

HR 3752

Commercial Space Launch Amendments Act of 2004

Congress: 108 (2003–2005, Ended)

Chamber: House

Policy Area: Science, Technology, Communications

Introduced: Feb 3, 2004

Current Status: Received in the Senate and Read twice and referred to the Committee on Commerce, Science, and Transp

Latest Action: Received in the Senate and Read twice and referred to the Committee on Commerce, Science, and Transportation. (Mar 8, 2004)

Official Text: <https://www.congress.gov/bill/108th-congress/house-bill/3752>

Sponsor

Name: Rep. Rohrabacher, Dana [R-CA-46]

Party: Republican • **State:** CA • **Chamber:** House

Cosponsors (4 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Boehlert, Sherwood [R-NY-24]	R · NY		Feb 3, 2004
Rep. Gordon, Bart [D-TN-6]	D · TN		Feb 3, 2004
Rep. Hall, Ralph M. [R-TX-4]	R · TX		Feb 3, 2004
Rep. Lampson, Nick [D-TX-9]	D · TX		Feb 3, 2004

Committee Activity

Committee	Chamber	Activity	Date
Commerce, Science, and Transportation Committee	Senate	Referred To	Mar 8, 2004
Science, Space, and Technology Committee	House	Reported By	Mar 1, 2004

Subjects & Policy Tags

Policy Area:

Science, Technology, Communications

Related Bills

Bill	Relationship	Last Action
108 HR 5382	Related bill	Dec 23, 2004: Became Public Law No: 108-492.
108 HR 5245	Text similarities	Nov 30, 2004: Became Public Law No: 108-428.
108 S 2772	Related bill	Jul 22, 2004: Read twice and referred to the Committee on Commerce, Science, and Transportation.
108 HR 3245	Text similarities	Mar 4, 2004: Provisions of H.R.3245 were Incorporated into H.R.3752..
108 HRES 546	Procedurally related	Mar 3, 2004: Motion to reconsider laid on the table Agreed to without objection.
108 S 1260	Related bill	Jul 24, 2003: Placed on Senate Legislative Calendar under General Orders. Calendar No. 232.

Commercial Space Launch Amendments Act of 2004 - (Sec. 2) States that Congress finds that: (1) the goal of opening space to the American people and to their private commercial enterprises should guide Federal space investments, policies, and regulations; (2) private industry has begun to develop commercial launch vehicles capable of carrying human beings into space; (3) greater private investment in these efforts will stimulate the commercial space transportation industry; and (4) space transportation is inherently risky.

(Sec. 3) Amends the Commercial Space Launch Act to define the following terms: (1) crew; (2) permit; (3) space flight participant; (4) suborbital rocket; and (5) suborbital trajectory. Amends the definitions of: (1) launch; (2) launch services; (3) reentry services; (4) launch vehicle; (5) reenter and reentry; and (6) third party.

Declares that regulatory authority for such transportation shall be carried out by the Secretary of Transportation (as under current law), but through the Associate Administrator for Commercial Space Transportation.

Provides for the issuance of experimental permits (including permits for reusable suborbital rockets) allowing for an unlimited number of launches.

Directs the Secretary when issuing permits, in order to encourage the development of a commercial space flight industry and to the greatest extent practicable, to use the authority to waive, by regulation, any Federal law requirement as a requirement for a license if such requirement is not necessary to protect the public health and safety, safety of property, and U.S. national security and foreign policy interests.

Limits the Secretary's authority to issue permits for reusable suborbital rockets to those rockets that will be launched or reentered solely for: (1) research and development to test new design concepts, new equipment, or new operating techniques; (2) showing compliance with requirements as part of the process for obtaining a license; or (3) crew training before obtaining a license for a launch or reentry using the design of the rocket for which the permit would be issued.

Prohibits operating a reusable suborbital rocket under a permit for carrying any property or human being for compensation or hire.

Permits the holder of a license or a permit to: (1) launch or reenter crew only if the crew has received specified training and has satisfied specified medical standards; (2) launch or reenter a space flight participant only if the holder of the license or permit has informed the space flight participant in writing about the risks of the launch or reentry, including the safety record of the vehicle type, and the space flight participant has provided written informed consent to participation; and (3) launch and reenter crews and space flight participants only in accordance with regulations and applicable laws.

Provides for expedited procedures for the issuance of permits.

Requires crew and space flight participants to execute reciprocal waivers of claims with licensees and permittees and the Federal government. Declares that the requirement for flight participants shall expire three years after the first licensed launch of a launch vehicle carrying the space flight participant.

Makes liability indemnification program requirements inapplicable to space flight participants.

Extends from December 31, 2004, through December 31, 2007, liability insurance and financial responsibility requirements.

Authorizes appropriations through FY 2007.

(Sec. 4) Requires the Secretary of Transportation to arrange with the National Academy of Public Administration for a study to assess: (1) methods by which the liability risk sharing regime for commercial space transportation could be eliminated by 2008 (or as soon as possible thereafter); and (2) the impact those methods would be likely to have on the commercial space transportation industry.

Actions Timeline

- **Mar 8, 2004:** Received in the Senate and Read twice and referred to the Committee on Commerce, Science, and Transportation.
- **Mar 4, 2004:** Considered under the provisions of rule H. Res. 546. (consideration: CR H835-840; text of measure as reported in House: CR H837-389)
- **Mar 4, 2004:** Rule provides for consideration of H.R. 3752 with 1 hour of general debate. Previous question shall be considered as ordered without intervening motions except motion to recommit with or without instructions. Points of order against consideration of the bill for failure to comply with clause 4(a) of rule XIII are waived. Measure will be considered read. Specified amendments are in order. Each amendment pre-printed in the Record may be offered only by the Member who caused it to be printed or his designee and shall be considered as read.
- **Mar 4, 2004:** House resolved itself into the Committee of the Whole House on the state of the Union pursuant to H. Res. 546 and Rule XVIII.
- **Mar 4, 2004:** The Speaker designated the Honorable Steven C. LaTourette to act as Chairman of the Committee.
- **Mar 4, 2004:** GENERAL DEBATE - The Committee of the Whole proceeded with one hour of general debate on H.R. 3752.
- **Mar 4, 2004:** DEBATE - The Committee of the Whole is proceeding with debate on the Boehlert amendment under the five-minute rule.
- **Mar 4, 2004:** DEBATE - The Committee of the Whole is proceeding with debate on the Flake amendment under the five-minute rule.
- **Mar 4, 2004:** The House rose from the Committee of the Whole House on the state of the Union to report H.R. 3752.
- **Mar 4, 2004:** The previous question was ordered pursuant to the rule.
- **Mar 4, 2004:** The House adopted the amendments en gross as agreed to by the Committee of the Whole House on the state of the Union.
- **Mar 4, 2004:** Passed/agreed to in House: On passage Passed by the Yeas and Nays: 402 - 1 (Roll no. 39).
- **Mar 4, 2004:** On passage Passed by the Yeas and Nays: 402 - 1 (Roll no. 39).
- **Mar 4, 2004:** Motion to reconsider laid on the table Agreed to without objection.
- **Mar 3, 2004:** Rule H. Res. 546 passed House.
- **Mar 2, 2004:** Rules Committee Resolution H. Res. 546 Reported to House. Rule provides for consideration of H.R. 3752 with 1 hour of general debate. Previous question shall be considered as ordered without intervening motions except motion to recommit with or without instructions. Points of order against consideration of the bill for failure to comply with clause 4(a) of rule XIII are waived. Measure will be considered read. Specified amendments are in order. Each amendment pre-printed in the Record may be offered only by the Member who caused it to be printed or his designee and shall be considered as read.
- **Mar 1, 2004:** Mr. Pearce asked unanimous consent that the Committee on Science, Space and Technology have until midnight on March 1 to file a report on H.R. 3752. Agreed to without objection.
- **Mar 1, 2004:** Reported by the Committee on Science. H. Rept. 108-429.
- **Mar 1, 2004:** Reported by the Committee on Science. H. Rept. 108-429.
- **Mar 1, 2004:** Placed on the Union Calendar, Calendar No. 247.
- **Feb 11, 2004:** Mr. Boehlert asked unanimous consent that the Committee on Science have until 5:00 p.m. on Feb. 18 to file a report on H.R. 3752. Agreed to without objection.
- **Feb 4, 2004:** Committee Consideration and Mark-up Session Held.
- **Feb 4, 2004:** Ordered to be Reported by Voice Vote.
- **Feb 3, 2004:** Introduced in House
- **Feb 3, 2004:** Introduced in House
- **Feb 3, 2004:** Referred to the House Committee on Science.