

103^D CONGRESS
2^D SESSION

S. 2116

To authorize appropriations for fiscal year 1995 to the National Aeronautics and Space Administration for human space flight, science, aeronautics, technology, mission support, and Inspector General, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MAY 13 (legislative day, MAY 2), 1994

Mr. ROCKEFELLER introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

A BILL

To authorize appropriations for fiscal year 1995 to the National Aeronautics and Space Administration for human space flight, science, aeronautics, technology, mission support, and Inspector General, and for other purposes.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “National Aeronautics
5 and Space Administration Authorization Act, Fiscal Year
6 1995”.

7 **SEC. 2. FINDINGS.**

8 The Congress finds and declares the following:

1 (1) Improved understanding of the Earth and
2 space, strengthened national competitiveness in aero-
3 space activities, and international scientific coopera-
4 tion are all national priorities.

5 (2) Continued support, within budgetary con-
6 straints, of key programs of the National Aero-
7 nautics and Space Administration can further ad-
8 vance these national priorities.

9 (3) The end of the cold war enables Federal
10 agencies to coordinate resources to pursue civilian
11 research and development in the most effective and
12 efficient manner.

13 (4) The 25th anniversary of the first human
14 landing on the Moon reminds all humanity of the
15 wondrous accomplishments of the past and the op-
16 portunities that still beckon.

17 **SEC. 3. DEFINITIONS.**

18 For the purposes of this Act—

19 (1) the term “Administrator” means the Ad-
20 ministrator of the National Aeronautics and Space
21 Administration; and

22 (2) the term “institution of higher education”
23 has the meaning given such term in section 1201(a)
24 of the Higher Education Act of 1965 (20 U.S.C.
25 1141(a)).

1 **TITLE I—AUTHORIZATION OF**
2 **APPROPRIATIONS**

3 **Subtitle A—Authorizations**

4 **SEC. 101. HUMAN SPACE FLIGHT.**

5 There are authorized to be appropriated to the Na-
6 tional Aeronautics and Space Administration for Human
7 Space Flight the following amounts, to become available
8 October 1, 1994:

9 (1) Space Station, \$1,889,600,000, of which
10 \$20,200,000 are authorized for the construction of
11 a Neutral Buoyancy Laboratory, Johnson Space
12 Center.

13 (2) Russian Cooperation, \$150,100,000, of
14 which—

15 (A) \$100,000,000 are authorized for Rus-
16 sian space agency contract support; and

17 (B) \$50,100,000 are authorized for Space
18 Shuttle/MIR activities.

19 (3) Space Shuttle, \$3,324,000,000, of which—

20 (A) \$4,800,000 are authorized for mod-
21 ernization of the Firex System, Pads A an B,
22 Kennedy Space Center; and

23 (B) \$7,500,000 are authorized for replace-
24 ment of the Components Refurbishment Lab-
25 oratory, Kennedy Space Center.

1 (4) Payload and Utilization Operations,
2 \$356,200,000.

3 **SEC. 102. SCIENCE, AERONAUTICS, AND TECHNOLOGY.**

4 There are authorized to be appropriated to the Na-
5 tional Aeronautics and Space Administration for Science,
6 Aeronautics, and Technology the following amounts, to be-
7 come available October 1, 1994:

8 (1) Space Science, \$1,766,000,000 of which—

9 (A) \$1,058,700,000 are authorized for
10 Physics and Astronomy; and

11 (B) \$707,300,000 are authorized for Plan-
12 etary Exploration.

13 (2) Life and Microgravity Sciences and Applica-
14 tions, \$470,900,000.

15 (3) Mission to Planet Earth, \$1,238,100,000,
16 of which \$17,000,000 are authorized for the con-
17 struction of the Earth Systems Science Building,
18 Goddard Space Flight Center.

19 (4) Aeronautical Research and Technology,
20 \$898,500,000, of which—

21 (A) \$342,800,000 are authorized for Re-
22 search and Technology Base activities;

23 (B) \$533,700,000 are authorized for Sys-
24 tems Technology Programs, including—

1 (i) High Speed Research,
2 \$221,300,000;

3 (ii) Advanced Subsonics,
4 \$125,800,000;

5 (iii) High Performance Computing
6 and Communications, \$76,100,000; and

7 (C) \$22,000,000 are authorized for the
8 modernization of the Unitary Plan Wind Tun-
9 nel Complex, Ames Research Center.

10 (5) Advanced Concepts and Technology,
11 \$608,400,000.

12 (6) Launch Services, \$340,900,000.

13 (7) Mission Communication Services,
14 \$481,200,000.

15 (8) Academic Programs, \$97,200,000.

16 **SEC. 103. MISSION SUPPORT.**

17 There are authorized to be appropriated to the Na-
18 tional Aeronautics and Space Administration for Mission
19 Support the following amounts, to become available Octo-
20 ber 1, 1994:

21 (1) Safety, Reliability, and Quality Assurance,
22 \$38,700,000.

23 (2) Space Communication Services,
24 \$268,900,000.

1 (3) Research and Program Management, in-
2 cluding personnel and related costs, travel, and re-
3 search operations support, \$2,220,300,000.

4 (4) Construction of Facilities, including land
5 acquisition, \$135,000,000, of which—

6 (A) \$8,000,000 are authorized to perform
7 seismic upgrade of the Research, Development,
8 and Test Building, Dryden Flight Research
9 Center;

10 (B) \$5,000,000 are authorized to restore
11 the Exterior/Interior Systems, Buildings 3, 13,
12 and 14, Goddard Space Flight Center;

13 (C) \$4,300,000 are authorized to modern-
14 ize the Condenser Water Systems, Southern
15 Sector, Jet Propulsion Laboratory;

16 (D) \$4,300,000 are authorized to rehabili-
17 tate the Utility Tunnel Structure and Systems,
18 Johnson Space Center;

19 (E) \$1,500,000 are authorized to modern-
20 ize the Payloads Hazardous Servicing Facility
21 HVAC System, Kennedy Space Center;

22 (F) \$4,900,000 are authorized to modern-
23 ize the Metrology and Calibration Facility, Mar-
24 shall Space Flight Center;

1 (G) \$30,000,000 are authorized to repair
2 facilities at various locations, not in excess of
3 \$1,000,000 per project;

4 (H) \$30,000,000 are authorized to reha-
5 bilitate and modify facilities at various loca-
6 tions, not in excess of \$1,000,000 per project;

7 (I) \$2,000,000 are authorized for minor
8 construction of new facilities and additions to
9 existing facilities at various locations, not in ex-
10 cess of \$750,000,000 per project;

11 (J) \$10,000,000 are authorized for facility
12 planning and design; and

13 (K) \$35,000,000 are authorized for envi-
14 ronmental compliance and restoration.

15 **SEC. 104. INSPECTOR GENERAL.**

16 There are authorized to be appropriated to the Na-
17 tional Aeronautics and Space Administration for Inspector
18 General \$16,000,000, to become available October 1,
19 1994.

20 **Subtitle B—Limitations and Special**
21 **Authority**

22 **SEC. 151. SPACE STATION LIMITATION.**

23 The aggregate amount authorized to be appropriated
24 for Space Station and related activities under sections
25 101, 102, and 103 shall not exceed \$2,100,000,000.

1 **SEC. 152. EXPERIMENTAL PROGRAM TO STIMULATE COM-**
2 **PETITIVE RESEARCH.**

3 Of the amounts appropriated under sections 101 and
4 102, \$10,000,000 are authorized for the Experimental
5 Program to Stimulate Competitive Research in accordance
6 with title III of the National Aeronautics and Space Ad-
7 ministration Act, Fiscal Year 1993 (Public Law 102-588;
8 106 Stat. 5119).

9 **SEC. 153. USE OF FUNDS FOR CONSTRUCTION.**

10 (a) **AUTHORIZED USES.**—Funds appropriated under
11 sections 101, 102, and 103 (excluding appropriations for
12 construction of facilities under sections 101(1), 102(3),
13 102(4)(C), and 103(4), and for personnel and related
14 costs and travel) may be used for the construction of new
15 facilities and additions to, repair of, rehabilitation of, or
16 modification of existing facilities at any location in support
17 of the purposes of which such funds are authorized.

18 (b) **LIMITATION.**—None of the funds used pursuant
19 to subsection (a) may be expended for a project the esti-
20 mated cost of which to the National Aeronautics and
21 Space Administration, including collateral equipment, ex-
22 ceeds \$500,000, until 30 days have passed after the Ad-
23 ministrator has notified the Committee on Commerce,
24 Science, and Transportation of the Senate and the Com-
25 mittee on Science, Space, and Technology of the House
26 of Representatives of the nature, location, and estimated

1 cost to the National Aeronautics and Space Administra-
2 tion of such project.

3 (c) TITLE TO FACILITIES.—If funds are used pursu-
4 ant to subsection (a) for grants to institutions of higher
5 education, or to nonprofit organizations whose primary
6 purpose is the conduct of scientific research, for purchase
7 or construction of additional research facilities, title to
8 such facilities shall be vested in the United States unless
9 the Administrator determines that the national program
10 of aeronautical and space activities will best be served by
11 vesting title in the grantee institution or organization.
12 Each such grant shall be made under such conditions as
13 the Administrator shall determine to be required to ensure
14 that the United States will receive therefrom benefits ade-
15 quate to justify the making of that grant.

16 **SEC. 154. AVAILABILITY OF APPROPRIATED AMOUNTS.**

17 To the extent provided in the appropriations Act, ap-
18 propriations authorized under subtitle A may remain
19 available without fiscal year limitation.

20 **SEC. 155. REPROGRAMMING FOR CONSTRUCTION OF FA-**
21 **CILITIES.**

22 Appropriations authorized for construction of facili-
23 ties under section 101(1), 102(3), 102(4)(C), or 103(4)—

24 (1) may be varied upward by 10 percent at the
25 discretion of the Administrator; or

1 (2) may be varied upward by 25 percent to
2 meet unusual cost variations after the expiration of
3 30 days following a report on the circumstances of
4 such action by the Administrator to the Committee
5 on Commerce, Science, and Transportation of the
6 Senate and the Committee on Science, Space, and
7 Technology of the House of Representatives.

8 The aggregate amount authorized to be appropriated for
9 construction of facilities under sections 101(1), 102(3),
10 102(4)(C), and 103(4) shall not be increased as a result
11 of actions authorized under this section.

12 **SEC. 156. CONSIDERATION BY COMMITTEES.**

13 Notwithstanding any other provision of this Act, no
14 amount appropriated to the National Aeronautics and
15 Space Administration may be used for any program—

16 (1) for which the President's annual budget re-
17 quest included a request for funding, but for which
18 the Congress denied or did not provide funding;

19 (2) in excess of the amount actually authorized
20 for the particular program by subtitle A; and

21 (3) which has not been presented to the Con-
22 gress in the President's annual budget request,

23 unless a period of 30 days has passed after the receipt
24 by the Committee on Commerce, Science, and Transpor-
25 tation of the Senate and the Committee on Science, Space,

1 and Technology of the House of Representatives of notice
2 given by the Administrator containing a full and complete
3 statement of the action proposed to be taken and the facts
4 and circumstances relied upon in support of such proposed
5 action. The National Aeronautics and Space Administra-
6 tion shall keep the Committee on Commerce, Science, and
7 Transportation of the Senate and the Committee on
8 Science, Space, and Technology of the House of Rep-
9 resentatives fully and currently informed with respect to
10 all activities and responsibilities within the jurisdiction of
11 those committees. Except as otherwise provided by law,
12 any Federal department, agency, or independent establish-
13 ment shall furnish any information requested by either
14 committee relating to any such activity or responsibility.

15 **SEC. 157. NEW PROJECTS.**

16 The Administrator shall certify to Congress that each
17 new project proposed to be funded, with life cycle costs
18 estimated at \$150,000,000 or more, has as part of its de-
19 velopment and implementation a technology plan to work
20 with United States industry to identify and pursue tech-
21 nologies of value to both the National Aeronautics and
22 Space Administration and industry.

1 **SEC. 158. LIMITATION ON OBLIGATION OF UNAUTHORIZED**
2 **APPROPRIATIONS.**

3 Not later than 30 days after the later of the date
4 of enactment of an Act making appropriations to the Na-
5 tional Aeronautics and Space Administration for fiscal
6 year 1995 or the date of enactment of this Act, the Ad-
7 ministrator shall submit a report of Congress and to the
8 Comptroller General which specifies—

9 (1) the portion of such appropriations which are
10 for programs, projects, or activities not specifically
11 authorized under this Act, of which are in excess of
12 amounts authorized for the relevant program,
13 project, or activity under this Act; and

14 (2) the portion of such appropriations which are
15 specifically authorized under this Act.

16 **SEC. 159. USE OF FUNDS FOR SCIENTIFIC CONSULTATIONS**
17 **OR EXTRAORDINARY EXPENSES.**

18 Funds appropriated under section 101, 102, and 103
19 may be used, but not to exceed \$35,000 for scientific con-
20 sultations or extraordinary expenses upon the authority of
21 the Administrator.

22 **TITLE II—MISCELLANEOUS PROVISIONS**

23 **SEC. 201. USE OF NASA LIFE SCIENCES FACILITIES.**

24 The Administrator shall issue regulations to provide
25 use of life sciences facilities by extramural investigators
26 pursuant to title VI to the National Aeronautics and

1 Space Administration Authorization Act, Fiscal Year
2 1993 (Public Law 102-588; 106 Stat. 5130) and enter
3 into reciprocal agreements with the National Institutes of
4 Health to provide access to the ground-based research fa-
5 cilities of the National Aeronautics and Space Administra-
6 tion in life sciences.

7 **SEC. 202. ORBITAL RESEARCH PLAN.**

8 Not later than 30 days after the later of the date
9 of enactment of an Act making appropriations to the Na-
10 tional Aeronautics and Space Administration for fiscal
11 year 1995 or the date of enactment of this Act, the Ad-
12 ministrator shall submit to Congress a detailed Orbital
13 Research Plan that establishes the science research prior-
14 ities for the next 5 years for all orbital life sciences, mate-
15 rials research, and biotechnology research. The plan shall
16 include budgets, with the associated support costs, for the
17 Spacelab, Spacehab, Comet, Mir, and Space Station
18 programs.

19 **SEC. 203. UNIVERSITY INNOVATIVE RESEARCH PROGRAM**
20 **STUDY.**

21 (a) The Administrator shall undertake a study of the
22 feasibility and potential implementation of a University
23 Innovative Research Program which—

24 (1) promotes technological innovation in the
25 United States by using the Nation's institutions of

1 higher education to help meet the National Aero-
2 nautics and Space Administration's research and de-
3 velopment needs, by developing technologies of use
4 to both the National Aeronautics and Space Admin-
5 istration and industry, by stimulating technology
6 transfer between institutions of higher education and
7 industry, and by encouraging participation by minor-
8 ity and disadvantaged persons in technological inno-
9 vation;

10 (2) is modeled on the Small Business and Inno-
11 vation and Research Program;

12 (3) identifies opportunities for 4-year colleges
13 which demonstrate commitment to science and tech-
14 nology;

15 (4) avoids duplication of existing National Aero-
16 nautics and Space Administration programs with the
17 institutions of higher education;

18 (5) identifies funding from the research and
19 analysis activities, advanced concepts and technology
20 program, and other activities which traditionally
21 award grants and cooperative agreements to institu-
22 tions of higher education; and

23 (6) is linked closely with other technology in-
24 vestment activities of the National Aeronautics and
25 Space Administration.

1 (b) COMPLETION.—The study required by subsection
2 (a) shall be completed and its results submitted within one
3 year after the date of enactment of this Act.

4 (c) ADVICE.—In carrying out the study required by
5 subsection (a), the Administrator shall seek the advice of
6 the National Aeronautics and Space Administration Advi-
7 sory Council, the National Research Council’s Aeronautics
8 and Space Engineering Board and Space Studies Board,
9 and other organizations as appropriate.

10 **SEC. 204. INDEPENDENT INVESTIGATIONS FOLLOW-UP.**

11 The Administrator shall report annually, to the Com-
12 mittee on Commerce, Science, and Transportation of the
13 Senate and the Committee on Science, Space, and Tech-
14 nology of the House of Representatives at the time of the
15 submission of the President’s budget request, on—

16 (1) all actions taken by the National Aero-
17 nautics and Space Administration to remedy prob-
18 lems and adopt recommendations identified by each
19 panel convened to investigate vehicle or systems fail-
20 ures and losses; and

21 (2) where such recommendations have not been
22 adopted, the reasons for not pursuing such rec-
23 ommendations.

1 **SEC. 205. FACILITIES REVIEW.**

2 (a) REVIEW.—The Administrator shall conduct a re-
3 view of the costs of maintaining all facilities owned by the
4 National Aeronautics and Space Administration. The re-
5 view shall address—

6 (1) the function of each facility, its contribution
7 to National Aeronautics and Space Administration
8 missions, and its value to the Nation's technical
9 base;

10 (2) the current estimated value of each facility
11 and associated land, including details on assets and
12 liabilities; and

13 (3) annual operating costs of each facility, in-
14 cluding but not limited to power, equipment, mainte-
15 nance, operations, and personnel costs.

16 (b) REPORT.—The Administrator shall report on the
17 results of the facilities review required by subsection (a),
18 to the Committee on Commerce, Science, and Transpor-
19 tation of the Senate and the Committee on Science, Space,
20 and Technology of the House of Representatives not later
21 than January 1, 1995.

22 **SEC. 206. DIVERSITY FACTORS IN PROCUREMENT.**

23 (a) IN GENERAL.—The Administrator shall ensure to
24 the fullest extent possible that at least 8 percent of the
25 funding made available to the National Aeronautics and
26 Space Administration for each fiscal year is made avail-

1 able for prime contracts and subcontracts in support of
2 authorized programs with—

3 (1) small business concerns or other organiza-
4 tions owned or controlled by socially and economi-
5 cally disadvantaged individuals;

6 (2) historically black colleges and universities;
7 and

8 (3) colleges and universities having a student
9 body in which more than 20 percent of the students
10 are Hispanic Americans, and other minority edu-
11 cational institutions.

12 (b) WAIVER OF COMPETITIVE PROCEDURES.—To the
13 extent necessary to carry out subsection (a), the Adminis-
14 trator may enter into contracts using less than full and
15 open competitive procedures, but shall pay a price not ex-
16 ceeding fair market cost by more than 10 percent in pay-
17 ment per contract to contractors or subcontractors de-
18 scribed in subsection (a). This section shall not alter the
19 procurement process under section 8(a) of the Small Busi-
20 ness Act (15 U.S.C. 637(a)).

21 (c) REGULATIONS.—The Administrator shall issue
22 such regulations as are necessary to carry out this section.

23 (d) DEFINITIONS.—For purposes of this section—

24 (1) the term “historically black colleges and
25 universities” has the meaning given the term “part

1 B institution” in section 322(2) of the Higher Edu-
2 cation Act of 1965 (20 U.S.C. 1061(2));

3 (2) the term “other minority educational insti-
4 tution” has the meaning given the term “eligible in-
5 stitution” in section 312(b) of the Higher Education
6 Act of 1965 (20 U.S.C. 1058(b)); and

7 (3) the term “socially and economically dis-
8 advantaged individuals” has the meaning given such
9 term in section 8(a) (5) and (6) of the Small Busi-
10 ness Act (15 U.S.C. 637(a) (5) and (6)), and in-
11 cludes women.

12 **SEC. 207. NATIONAL AERONAUTICS AND SPACE ACT OF 1958**

13 **AMENDMENTS.**

14 Section 206(a) of the National Aeronautics and
15 Space Act of 1958 is amended—

16 (1) by striking “January” and inserting in lieu
17 thereof “May”; and

18 (2) by striking “calendar” and inserting in lieu
19 thereof “fiscal”.

20 **SEC. 208. COMMERCIAL SPACE LAUNCH ACT AMENDMENTS.**

21 (a) AMENDMENTS TO AUTHORIZE AUTHORITY FOR
22 COMMERCIAL REENTRY VEHICLES.—The Commercial
23 Space Launch Act (49 App. U.S.C. 2601 et seq.) is
24 amended—

25 (1) in section 4—

1 (A) by inserting “from Earth” after “if
2 any,” in paragraph (2);

3 (B) by redesignating paragraphs (9)
4 through (12) as paragraphs (11), (13), (14),
5 and (15), respectively; and

6 (C) by inserting after paragraph (8) the
7 following new paragraphs:

8 “(9) ‘reenter’ and ‘reentry’ mean to return pur-
9 posefully or attempt to return a reentry vehicle and
10 payload, if any, from Earth orbit or outer space to
11 Earth;

12 “(10) ‘reentry vehicle’ means any vehicle de-
13 signed to return from Earth orbit or outer space to
14 Earth substantially intact;”;

15 (2) in section 6(a), by inserting “, or reenter a
16 reentry vehicle,” after “operate a launch site” each
17 place it appears;

18 (3) in section 6(a) (2) and (3), by striking “sec-
19 tion 4(11)” each place it appears and inserting in
20 lieu thereof “section 4(14)”;

21 (4) in section 6(a)(3)(A), by inserting “or re-
22 entry” after “such launch or operation”;

23 (5) in section 6(a)(3), by inserting “, or reentry
24 of a reentry vehicle,” after “operation of a launch
25 site” each place it appears;

1 (6) in section 6(b)(1)—

2 (a) by striking “launch license” and insert-
3 ing in lieu thereof “license”;

4 (B) by inserting “or reenter” after “shall
5 not launch”;

6 (C) by inserting “or reentry” after “relate
7 to the launch”; and

8 (D) by inserting “or reentered” after “to
9 be launched”;

10 (7) in section 6(b)(2)—

11 (A) by inserting “or reentry” after “pre-
12 vent the launch”;

13 (B) by inserting “holder of a launch li-
14 cense” and inserting in lieu thereof “licensee”;
15 and

16 (C) by inserting “or reentry” after “deter-
17 mines that the launch”;

18 (8) in section 6(c)(1), by inserting “or reentry
19 of a reentry vehicle” after “operation of a launch
20 site”;

21 (9) in section 7, by striking “both” and insert-
22 ing in lieu thereof “for reentering one or more re-
23 entry vehicles”;

24 (10) in section 8(a)(1), by inserting “, or re-
25 entry of a reentry vehicle,” after “operation of a

1 launch site” the first time it appears and by insert-
2 ing “, or reentry of a reentry vehicle” after “oper-
3 ation of a launch site” the second time it appears;

4 (11) in sections 8(a)(2), 9(b), 11(a), 11(b),
5 12(a)(2)(B), and 12(b), by inserting “, or reentry of
6 a reentry vehicle,” after “operation of a launch site”
7 each place it appears;

8 (12) in section 8(b), by inserting “and the re-
9 entry of reentry vehicles,” after “operation of launch
10 sites,”;

11 (13) in section 11(a), by inserting “or reentry”
12 after “launch or operation”;

13 (14) in section 12(a)(1), by inserting “or re-
14 entry” after “prevent the launch”;

15 (15) in section 12(b), by inserting “or reentry”
16 after “prevent the launch”;

17 (16) in section 14(a)(1)—

18 (A) by inserting “or reentry site” after
19 “observers at any launch site”; and

20 (B) by inserting “or reentry vehicles” after
21 “assembly of a launch vehicle”;

22 (17) in section 15(b)(4)(A)—

23 (A) by inserting “and reentries” after “en-
24 sure that the launches”;

1 (B) by inserting “or reentry date commit-
2 ment” after “launch date commitment”;

3 (C) by inserting “or reentry” after “ob-
4 tained for a launch”;

5 (D) by inserting “, reentry sites,” after
6 “United States launch sites”;

7 (E) by inserting “or reentry site” after
8 “access to a launch site”;

9 (F) by inserting “, or services related to a
10 reentry,” after “amount for launch services”;
11 and

12 (G) by inserting “or reentry” after “the
13 scheduled launch”;

14 (18) in section 15(b)(4)(B), by inserting “or re-
15 entry” after “prompt launching”;

16 (19) in section 15(c), by inserting “or reentry”
17 after “launch site”;

18 (20) in section 16(a)(1) (A) and (B), by insert-
19 ing, “or reentry” after “any particular launch” each
20 place it appears;

21 (21) in section 16(a)(1) (C) and (D), by insert-
22 ing “or a reentry” after “launch services” each place
23 it appears;

24 (22) in section 16(a)(2), by inserting “or re-
25 entry” after “launch services”;

1 (23) in section 16(b) (1) and (4)(A) and (B),
2 by inserting “or reentry” after “particular launch”
3 each place it appears;

4 (24) in section 17(b)(2)(A)—

5 (A) by inserting “reentry site,” after
6 “launch site,”; and

7 (B) by inserting “or reentry vehicle” after
8 “site of a launch vehicle”;

9 (25) in section 21(a), by inserting “and re-
10 entry” after “approval of space launch”;

11 (26) in section 21(b)—

12 (A) by inserting “, reentry vehicle,” after
13 “A launch vehicle”; and

14 (B) by inserting “or reentry” after “the
15 launching”;

16 (27) in section 21(c)(1)—

17 (A) by striking “or” at the end of subpara-
18 graph (B);

19 (B) by redesignating subparagraph (C) as
20 subparagraph (D); and

21 (C) by inserting after subparagraph (B)
22 the following new subparagraph:

23 “(C) reentry of a reentry vehicle, or”;

24 (28) in section 21(c)(2), by inserting “reentry,”
25 after “launch,”;

1 (29) in section 22(a)—

2 (A) by striking “ending after the date of
3 enactment of this Act and before October 1,
4 1989”; and

5 (B) by inserting “and reentries” after
6 “further commercial launches”; and

7 (30) in section 24, by inserting “There are au-
8 thorized to be appropriated to the Secretary
9 \$6,541,000 to carry out this Act for fiscal year
10 1995.” after “\$4,900,000 to carry out this Act.”.

11 (b) REGULATIONS.—The Secretary of Transportation
12 shall issue regulations under the Commercial Space
13 Launch Act (49 App. U.S.C. 2601 et seq.) that include—

14 (1) guidelines for industry to obtain sufficient
15 insurance coverage for potential damages to third
16 parties;

17 (2) procedures for requesting and obtaining li-
18 censes to operate a commercial launch vehicle and
19 reentry vehicle;

20 (3) procedures for requesting and obtaining op-
21 erator licenses for launch and reentry; and

22 (4) procedures for the application of govern-
23 ment indemnification.

24 (c) PROHIBITION ON SPACE ADVERTISING.—(1) Sec-
25 tion 4 of the Commercial Space Launch Act (49 App.

1 U.S.C. 2603) is amended by inserting after paragraph
2 (11), as redesignated by subsection (a)(1)(B) of this sec-
3 tion, the following new paragraph:

4 “(12) ‘space advertising’ means advertising in
5 outer space that is capable of being seen by a
6 human being on the surface of the earth without the
7 aid of a telescope or other technological device;”.

8 (2) The Commercial Space Launch Act (49 App.
9 U.S.C. 2601 et seq.) is amended by inserting after section
10 10 the following new section:

11 **“SEC. 10A. PROHIBITION ON SPACE ADVERTISING.**

12 “(a) PROHIBITION.—Notwithstanding the provisions
13 of this Act or any other provision of law—

14 “(1) the Secretary shall not—

15 “(A) issue or transfer a license under this
16 Act; or

17 “(B) waive the license requirements of this
18 Act; for the launch of a payload containing any
19 material to be used for the purposes of space
20 advertising; and

21 “(2) no holder of a license under this Act, on
22 or after the date of enactment of this section, shall
23 launch a payload containing any material to be used
24 for purposes of space advertising.

1 “(b) CIVIL PENALTIES.—Any person who violates the
2 provisions of subsection (a)(2) shall—

3 “(1) be subject to a civil penalty, not to exceed
4 \$30,000,000, which shall be assessed by the Sec-
5 retary; and

6 “(2) not be issued a license under this Act for
7 a period of 2 years from the date of such violation,
8 or, in the case of multiple violations, from the date
9 of the most recent violation.”.

10 (3)(A) The President is requested to negotiate with
11 foreign launching nations for the purpose of reaching an
12 agreement or agreements that prohibit the use of outer
13 space for advertising purposes.

14 (B) The United States Trade Representative may au-
15 thorize the imposition of appropriate sanctions on any for-
16 eign nation that launches a payload in violation of an
17 agreement, to which the United States and such nation
18 are parties, that prohibits the use of outer space for adver-
19 tising purposes.

20 (C) In this paragraph, the term “foreign launching
21 nation” means a nation—

22 (i) which launches, or procures the launching
23 of, a payload into outer space; or

24 (ii) from whose territory or facility a payload is
25 launched into outer space.



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