

## S 1297

### U.S. Commercial Space Launch Competitiveness Act

**Congress:** 114 (2015–2017, Ended)

**Chamber:** Senate

**Policy Area:** Science, Technology, Communications

**Introduced:** May 12, 2015

**Current Status:** Held at the desk.

**Latest Action:** Held at the desk. (Sep 8, 2015)

**Official Text:** <https://www.congress.gov/bill/114th-congress/senate-bill/1297>

### Sponsor

**Name:** Sen. Cruz, Ted [R-TX]

**Party:** Republican • **State:** TX • **Chamber:** Senate

### Cosponsors (5 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Gardner, Cory [R-CO]	R · CO		May 12, 2015
Sen. Nelson, Bill [D-FL]	D · FL		May 12, 2015
Sen. Peters, Gary C. [D-MI]	D · MI		May 12, 2015
Sen. Rubio, Marco [R-FL]	R · FL		May 12, 2015
Sen. Udall, Tom [D-NM]	D · NM		Jun 1, 2015

### Committee Activity

Committee	Chamber	Activity	Date
Commerce, Science, and Transportation Committee	Senate	Reported By	Jul 22, 2015

### Subjects & Policy Tags

#### Policy Area:

Science, Technology, Communications

### Related Bills

Bill	Relationship	Last Action
114 HR 2262	Related bill	<b>Nov 25, 2015:</b> Became Public Law No: 114-90.

(This measure has not been amended since it was reported to the Senate on July 22, 2015. The summary of that version is repeated here.)

## **U.S. Commercial Space Launch Competitiveness Act**

(Sec. 3) It is the sense of Congress that it is in the public interest to update the methodology used to calculate the maximum probable loss from commercial space launch liability claims with a validated risk profile approach in order to compute consistently valid and reasonable maximum probable loss values.

The Department of Transportation (DOT) shall: (1) evaluate and, if necessary, develop a plan to update, the methodology used to calculate the maximum probable loss from commercial space launch liability claims; and (2) meet specified criteria in evaluating or developing the plan.

(Sec. 4) The liability coverage of licensees subject to third-party claims exceeding the amount of insurance or demonstration of financial responsibility shall now extend through December 31, 2020.

(Sec. 5) Certain time constraints of requirements for commercial space launch and reentry experimental permits are repealed and rockets as well as rocket designs shall be covered. DOT may issue an experimental launch or reentry permit notwithstanding the issuance of any launch or reentry license. Neither shall the issuance of such a license invalidate an experimental permit.

DOT may now issue an experimental permit for reusable suborbital rockets that will be launched or reentered solely for crew training regardless of whether the crew trains before or after obtaining a license.

Experimental permits may also authorize an unlimited number of launches and reentries for a particular suborbital rocket or suborbital rocket design (currently, only for a rocket design).

(Sec. 6) DOT shall report to Congress on approaches for streamlining the licensing and permitting process of launch vehicles, reentry vehicles, or their components, to enable non-launch flight operations related to space transportation.

(Sec. 7) The Office of Science and Technology Policy shall: (1) assess current, and proposed near-term, commercial non-governmental activities conducted in space; (2) identify appropriate oversight authorities for such activities; and (3) recommend to Congress an oversight approach that would prioritize safety, utilize existing authorities, minimize burdens, promote the U.S. commercial space sector, and meet U.S. obligations under international treaties.

(Sec. 8) DOT, in concurrence with the Department of Defense (DOD), shall study the feasibility of processing and releasing to any entity safety-related space situational awareness data and information consistent with national security interests and U.S. public safety obligations.

(Sec. 9) Current safety regulations are extended until October 1, 2020 (currently, October 1, 2015), the earliest date that DOT may propose new safety regulations governing the design or operation of a launch vehicle to protect the health and safety of government astronauts, as well as crew and space flight participants.

DOT must report to Congress key industry metrics that might indicate readiness of the commercial space sector and DOT to transition to a regulatory approach that considers space flight participant, government astronaut, and crew safety.

(Sec. 10) DOT shall continue to work with the commercial space sector, including the Commercial Space Transportation Advisory Committee, to facilitate the development of voluntary consensus standards based on recommended best practices to improve the safety of crew, government astronauts, and space flight participants as that sector continues to mature.

(Sec. 11) Commercial space launch requirements shall now apply to government astronauts, defined as either a U.S. government employee engaged in the performance of a federal function or an international partner astronaut who may or may not perform activities directly relating to the launch, reentry, or other operation of the launch vehicle or reentry vehicle.

The following activities are declared not to be space activities that the government carries out for the government (and so they are subject to federal regulations):

- a government astronaut being carried within a launch vehicle or reentry vehicle under a commercial space launch; or
- a government astronaut performing activities directly related to the launch, reentry, or other operation of the launch vehicle or reentry vehicle under a commercial space launch.

(Sec. 12) It is the sense of Congress that eliminating duplicative requirements and approaches for commercial launch and reentry operations will promote and encourage the development of the commercial space sector.

The Congress reaffirms that DOT, in overseeing and coordinating commercial launch and reentry operations, ought to:

- promote commercial space launches and reentries by the private sector;
- facilitate government, state, and private sector involvement in enhancing U.S. launch sites and facilities;
- protect public health and safety, safety of property, national security interests, and foreign policy interests of the United States; and
- consult with the head of another executive agency, including the DOD or the National Aeronautics and Space Administration (NASA), as necessary to provide consistent application of the licensing requirements under chapter 509 (as amended by this Act).

DOT must consult with DOD, NASA, and other executive agencies to identify and evaluate all requirements imposed to protect health and safety, safety of property, national security interests, and U.S. foreign policy interests relevant to any commercial launch of a launch vehicle or commercial reentry of a reentry vehicle, and:

- determine whether the satisfaction of a requirement of one agency could result in the satisfaction of a requirement of another agency, and
- resolve any inconsistencies and remove any outmoded or duplicative federal requirements or approvals.

DOT shall report annually to Congress on these efforts until no outmoded or duplicative federal requirements or approvals exist.

(Sec. 13) The sense of Congress is expressed regarding the operation and use of the International Space Station (ISS).

NASA shall ensure that the ISS remains a viable and productive facility capable of potential U.S. utilization through at least FY2024 (currently, through FY2020).

NASA shall ensure that the ISS as a designated national laboratory:

- remains viable as an element of overall exploration and partnership strategies and approaches;
- is considered for use by all NASA mission directorates for technically appropriate scientific data gathering or technology risk reduction demonstrations; and
- remains an effective, functional vehicle providing research and test bed capabilities for the United States through at least FY2024.

### **Actions Timeline**

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- **Sep 8, 2015:** Received in the House.
- **Sep 8, 2015:** Held at the desk.
- **Aug 5, 2015:** Message on Senate action sent to the House.
- **Aug 4, 2015:** Passed/agreed to in Senate: Passed Senate with an amendment by Unanimous Consent.(consideration: CR S6323-6325; text as passed Senate: S6323-6325)
- **Aug 4, 2015:** Passed Senate with an amendment by Unanimous Consent. (consideration: CR S6323-6325; text as passed Senate: S6323-6325)
- **Jul 22, 2015:** Committee on Commerce, Science, and Transportation. Reported by Senator Thune with an amendment in the nature of a substitute. With written report No. 114-88.
- **Jul 22, 2015:** Placed on Senate Legislative Calendar under General Orders. Calendar No. 159.
- **May 20, 2015:** Committee on Commerce, Science, and Transportation. Ordered to be reported with an amendment in the nature of a substitute favorably.
- **May 12, 2015:** Introduced in Senate
- **May 12, 2015:** Read twice and referred to the Committee on Commerce, Science, and Transportation.