of the people and*  
22           *property in the affected launch areas of those facili-*  
23           *ties, States and State launch facilities should seek to*  
24           *take proper measures to protect themselves, to the ex-*  
25           *tent of their potential liability for involvement in*

1        *launch services or reentry services, and compensate*  
2        *third parties for possible death, bodily injury, or*  
3        *property damage or loss resulting from an activity*  
4        *carried out under a license under chapter 509 of title*  
5        *51, United States Code, to which the State or State*  
6        *launch facility is involved in the launch services or*  
7        *reentry services.*

8        *(b) REPORT.—Not later than 1 year after the date of*  
9        *enactment of this Act, the Comptroller General shall submit*  
10       *to the Committee on Commerce, Science, and Transpor-*  
11       *tation of the Senate and the Committee on Science, Space,*  
12       *and Technology of the House of Representatives a report*  
13       *on the potential inclusion of all government property, in-*  
14       *cluding State and municipal property, in the existing in-*  
15       *demnification regime established under section 50914 of*  
16       *title 51, United States Code.*

17       **SEC. 116. SPACE SUPPORT VEHICLES STUDY.**

18       *(a) IN GENERAL.—Not later than 1 year after the date*  
19       *of enactment of this Act, the Comptroller General shall sub-*  
20       *mit to the Committee on Commerce, Science, and Transpor-*  
21       *tation of the Senate and the Committee on Science, Space,*  
22       *and Technology of the House of Representatives a report*  
23       *on the use of space support vehicle services in the commer-*  
24       *cial space industry.*

25       *(b) CONTENTS.—This report shall include—*

1           (1) *the extent to which launch providers rely on*  
2 *such services as part of their business models;*

3           (2) *the statutory, regulatory, and market bar-*  
4 *riers to the use of such services; and*

5           (3) *recommendations for legislative or regulatory*  
6 *action that may be needed to ensure reduced barriers*  
7 *to the use of such services if such use is a requirement*  
8 *of the industry.*

9 **SEC. 117. SPACE LAUNCH SYSTEM UPDATE.**

10       (a) *IN GENERAL.*—Chapter 701 is amended—

11           (1) *in the heading by striking “SPACE*  
12 ***SHUTTLE*” and inserting “SPACE LAUNCH**  
13 ***SYSTEM*”;**

14           (2) *in section 70101—*

15               (A) *in the heading, by striking “space*  
16 ***shuttle*” and inserting “space launch sys-**  
17 ***tem*”;** and

18               (B) *by striking “space shuttle” and insert-*  
19 *ing “space launch system”;*

20           (3) *by amending section 70102 to read as fol-*  
21 *lows:*

22 **“§ 70102. Space launch system use policy**

23       “(a) *IN GENERAL.*—The Space Launch System may  
24 *be used for the following circumstances:*

1           “(1) *Payloads and missions that contribute to*  
2           *extending human presence beyond low-Earth orbit*  
3           *and substantially benefit from the unique capabilities*  
4           *of the Space Launch System.*

5           “(2) *Other payloads and missions that substan-*  
6           *tially benefit from the unique capabilities of the*  
7           *Space Launch System.*

8           “(3) *On a space available basis, Federal Govern-*  
9           *ment or educational payloads that are consistent with*  
10          *NASA’s mission for exploration beyond low-Earth*  
11          *orbit.*

12          “(4) *Compelling circumstances, as determined by*  
13          *the Administrator.*

14          “(b) *AGREEMENTS WITH FOREIGN ENTITIES.—The*  
15          *Administrator may plan, negotiate, or implement agree-*  
16          *ments with foreign entities for the launch of payloads for*  
17          *international collaborative efforts relating to science and*  
18          *technology using the Space Launch System.*

19          “(c) *COMPELLING CIRCUMSTANCES.—Not later than*  
20          *30 days after the date the Administrator makes a deter-*  
21          *mination under subsection (a)(4), the Administrator shall*  
22          *transmit to the Committee on Commerce, Science, and*  
23          *Transportation of the Senate and the Committee on Science*  
24          *of the House of Representatives written notification of the*  
25          *Administrator’s intent to select the Space Launch System*

1 *for a specific mission under that subsection, including jus-*  
 2 *tification for the determination.”;*

3 (4) *in section 70103—*

4 (A) *in the heading, by striking “SPACE*  
 5 **SHUTTLE” and inserting “SPACE LAUNCH**  
 6 **SYSTEM”; and**

7 (B) *in subsection (b), by striking “space*  
 8 *shuttle” each place it appears and inserting*  
 9 *“space launch system”;* and

10 (5) *by adding at the end the following:*

11 **“§ 70104. Definition of Space Launch System**

12 *“In this chapter, the term ‘Space Launch System’*  
 13 *means the Space Launch System authorized under section*  
 14 *302 of the National Aeronautics and Space Administration*  
 15 *Authorization Act of 2010 (42 U.S.C. 18322).”.*

16 (b) **TECHNICAL AND CONFORMING AMENDMENTS.—**

17 (1) **TABLE OF CHAPTERS.—***The table of chapters*  
 18 *of title 51 is amended by amending the item relating*  
 19 *to chapter 701 to read as follows:*

*“701. Use of space launch system or alternatives ..... 70101”.*

20 (2) **TABLE OF CONTENTS OF CHAPTER 701.—***The*  
 21 *table of contents of chapter 701 is amended—*

22 (A) *in the item relating to section 70101, by*  
 23 *striking “space shuttle” and inserting “space*  
 24 *launch system”;*

1           (B) *in the item relating to section 70102, by*  
 2           *striking “Space shuttle” and inserting “Space*  
 3           *launch system”;*

4           (C) *in the item relating to section 70103, by*  
 5           *striking “space shuttle” and inserting “space*  
 6           *launch system”;* and

7           (D) *by adding at the end the following:*

*“70104. Definition of Space Launch System.”.*

8           (3) *REQUIREMENT TO PROCURE COMMERCIAL*  
 9           *SPACE TRANSPORTATION SERVICES.—Section*  
 10           *50131(a) of chapter 51 is amended by inserting “or*  
 11           *in section 70102” after “in this section”.*

12           ***TITLE II—COMMERCIAL REMOTE***  
 13           ***SENSING***

14           ***SEC. 201. ANNUAL REPORTS.***

15           (a) *IN GENERAL.—Subchapter III of chapter 601 is*  
 16           *amended by adding at the end the following:*

17           ***“§ 60126. Annual reports***

18           *“(a) IN GENERAL.—The Secretary shall submit a re-*  
 19           *port to the Committee on Commerce, Science, and Trans-*  
 20           *portation of the Senate and the Committee on Science,*  
 21           *Space, and Technology of the House of Representatives not*  
 22           *later than 180 days after the date of enactment of the U.S.*  
 23           *Commercial Space Launch Competitiveness Act, and annu-*  
 24           *ally thereafter, on—*

1           “(1) the Secretary’s implementation of section  
2 60121, including—

3           “(A) a list of all applications received in  
4 the previous calendar year;

5           “(B) a list of all applications that resulted  
6 in a license under section 60121;

7           “(C) a list of all applications denied and  
8 an explanation of why each application was de-  
9 nied, including any information relevant to the  
10 interagency adjudication process of a licensing  
11 request;

12           “(D) a list of all applications that required  
13 additional information; and

14           “(E) a list of all applications whose dis-  
15 position exceeded the 120 day deadline estab-  
16 lished in section 60121(c), the total days overdue  
17 for each application that exceeded such deadline,  
18 and an explanation for the delay;

19           “(2) all notifications and information provided  
20 to the Secretary under section 60122; and

21           “(3) a description of all actions taken by the  
22 Secretary under the administrative authority granted  
23 by paragraphs (4), (5), and (6) of section 60123(a).



1       “(b) *CLASSIFIED ANNEXES.*—Each report under sub-  
2 section (a) may include classified annexes as necessary to  
3 protect the disclosure of sensitive or classified information.

4       “(c) *SUNSET.*—The reporting requirement under this  
5 section terminates effective September 30, 2020.”.

6       (b) *TABLE OF CONTENTS.*—The table of contents of  
7 chapter 601 is amended by inserting after the item relating  
8 to section 60125 the following:

“60126. Annual reports.”.

9       **SEC. 202. STATUTORY UPDATE REPORT.**

10       Not later than 1 year after the date of enactment of  
11 this Act, the Secretary of Commerce, in consultation with  
12 the heads of other appropriate Federal agencies and the Na-  
13 tional Oceanic and Atmospheric Administration’s Advisory  
14 Committee on Commercial Remote Sensing, shall submit to  
15 the Committee on Commerce, Science, and Transportation  
16 of the Senate and the Committee on Science, Space, and  
17 Technology of the House of Representatives a report on stat-  
18 utory updates necessary to license private remote sensing  
19 space systems. In preparing the report, the Secretary shall  
20 take into account the need to protect national security while  
21 maintaining United States private sector leadership in the  
22 field, and reflect the current state of the art of remote sens-  
23 ing systems, instruments, or technologies.

1       **TITLE III—OFFICE OF SPACE**  
2                               **COMMERCE**

3   **SEC. 301. RENAMING OF OFFICE OF SPACE COMMERCIALIZATION.**  
4

5       (a) *CHAPTER HEADING.*—

6               (1) *AMENDMENT.*—*The heading for chapter 507*  
7       *is amended by striking “COMMERCIALIZATION”*  
8       *and inserting “COMMERCE”.*

9               (2) *CONFORMING AMENDMENT.*—*The item relating to chapter 507 in the table of chapters for title*  
10       *51 is amended by striking “Commercialization” and*  
11       *inserting “Commerce”.*

12       (b) *DEFINITION OF OFFICE.*—*Section 50701 is amended by striking “Commercialization” and inserting “Commerce”.*

13       (c) *RENAMING.*—*Section 50702(a) is amended by*  
14       *striking “Commercialization” and inserting “Commerce”.*

15   **SEC. 302. FUNCTIONS OF THE OFFICE OF SPACE COMMERCE.**  
16

17       Section 50702(c) is amended by striking “Commerce.”  
18       and inserting “Commerce, including—

19               “(1) to foster the conditions for the economic  
20       growth and technological advancement of the United  
21       States space commerce industry;  
22         
23         
24

1           “(2) to coordinate space commerce policy issues  
2           and actions within the Department of Commerce;

3           “(3) to represent the Department of Commerce in  
4           the development of United States policies and in ne-  
5           gotiations with foreign countries to promote United  
6           States space commerce;

7           “(4) to promote the advancement of United  
8           States geospatial technologies related to space com-  
9           merce, in cooperation with relevant interagency work-  
10          ing groups; and

11          “(5) to provide support to Federal Government  
12          organizations working on Space-Based Positioning  
13          Navigation, and Timing policy, including the Na-  
14          tional Coordination Office for Space-Based Position,  
15          Navigation, and Timing.”.

16 **TITLE IV—SPACE RESOURCE EX-**  
17 **PLORATION AND UTILIZA-**  
18 **TION**

19 **SEC. 401. SHORT TITLE.**

20          *This title may be cited as the “Space Resource Explo-*  
21 *ration and Utilization Act of 2015”.*

22 **SEC. 402. TITLE 51 AMENDMENT.**

23          (a) *IN GENERAL.*—Subtitle V is amended by adding  
24 *at the end the following:*

1 **“CHAPTER 513—SPACE RESOURCE COM-**  
 2 **MERCIAL EXPLORATION AND UTILIZA-**  
 3 **TION**

“Sec.

“51301. *Definitions.*

“51302. *Commercial exploration and commercial recovery.*

“51303. *Asteroid resource and space resource rights.*

4 **“§ 51301. *Definitions***

5 *“In this chapter:*

6 *“(1) ASTEROID RESOURCE.—The term ‘asteroid*  
 7 *resource’ means a space resource found on or within*  
 8 *a single asteroid.*

9 *“(2) SPACE RESOURCE.—*

10 *“(A) IN GENERAL.—The term ‘space re-*  
 11 *source’ means an abiotic resource in situ in*  
 12 *outer space.*

13 *“(B) INCLUSIONS.—The term ‘space re-*  
 14 *source’ includes water and minerals.*

15 *“(3) UNITED STATES CITIZEN.—The term*  
 16 *‘United States citizen’ has the meaning given the*  
 17 *term ‘citizen of the United States’ in section 50902.*

18 **“§ 51302. *Commercial exploration and commercial re-***  
 19 ***covery***

20 *“(a) IN GENERAL.—The President, acting through ap-*  
 21 *propriate Federal agencies, shall—*

1           “(1) *facilitate commercial exploration for and*  
2           *commercial recovery of space resources by United*  
3           *States citizens;*

4           “(2) *discourage government barriers to the devel-*  
5           *opment in the United States of economically viable,*  
6           *safe, and stable industries for commercial exploration*  
7           *for and commercial recovery of space resources in*  
8           *manners consistent with the international obligations*  
9           *of the United States; and*

10           “(3) *promote the right of United States citizens*  
11           *to engage in commercial exploration for and commer-*  
12           *cial recovery of space resources free from harmful in-*  
13           *terference, in accordance with the international obli-*  
14           *gations of the United States and subject to authoriza-*  
15           *tion and continuing supervision by the Federal Gov-*  
16           *ernment.*

17           “(b) *REPORT.—Not later than 180 days after the date*  
18           *of enactment of this section, the President shall submit to*  
19           *Congress a report on commercial exploration for and com-*  
20           *mercial recovery of space resources by United States citizens*  
21           *that specifies—*

22           “(1) *the authorities necessary to meet the inter-*  
23           *national obligations of the United States, including*  
24           *authorization and continuing supervision by the Fed-*  
25           *eral Government; and*

1           “(2) recommendations for the allocation of re-  
2           sponsibilities among Federal agencies for the activi-  
3           ties described in paragraph (1).

4   **“§51303. Asteroid resource and space resource rights**

5           *“A United States citizen engaged in commercial recov-  
6           ery of an asteroid resource or a space resource under this  
7           chapter shall be entitled to any asteroid resource or space  
8           resource obtained, including to possess, own, transport, use,  
9           and sell the asteroid resource or space resource obtained in  
10          accordance with applicable law, including the international  
11          obligations of the United States.”.*

12          (b) *TABLE OF CHAPTERS.—The table of chapters for  
13          title 51 is amended by adding at the end of the items for  
14          subtitle V the following:*

*“513. Space resource commercial exploration and utilization ..... 51301”.*

15   **SEC. 403. DISCLAIMER OF EXTRATERRITORIAL SOV-**  
16   **EREIGNTY.**

17          *It is the sense of Congress that by the enactment of  
18          this Act, the United States does not thereby assert sov-  
19          ereignty or sovereign or exclusive rights or jurisdiction over,  
20          or the ownership of, any celestial body.*

Attest:

*Secretary.*



114<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

**H.R. 2262**

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**AMENDMENT**