

7. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE EDWARDS OF MARYLAND OR HER DESIGNEE, DEBATABLE FOR 20 MINUTES

**AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 2262
OFFERED BY MS. EDWARDS OF MARYLAND**

Strike all after the enacting clause and insert the following:

1 SECTION 1. SHORT TITLE.

2 This Act may be cited as the "U.S. Commercial
3 Space Launch Competitiveness Act".

4 SEC. 2. REFERENCES TO TITLE 51, UNITED STATES CODE.

5 Except as otherwise expressly provided, wherever in
6 this Act an amendment or repeal is expressed in terms
7 of an amendment to, or repeal of, a section or other provi-
8 sion, the reference shall be considered to be made to a
9 section or other provision of title 51, United States Code.

**10 SEC. 3. LIABILITY INSURANCE AND FINANCIAL RESPONSIBI-
11 BILITY REQUIREMENTS.**

12 (a) SENSE OF CONGRESS.—It is the sense of Con-
13 gress that it is in the public interest to update the method-
14 ology used to calculate the maximum probable loss from
15 claims under section 50914 of title 51, United States
16 Code, with a validated risk profile approach in order to
17 consistently compute valid and reasonable maximum prob-
18 able loss values.

1 (b) IMPLEMENTATION.—Not later than September
2 30, 2015, the Secretary of Transportation, in consultation
3 with the commercial space sector and insurance providers,
4 shall—

5 (1) evaluate and, if necessary, develop a plan to
6 update the methodology used to calculate the maximum
7 probable loss from claims under section 50914
8 of title 51, United States Code;

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

11 (A) ensure that the Federal Government is
12 not exposed to greater costs than intended and
13 that launch companies are not required to purchase
14 more insurance coverage than necessary;
15 and

16 (B) consider the impact of the cost to both
17 the industry and the Government of implementing
18 an updated methodology; and

19 (3) submit the evaluation, and any plan, to the
20 Committee on Commerce, Science, and Transportation
21 of the Senate and the Committee on Science,
22 Space, and Technology of the House of Representatives.
23

1 **SEC. 4. LAUNCH LIABILITY EXTENSION.**

2 Section 50915(f) is amended by striking “December
3 31, 2016” and inserting “December 31, 2020”.

4 **SEC. 5. COMMERCIAL SPACE LAUNCH LICENSING AND EX-**
5 **PERIMENTAL PERMITS.**

6 Section 50906 is amended—

7 (1) in subsection (d), by striking “launched or
8 reentered” and inserting “launched or reentered
9 under that permit”;

10 (2) by amending subsection (d)(1) to read as
11 follows:

12 “(1) research and development to test design
13 concepts, equipment, or operating techniques;”;

14 (3) in subsection (d)(3) by striking “prior to
15 obtaining a license”;

16 (4) in subsection (e)(1) by striking “suborbital
17 rocket design” and inserting “suborbital rocket or
18 suborbital rocket design”; and

19 (5) by amending subsection (g) to read as fol-
20 lows:

21 “(g) The Secretary may issue a permit under this sec-
22 tion notwithstanding any license issued under this chapter.
23 The issuance of a license under this chapter may not inval-
24 idate a permit issued under this section.”.

1 **SEC. 6. 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 re-
11 port shall include approaches to improve efficiency, reduce
12 unnecessary costs, resolve inconsistencies, remove duplica-
13 tion, and minimize unwarranted constraints.

14 **SEC. 7. SPACE AUTHORITY.**

15 (a) **IN GENERAL.**—Not later than 120 days after the
16 date of enactment of this Act, the Director of the Office
17 of Science and Technology Policy, in consultation with the
18 Secretary of State, the Secretary of Transportation, the
19 Administrator of the National Aeronautics and Space Ad-
20 ministration, the heads of other relevant Federal agencies,
21 and the commercial space sector, shall—

22 (1) assess current, and proposed near-term,
23 commercial non-governmental activities conducted in
24 space;

25 (2) identify appropriate oversight authorities
26 for the activities described in paragraph (1);

1 the Commercial Space Transportation Advisory Com-
2 mittee, shall submit to the Committee on Commerce,
3 Science, and Transportation of the Senate and the Com-
4 mittee on Science, Space, and Technology of the House
5 of Representative a report specifying key industry metrics
6 that might indicate readiness of the commercial space sec-
7 tor and the Department of Transportation to transition
8 to a regulatory approach under section 50905(c)(3) of title
9 51, United States Code, that considers space flight partici-
10 pant, government astronaut, and crew safety.

11 (d) BIENNIAL REPORT.—Beginning on December 31,
12 2016, and biennially thereafter, the Secretary of Trans-
13 portation, in consultation and coordination with the com-
14 mercial space sector, including the Commercial Space
15 Transportation Advisory Committee, shall submit to the
16 Committee on Commerce, Science, and Transportation of
17 the Senate and the Committee on Science, Space, and
18 Technology of the House of Representatives a report that
19 identifies the activities, described in subsections (c) and
20 (d) of section 50905 of title 51, United States Code, most
21 appropriate for regulatory action, if any, and a proposed
22 transition plan for such regulations.

23 **SEC. 10. INDUSTRY VOLUNTARY CONSENSUS STANDARDS.**

24 (a) INDUSTRY VOLUNTARY CONSENSUS STAND-
25 ARDS.—Section 50905(c), as amended in section 9 of this

1 Act, is further amended by adding at the end the fol-
2 lowing:

3 “(6) The Secretary shall continue to work with
4 the commercial space sector, including the Commer-
5 cial Space Transportation Advisory Committee, to
6 facilitate the development of voluntary consensus
7 standards based on recommended best practices to
8 improve the safety of crew, government astronauts,
9 and space flight participants as the commercial
10 space sector continues to mature.”.

11 (b) BIENNIAL REPORT.—Beginning on December 31,
12 2016, and biennially thereafter, the Secretary of Trans-
13 portation, in consultation and coordination with the com-
14 mercial space sector, including the Commercial Space
15 Transportation Advisory Committee, shall submit to the
16 Committee on Commerce, Science, and Transportation of
17 the Senate and the Committee on Science, Space, and
18 Technology of the House of Representatives a report de-
19 tailing progress on the development of industry voluntary
20 consensus standards under section 50905(c)(6) of title 51,
21 United States Code.

22 **SEC. 11. GOVERNMENT ASTRONAUTS.**

23 (a) FINDINGS AND PURPOSE.—Section 50901(15) is
24 amended by inserting “, government astronauts,” after
25 “crew” each place it appears.

1 (b) DEFINITION OF GOVERNMENT ASTRONAUT.—

2 Section 50902 is amended—

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

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

8 “(4) ‘*government astronaut*’ means an individual
9 who—

10 “(A) is either—

11 “(i) an employee of the United States
12 Government, including the uniformed serv-
13 ices, engaged in the performance of a Fed-
14 eral function under authority of law or an
15 Executive act; or

16 “(ii) an international partner astro-
17 naut;

18 “(B) is identified by the Administrator of
19 the National Aeronautics and Space Adminis-
20 tration;

21 “(C) is carried within a launch vehicle or
22 reentry vehicle; and

23 “(D) may perform or may not perform ac-
24 tivities directly relating to the launch, reentry,

1 or other operation of the launch vehicle or re-
2 entry vehicle.

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

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

14 (c) DEFINITION OF LAUNCH.—Paragraph (7) of sec-
15 tion 50902, as redesignated, is amended by striking “and
16 any payload, crew, or space flight participant” and insert-
17 ing “and any payload or human being”.

18 (d) DEFINITION OF LAUNCH SERVICES.—Paragraph
19 (9) of section 50902, as redesignated, is amended by strik-
20 ing “payload, crew (including crew training), or space
21 flight participant” and inserting “payload, crew (including
22 crew training), government astronaut, or space flight par-
23 ticipant”.

24 (e) DEFINITION OF REENTER AND REENTRY.—Para-
25 graph (16) of section 50902, as redesignated, is amended

1 by striking “and its payload, crew, or space flight partici-
2 pants, if any,” and inserting “and its payload or human
3 beings, if any,”.

4 (f) DEFINITION OF REENTRY SERVICES.—Paragraph
5 (17) of section 50902, as redesignated, is amended by
6 striking “payload, crew (including crew training), or space
7 flight participant, if any,” and inserting “payload, crew
8 (including crew training), government astronaut, or space
9 flight participant, if any,”.

10 (g) DEFINITION OF SPACE FLIGHT PARTICIPANT.—
11 Paragraph (20) of section 50902, as redesignated, is
12 amended to read as follows:

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

16 (h) DEFINITION OF THIRD PARTY.—Paragraph
17 (24)(E) of section 50902, as redesignated, is amended by
18 inserting “, government astronauts,” after “crew”.

19 (i) RESTRICTIONS ON LAUNCHES, OPERATIONS, AND
20 REENTRIES; SINGLE LICENSE OR PERMIT.—Section
21 50904(d) is amended by striking “activities involving crew
22 or space flight participants” and inserting “activities in-
23 volving crew, government astronauts, or space flight par-
24 ticipants”.

1 (j) LICENSE APPLICATIONS AND REQUIREMENTS;

2 APPLICATIONS.—Section 50905 is amended—

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

6 (2) in subsection (b)(2)(D), by striking “crew
7 or space flight participants” and inserting “crew,
8 government astronauts, or space flight participants”;
9 and

10 (3) in subsection (c)—

11 (A) in paragraph (1), by striking “crew
12 and space flight participants” and inserting
13 “crew, government astronauts, and space flight
14 participants”; and

15 (B) in paragraph (2), by striking “to crew
16 or space flight participants” each place it ap-
17 pears and inserting “to crew, government astro-
18 nauts, or space flight participants”.

19 (k) MONITORING ACTIVITIES.—Section 50907(a) is
20 amended by striking “crew or space flight participant
21 training” and inserting “crew, government astronaut, or
22 space flight participant training”.

23 (l) ADDITIONAL SUSPENSIONS.—Section
24 50908(d)(1) is amended by striking “to crew or space

1 flight participants” each place it appears and inserting “to
2 any human being”.

3 (m) ENFORCEMENT AND PENALTY.—Section
4 50917(b)(1)(D)(i) is amended by striking “crew or space
5 flight participant training site,” and inserting “crew, gov-
6 ernment astronaut, or space flight participant training
7 site,”.

8 (n) RELATIONSHIP TO OTHER EXECUTIVE AGEN-
9 CIES, LAWS, AND INTERNATIONAL OBLIGATIONS; NON-
10 APPLICATION.—Section 50919(g) is amended to read as
11 follows:

12 “(g) NONAPPLICATION.—

13 “(1) IN GENERAL.—This chapter does not
14 apply to—

15 “(A) a launch, reentry, operation of a
16 launch vehicle or reentry vehicle, operation of a
17 launch site or reentry site, or other space activ-
18 ity the Government carries out for the Govern-
19 ment; or

20 “(B) planning or policies related to the
21 launch, reentry, operation, or activity under
22 subparagraph (A).

23 “(2) RULE OF CONSTRUCTION.—The following
24 activities are not space activities the Government
25 carries out for the Government under paragraph (1):

1 (2) facilitate Government, State, and private
2 sector involvement in enhancing U.S. launch sites
3 and facilities;

4 (3) protect public health and safety, safety of
5 property, national security interests, and foreign pol-
6 icy interests of the United States; and

7 (4) consult with the head of another executive
8 agency, including the Secretary of Defense or the
9 Administrator of the National Aeronautics and
10 Space Administration, as necessary to provide con-
11 sistent application of licensing requirements under
12 chapter 509 of title 51, United States Code.

13 (c) REQUIREMENTS.—

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

21 (A) to identify all requirements that are
22 imposed to protect the public health and safety,
23 safety of property, national security interests,
24 and foreign policy interests of the United States
25 relevant to any commercial launch of a launch

1 vehicle or commercial reentry of a reentry vehi-
2 cle; and

3 (B) to evaluate the requirements identified
4 in subparagraph (A) and, in coordination with
5 the licensee or transferee and the heads of the
6 relevant executive agencies—

7 (i) determine whether the satisfaction
8 of a requirement of one agency could result
9 in the satisfaction of a requirement of an-
10 other agency; and

11 (ii) resolve any inconsistencies and re-
12 move any outmoded or duplicative require-
13 ments or approvals of the Federal Govern-
14 ment relevant to any commercial launch of
15 a launch vehicle or commercial reentry of
16 a reentry vehicle.

17 (2) REPORTS.—Not later than 180 days after
18 the date of enactment of this Act, and annually
19 thereafter until the Secretary of Transportation de-
20 termines no outmoded or duplicative requirements or
21 approvals of the Federal Government exist, the Sec-
22 retary of Transportation, in consultation with the
23 Secretary of Defense, the Administrator of the Na-
24 tional Aeronautics and Space Administration, the
25 commercial space sector, and the heads of other ex-

1 ecutive agencies, as appropriate, shall submit to the
2 Committee on Commerce, Science, and Transpor-
3 tation of the Senate, the Committee on Science,
4 Space, and Technology of the House of Representa-
5 tives, and the congressional defense committees a re-
6 port that includes the following:

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

13 (i) any unique requirements for oper-
14 ating on a United States Government
15 launch site, reentry site, or launch prop-
16 erty; and

17 (ii) any inconsistent, outmoded, or du-
18 plicative requirements or approvals.

19 (B) A description of current efforts, if any,
20 to coordinate and work across executive agen-
21 cies to define interagency processes and proce-
22 dures for sharing information, avoiding duplica-
23 tion of effort, and resolving common agency re-
24 quirements.

1 (C) Recommendations for legislation that
2 may further—

3 (i) streamline requirements in order
4 to improve efficiency, reduce unnecessary
5 costs, resolve inconsistencies, remove dupli-
6 cation, and minimize unwarranted con-
7 straints; and

8 (ii) consolidate or modify require-
9 ments across affected agencies into a sin-
10 gle application set that satisfies the re-
11 quirements identified in paragraph (1)(A).

12 (3) DEFINITIONS.—For purposes of this sub-
13 section—

14 (A) any applicable definitions set forth in
15 section 50902 of title 51, United States Code,
16 shall apply;

17 (B) the terms “launch”, “reenter”, and
18 “reentry” include landing of a launch vehicle or
19 reentry vehicle; and

20 (C) the terms “United States Government
21 launch site” and “United States Government
22 reentry site” include any necessary facility, at
23 that location, that is commercially operated on
24 United States Government property.

1 **SEC. 13. OPERATION AND UTILIZATION OF THE ISS.**

2 (a) SENSE OF CONGRESS.—It is the sense of Con-
3 gress that—

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

11 (2) every effort should be made to ensure that
12 decisions regarding the service life of the ISS are
13 based on the station's projected capability to con-
14 tinue providing effective and productive research and
15 exploration test bed capabilities.

16 (b) CONTINUATION OF THE INTERNATIONAL SPACE
17 STATION.—

18 (1) MAINTAINING USE THROUGH AT LEAST
19 2024.—Section 70907 is amended to read as follows:

20 **“§ 70907. Maintaining use through at least 2024**

21 “(a) POLICY.—The Administrator shall take all nec-
22 essary steps to ensure that the International Space Sta-
23 tion remains a viable and productive facility capable of po-
24 tential United States utilization through at least Sep-
25 tember 30, 2024.

1 “(b) NASA ACTIONS.—In furtherance of the policy
2 under subsection (a), the Administrator shall ensure, to
3 the extent practicable, that the International Space Sta-
4 tion, as a designated national laboratory—

5 “(1) remains viable as an element of overall ex-
6 ploration and partnership strategies and approaches;

7 “(2) is considered for use by all NASA mission
8 directorates, as appropriate, for technically appro-
9 priate scientific data gathering or technology risk re-
10 duction demonstrations; and

11 “(3) remains an effective, functional vehicle
12 providing research and test bed capabilities for the
13 United States through at least September 30,
14 2024.”.

15 (2) TECHNICAL AND CONFORMING AMEND-
16 MENT.—The table of contents for chapter 709 is
17 amended by amending the item relating to section
18 70907 to read as follows:

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

