

108TH CONGRESS  
2D SESSION

# H. R. 5245

To extend the liability indemnification regime for the commercial space transportation industry.

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IN THE HOUSE OF REPRESENTATIVES

OCTOBER 7, 2004

Mr. BOEHLERT introduced the following bill; which was referred to the Committee on Science

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## A BILL

To extend the liability indemnification regime for the commercial space transportation industry.

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. INDEMNIFICATION EXTENSION.**

4 Section 70113(f) of title 49, United States Code, is  
5 amended by striking “December 31, 2004.” and inserting  
6 “December 31, 2009.”.

7 **SEC. 2. STUDY.**

8 Not later than 60 days after the date of enactment  
9 of this Act, the Secretary of Transportation shall enter  
10 into an arrangement with a nonprofit entity for the con-

1 duct of an independent comprehensive study of the liabil-  
2 ity risk sharing regime in the United States for commer-  
3 cial space transportation under section 70113 of title 49,  
4 United States Code. To ensure that Congress has a full  
5 analysis of the liability risk sharing regime, the study shall  
6 assess methods by which the current system could be  
7 eliminated, including an estimate of the time required to  
8 implement each of the methods assessed. The study shall  
9 assess whether any alternative steps would be needed to  
10 maintain a viable and competitive United States space  
11 transportation industry if the current regime were elimi-  
12 nated. In conducting the assessment under this section,  
13 input from commercial space transportation insurance ex-  
14 perts shall be sought. The study also shall examine liabil-  
15 ity risk sharing in other nations with commercial launch  
16 capability and evaluate the direct and indirect impact that  
17 ending this regime would have on the competitiveness of  
18 the United States commercial space launch industry in re-  
19 lation to foreign commercial launch providers and on  
20 United States assured access to space.

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