

PROVIDING FOR CONSIDERATION OF THE BILL (H.R. 2262) TO FACILITATE A PRO-GROWTH ENVIRONMENT FOR THE DEVELOPING COMMERCIAL SPACE INDUSTRY BY ENCOURAGING PRIVATE SECTOR INVESTMENT AND CREATING MORE STABLE AND PREDICTABLE REGULATORY CONDITIONS, AND FOR OTHER PURPOSES; PROVIDING FOR CONSIDERATION OF THE BILL (H.R. 880) TO AMEND THE INTERNAL REVENUE CODE OF 1986 TO SIMPLIFY AND MAKE PERMANENT THE RESEARCH CREDIT; PROVIDING FOR CONSIDERATION OF MOTIONS TO SUSPEND THE RULES; AND PROVIDING FOR PROCEEDINGS DURING THE PERIOD FROM MAY 22, 2015, THROUGH MAY 29, 2015

MAY 19, 2015.—Referred to the House Calendar and ordered to be printed

Mr. STIVERS, from the Committee on Rules,
submitted the following

R E P O R T

[To accompany H. Res. 273]

The Committee on Rules, having had under consideration House Resolution 273, by a nonrecord vote, report the same to the House with the recommendation that the resolution be adopted.

SUMMARY OF PROVISIONS OF THE RESOLUTION

The resolution provides for consideration of H.R. 2262, the SPACE Act of 2015, under a structured rule. The resolution provides one hour of general debate equally divided and controlled by the chair and ranking minority member of the Committee on Science, Space, and Technology or their respective designees. The resolution waives all points of order against consideration of the bill. The resolution makes in order as original text for purpose of amendment an amendment in the nature of a substitute consisting of the text of Rules Committee Print 114-17 and provides that it shall be considered as read. The resolution waives all points of order against that amendment in the nature of a substitute. The resolution makes in order only those further amendments printed in part A of this report. Each such amendment may be offered only in the order printed in this report, may be offered only by a Member designated in this report, shall be considered as read, shall be debatable for the time specified in this report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. The

resolution waives all points of order against the amendments printed in part A of this report. The resolution provides one motion to recommit with or without instructions.

Section 2 of the resolution provides for consideration of H.R. 880, the American Research and Competitiveness Act of 2015, under a closed rule. The resolution provides one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Ways and Means. The resolution waives all points of order against consideration of the bill. The resolution provides that the amendment in the nature of a substitute recommended by the Committee on Ways and Means now printed in the bill, modified by the amendment printed in part B of this report, shall be considered as adopted and the bill, as amended, shall be considered as read. The resolution waives all points of order against provisions in the bill, as amended. The resolution provides one motion to recommit with or without instructions.

Section 3 of the resolution provides that it shall be in order at any time on the legislative day of May 21, 2015, for the Speaker to entertain motions that the House suspend the rules, as though under clause 1 of rule XV and that the Speaker or his designee shall consult with the Minority Leader or her designee on the designation of any matter for consideration pursuant to this section.

Section 4 of the resolution provides that the Committee on Appropriations may, at any time before 5 p.m. on Wednesday, May 27, 2015, file privileged reports to accompany measures making appropriations for the fiscal year ending September 30, 2016.

Section 5 of the resolution provides that on any legislative day during the period from May 22, 2015, through May 29, 2015: the Journal of the proceedings of the previous day shall be considered as approved; and the Chair may at any time declare the House adjourned to meet at a date and time, within the limits of clause 4, section 5, article I of the Constitution, to be announced by the Chair in declaring the adjournment.

Section 6 of the resolution provides that the Speaker may appoint Members to perform the duties of the Chair for the duration of the period addressed by section 5 as though under clause 8(a) of rule I.

EXPLANATION OF WAIVERS

The waiver of all points of order against consideration of H.R. 2262 includes a waiver of clause 3(e)(1) of rule XIII (“Ramseyer”), requiring a committee report accompanying a bill amending or repealing statutes to show, by typographical device, parts of statute affected. The waiver is provided because the submission provided by the committee was insufficient to meet the standards established by the rule in its current form. The Committee on Rules continues to work with the House Office of Legislative Counsel and committees to determine the steps necessary to comply with the updated rule.

Although the resolution waives all points of order against the amendment in the nature of a substitute to H.R. 2262 made in order as original text, the Committee is not aware of any points of order. The waiver is prophylactic in nature.

Although the resolution waives all points of order against the amendments to H.R. 2262 printed in part A of this report, the

Committee is not aware of any points of order. The waiver is prophylactic in nature.

The waiver of all points of order against consideration of H.R. 880 includes a waiver of the following:

- Section 306 of the Congressional Budget Act, which prohibits consideration of legislation within the jurisdiction of the Committee on the Budget unless referred to or reported by the Budget Committee; and
- Section 311 of the Congressional Budget Act, which prohibits consideration of legislation that would cause revenues to be less than the level of total revenues for the first fiscal year or for the total of that first fiscal year and the ensuing fiscal years for which allocations are provided.

Although the resolution waives all points of order against provisions in the bill, as amended, the Committee is not aware of any points of order. The waiver is prophylactic in nature.

COMMITTEE VOTES

The results of each record vote on an amendment or motion to report, together with the names of those voting for and against, are printed below:

Rules Committee record vote No. 52

Motion by Mr. McGovern to strike the provision of the rule that self-executes the amendment offered by Rep. Ryan (WI). Defeated: 3–8

Majority Members	Vote	Minority Members	Vote
Ms. Foxx	Nay	Ms. Slaughter	Yea
Mr. Cole	Nay	Mr. McGovern	Yea
Mr. Woodall	Nay	Mr. Hastings of Florida	Yea
Mr. Burgess	Nay	Mr. Polis
Mr. Stivers	Nay		
Mr. Collins	Nay		
Mr. Byrne	Nay		
Mr. Newhouse	Nay		
Mr. Sessions, Chairman		

Rules Committee record vote No. 53

Motion by Mr. Hastings to report open rules for H.R. 2262 and H.R. 880. Defeated: 3–8

Majority Members	Vote	Minority Members	Vote
Ms. Foxx	Nay	Ms. Slaughter	Yea
Mr. Cole	Nay	Mr. McGovern	Yea
Mr. Woodall	Nay	Mr. Hastings of Florida	Yea
Mr. Burgess	Nay	Mr. Polis
Mr. Stivers	Nay		
Mr. Collins	Nay		
Mr. Byrne	Nay		
Mr. Newhouse	Nay		
Mr. Sessions, Chairman		

SUMMARY OF THE AMENDMENTS TO H.R. 2262 IN PART A MADE IN
ORDER

1. Smith, Lamar (TX): MANAGER'S Makes technical corrections and requires a GAO report on state and municipal spaceports in the existing indemnification regime. (10 minutes)
2. Grijalva (AZ): Broadens the coverage of experimental permits to include suborbital launch vehicles to allow for non-revenue testing. (10 minutes)
3. Rohrabacher (CA): Creates an independent study regarding indemnification for spaceflight participants including options, unintended consequences, and potential costs. (10 minutes)
4. Castro (TX): Ensures the Orbital Traffic Management study includes input from nonprofit organizations that conduct research in space traffic and orbital activities. (10 minutes)
5. Jackson Lee (TX): Facilitates outreach to minority- and women-owned businesses on business opportunities in the commercial space industry. (10 minutes)
6. Jackson Lee (TX): Facilitates the participation of HBCU, Hispanic Serving Institutions; National Indian institutions, in fellowships, work-study and employment opportunities in the emerging commercial space industry. (10 minutes)
7. Edwards (MD): SUBSTITUTE Substitutes the text of S. 1297, a bipartisan Senate companion of this legislation. (20 minutes)

SUMMARY OF THE AMENDMENT TO H.R. 880 IN PART B CONSIDERED AS
ADOPTED

1. Ryan, Paul (WI): Excludes the budgetary effects of the bill from being entered onto the Statutory Pay-As-You-Go Scorecard.

PART A—TEXT OF AMENDMENTS TO H.R. 2262 MADE IN ORDER

1. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE SMITH OF TEXAS OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 5, line 18, strike “(4)” and insert “(3)”.

Page 14, lines 18 and 19, strike “and shall be decided under Federal law”.

Page 15, line 18, insert “, in consultation with the Federal Aviation Administration, the Federal Communications Commission, the National Oceanic and Atmospheric Administration, and the Department of Defense,” after “National Aeronautics and Space Administration”.

Page 17, line 18, insert “(a) SENSE OF CONGRESS.—” before “It is the Sense”.

Page 18, after line 8, insert the following:

(b) REPORT REQUIRED.—Not later than 1 year after the date of enactment of this Act, the Comptroller General shall submit to the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on the potential inclusion of all government property, including State and municipal property, in the existing indemnification regime established under section 50914 of title 51, United States Code.

Page 23, line 19, insert “in the table of chapters” after “chapter 701”.

Page 31, line 22, amend subparagraph (C) to read as follows:

“(C) a list of all applications denied and an explanation of why each application was denied, including any information relevant to the interagency adjudication process of a licensing request;

Page 32, line 10, after paragraph (3), insert the following:

Such report may include classified annexes as necessary to protect the disclosure of sensitive or classified information.

Page 32, after line 10, insert the following:

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 601 of such title is amended by inserting after the item relating to section 60125 the following new item:
“60126. Annual reporting.”.

2. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE GRIJALVA OF ARIZONA OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 9, lines 18 through 20, amend paragraph (1) to read as follows:

(1) in subsection (d), by striking “that will be launched or reentered” and inserting “or reusable launch vehicles that will be launched into a suborbital trajectory or reentered under that permit”;

Page 10, lines 1 and 2, amend paragraph (3) to read as follows:

(3) in subsection (d)(3)—

(A) by striking “prior to obtaining a license”; and

(B) by inserting “or vehicle” after “design of the rocket”;

Page 10, line 5, insert “, or for a particular reusable launch vehicle or reusable launch vehicle design,” after “rocket design”.

Page 10, line 5, strike “and”.

Page 10, line 6, redesignate paragraph (5) as paragraph (6).

Page 10, after line 5, insert the following new paragraph:

(5) in subsection (e)(2), by inserting “or launch vehicle” after “the suborbital rocket”;

Page 10, line 11, strike the period at the end and insert “; and”.

Page 10, after line 11, insert the following new paragraph:

(7) in subsection (h), by inserting “or reusable launch vehicle” after “suborbital rocket”.

3. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE ROHRBACHER OF CALIFORNIA OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 14, after line 12, insert the following new section:

SEC. 106. INDEPENDENT STUDY OF INDEMNIFICATION FOR SPACE FLIGHT PARTICIPANTS.

Not later than 1 year after the date of enactment of this Act, the Comptroller General shall provide to the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report detailing the results of a study of the issues associated with space flight participants and potential third party claims that could arise from a potential accident of a commercial licensed launch vehicle or reentry vehicle that is carrying space flight participants. The study shall—

- (1) identify the issues associated with space flight participants and third party liability;
- (2) identify options for addressing the issues;
- (3) identify any potential unintended consequences and issues associated with each of the options; and
- (4) identify any potential costs to the Federal Government for each of the options.

4. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE CASTRO OF TEXAS OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 15, line 19, insert “nonprofit,” after “independent,”.

5. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE JACKSON LEE OF TEXAS OR HER DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 22, line 19, strike “and”.

Page 22, line 23, strike the period and insert “; and”.

Page 22, after line 23, insert the following:

- (iii) facilitate outreach to minority- and women-owned businesses on business opportunities in the commercial space industry.

6. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE JACKSON LEE OF TEXAS OR HER DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 22, line 19, strike “and”.

Page 22, line 23, strike the period and insert “; and”.

Page 22, after line 23, insert the following:

- (iii) facilitate the participation of the Emerging Researchers National Conference in STEM, American Association for the Advancement of Science, Louis Stokes Alliances for Minority Participation Program (LAMP), Historically Black Colleges and Universities Undergraduate Program (HBCU-UP) of the National Science Foundation, Emerging Researchers National Conference in Science, Technology, Engineering and Mathematics, the University of Florida’s Institute for African-American Mentoring in Computing Sciences, the Hispanic Association of Colleges and Universities, the National Indian Education Association, and other institutions, organizations, or associations as the Secretary of Transportation determines to be useful in investigating the feasibility of developing programs for fellowships, work-study, and employment opportunities for undergraduate and graduate students.

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

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “U.S. Commercial Space Launch Competitiveness Act”.

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

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

SEC. 3. LIABILITY INSURANCE AND FINANCIAL RESPONSIBILITY REQUIREMENTS.

(a) SENSE OF CONGRESS.—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 claims under section 50914 of title 51, United States Code, with a validated risk profile approach in order to consistently compute valid and reasonable maximum probable loss values.

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

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

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

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

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

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

SEC. 4. LAUNCH LIABILITY EXTENSION.

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

SEC. 5. COMMERCIAL SPACE LAUNCH LICENSING AND EXPERIMENTAL PERMITS.

Section 50906 is amended—

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

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

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

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

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

(5) by amending subsection (g) to read as follows:

“(g) The Secretary may issue a permit under this section notwithstanding any license issued under this chapter. The issuance of a license under this chapter may not invalidate a permit issued under this section.”.

SEC. 6. LICENSING REPORT.

Not later than 120 days after the date of enactment of this Act, the Secretary of Transportation shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science, Space, and Technology of the House of Representatives a report on approaches for streamlining the licensing and permitting process of launch vehicles, reentry vehicles, or components of launch or reentry vehicles, to enable non-launch flight operations related to space transportation. The report shall include approaches to improve efficiency, reduce unnecessary costs, resolve inconsistencies, remove duplication, and minimize unwarranted constraints.

SEC. 7. SPACE AUTHORITY.

(a) IN GENERAL.—Not later than 120 days after the date of enactment of this Act, the Director of the Office of Science and Technology Policy, in consultation with the Secretary of State, the Secretary of Transportation, the Administrator of the National Aeronautics and Space Administration, the heads of other relevant Federal agencies, and the commercial space sector, shall—

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

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

(3) recommend an oversight approach that would prioritize safety, utilize existing authorities, minimize burdens, promote the U.S. commercial space sector, and meet the United States' obligations under international treaties; and

(4) submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science, Space, and Technology of the House of Representatives a report on the assessment and recommended approaches.

(b) EXCEPTION.—Nothing in this section shall apply to the activities of the ISS national laboratory as described in section 504 of the National Aeronautics and Space Administration Authorization Act of 2010 (42 U.S.C. 18354), including any research or development projects utilizing the ISS national laboratory.

SEC. 8. SPACE SURVEILLANCE AND SITUATIONAL AWARENESS DATA.

Not later than 120 days after the date of enactment of this Act, the Secretary of Transportation in concurrence with the Secretary of Defense shall—

(1) in consultation with the heads of other relevant Federal agencies, study the feasibility of processing and releasing safety-related space situational awareness data and information to any entity consistent with national security interests and public safety obligations of the United States; and

(2) submit a report on the feasibility study to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science, Space, and Technology of the House of Representatives.

SEC. 9. EXTENSION OF CERTAIN SAFETY REGULATION REQUIREMENTS.

(a) EXTENSION OF CERTAIN SAFETY REGULATION REQUIREMENTS.—Section 50905(c)(3) is amended by striking “Beginning on October 1, 2015” and inserting “Beginning on October 1, 2020”.

(b) CONSTRUCTION.—Section 50905(c) is amended by adding at the end the following:

“(5) Nothing in this subsection shall be construed to limit the authority of the Secretary to discuss potential regulatory approaches with the commercial space sector, including observations, findings, and recommendations from the Commercial Space Transportation Advisory Committee, prior to the issuance of a notice of proposed rulemaking.”.

(c) REPORT.—Not later than 270 days after the date of enactment of this Act, the Secretary of Transportation, in consultation with the commercial space sector, including the Commercial Space Transportation Advisory Committee, shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science, Space, and Technology of the House of Representatives a report specifying key industry metrics that might indicate readiness of the commercial space sector and the Department of Transportation to transition to a regulatory approach under section 50905(c)(3) of title 51, United States Code, that considers space flight participant, government astronaut, and crew safety.

(d) BIENNIAL REPORT.—Beginning on December 31, 2016, and biennially thereafter, the Secretary of Transportation, in consultation and coordination with the commercial space sector, including the Commercial Space Transportation Advisory Committee, shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science, Space, and Technology of the House of Representatives a report that identifies the activities, described in subsections (c) and (d) of section 50905 of title 51, United States Code, most appropriate for regulatory action, if any, and a proposed transition plan for such regulations.

SEC. 10. INDUSTRY VOLUNTARY CONSENSUS STANDARDS.

(a) INDUSTRY VOLUNTARY CONSENSUS STANDARDS.—Section 50905(c), as amended in section 9 of this Act, is further amended by adding at the end the following:

“(6) The Secretary 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 the commercial space sector continues to mature.”.

(b) BIENNIAL REPORT.—Beginning on December 31, 2016, and biennially thereafter, the Secretary of Transportation, in consultation and coordination with the commercial space sector, including the Commercial Space Transportation Advisory Committee, shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science, Space, and Technology of the House of Representatives a report detailing progress on the development of industry voluntary consensus standards under section 50905(c)(6) of title 51, United States Code.

SEC. 11. GOVERNMENT ASTRONAUTS.

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

(b) DEFINITION OF GOVERNMENT ASTRONAUT.—Section 50902 is amended—

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

(2) by inserting after paragraph (3) the following:

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

“(A) is either—

“(i) an employee of the United States Government, including the uniformed services, engaged in the performance of a Federal function under authority of law or an Executive act; or

“(ii) an international partner astronaut;

“(B) is identified by the Administrator of the National Aeronautics and Space Administration;

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

“(D) may perform or may not perform activities directly relating to the launch, reentry, or other operation of the launch vehicle or reentry vehicle.

“(5) ‘*international partner astronaut*’ means an individual designated under Article 11 of the International Space Station Intergovernmental Agreement, by a partner to that agreement other than the United States, as qualified to serve as an International Space Station crew member.

“(6) ‘*International Space Station Intergovernmental Agreement*’ means the Agreement Concerning Cooperation on the International Space Station, signed at Washington January 29, 1998 (TIAS 12927).”.

(c) DEFINITION OF LAUNCH.—Paragraph (7) of section 50902, as redesignated, is amended by striking “and any payload, crew, or space flight participant” and inserting “and any payload or human being”.

(d) DEFINITION OF LAUNCH SERVICES.—Paragraph (9) of section 50902, as redesignated, is amended by striking “payload, crew (including crew training), or space flight participant” and inserting “payload, crew (including crew training), government astronaut, or space flight participant”.

(e) DEFINITION OF REENTER AND REENTRY.—Paragraph (16) of section 50902, as redesignated, is amended by striking “and its payload, crew, or space flight participants, if any,” and inserting “and its payload or human beings, if any,”.

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

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

“(20) ‘*space flight participant*’ means an individual, who is not crew or a government astronaut, carried within a launch vehicle or reentry vehicle.”.

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

(i) RESTRICTIONS ON LAUNCHES, OPERATIONS, AND REENTRIES; SINGLE LICENSE OR PERMIT.—Section 50904(d) is amended by striking “activities involving crew or space flight participants” and inserting “activities involving crew, government astronauts, or space flight participants”.

(j) LICENSE APPLICATIONS AND REQUIREMENTS; APPLICATIONS.—Section 50905 is amended—

(1) in subsection (a)(2), by striking “crews and space flight participants” and inserting “crew, government astronauts, and space flight participants”;

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

(3) in subsection (c)—

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

(B) in paragraph (2), by striking “to crew or space flight participants” each place it appears and inserting “to crew, government astronauts, or space flight participants”.

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

(l) ADDITIONAL SUSPENSIONS.—Section 50908(d)(1) is amended by striking “to crew or space flight participants” each place it appears and inserting “to any human being”.

(m) ENFORCEMENT AND PENALTY.—Section 50917(b)(1)(D)(i) is amended by striking “crew or space flight participant training site,” and inserting “crew, government astronaut, or space flight participant training site,”.

(n) RELATIONSHIP TO OTHER EXECUTIVE AGENCIES, LAWS, AND INTERNATIONAL OBLIGATIONS; NONAPPLICATION.—Section 50919(g) is amended to read as follows:

“(g) NONAPPLICATION.—

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

“(A) a launch, reentry, operation of a launch vehicle or reentry vehicle, operation of a launch site or reentry site, or other space activity the Government carries out for the Government; or

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

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

“(A) A government astronaut being carried within a launch vehicle or reentry vehicle under this chapter.

“(B) A government astronaut performing activities directly relating to the launch, reentry, or other operation of the launch vehicle or reentry vehicle under this chapter.”.

(o) RULE OF CONSTRUCTION.—Nothing in this Act, or the amendments made by this Act, may be construed to modify or affect any law relating to astronauts.

SEC. 12. STREAMLINE COMMERCIAL SPACE LAUNCH ACTIVITIES.

(a) SENSE OF CONGRESS.—It is the sense of Congress that eliminating duplicative requirements and approvals for commercial

launch and reentry operations will promote and encourage the development of the commercial space sector.

(b) REAFFIRMATION OF POLICY.—Congress reaffirms that the Secretary of Transportation, in overseeing and coordinating commercial launch and reentry operations, should—

(1) promote commercial space launches and reentries by the private sector;

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

(3) protect public health and safety, safety of property, national security interests, and foreign policy interests of the United States; and

(4) consult with the head of another executive agency, including the Secretary of Defense or the Administrator of the National Aeronautics and Space Administration, as necessary to provide consistent application of licensing requirements under chapter 509 of title 51, United States Code.

(c) REQUIREMENTS.—

(1) IN GENERAL.—The Secretary of Transportation under section 50918 of title 51, United States Code, and subject to section 50905(b)(2)(C) of that title, shall consult with the Secretary of Defense, the Administrator of the National Aeronautics and Space Administration, and the heads of other executive agencies, as appropriate—

(A) to identify all requirements that are imposed to protect the public health and safety, safety of property, national security interests, and foreign policy interests of the United States relevant to any commercial launch of a launch vehicle or commercial reentry of a reentry vehicle; and

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

(i) determine whether the satisfaction of a requirement of one agency could result in the satisfaction of a requirement of another agency; and

(ii) resolve any inconsistencies and remove any outmoded or duplicative requirements or approvals of the Federal Government relevant to any commercial launch of a launch vehicle or commercial reentry of a reentry vehicle.

(2) REPORTS.—Not later than 180 days after the date of enactment of this Act, and annually thereafter until the Secretary of Transportation determines no outmoded or duplicative requirements or approvals of the Federal Government exist, the Secretary of Transportation, in consultation with the Secretary of Defense, the Administrator of the National Aeronautics and Space Administration, the commercial space sector, and the heads of other executive agencies, as appropriate, shall submit to the Committee on Commerce, Science, and Transportation of the Senate, the Committee on Science, Space, and Technology of the House of Representatives, and the congressional defense committees a report that includes the following:

(A) A description of the process for the application for and approval of a permit or license under chapter 509 of title 51, United States Code, for the commercial launch of a launch vehicle or commercial reentry of a reentry vehicle, including the identification of—

(i) any unique requirements for operating on a United States Government launch site, reentry site, or launch property; and

(ii) any inconsistent, outmoded, or duplicative requirements or approvals.

(B) A description of current efforts, if any, to coordinate and work across executive agencies to define interagency processes and procedures for sharing information, avoiding duplication of effort, and resolving common agency requirements.

(C) Recommendations for legislation that may further—

(i) streamline requirements in order to improve efficiency, reduce unnecessary costs, resolve inconsistencies, remove duplication, and minimize unwarranted constraints; and

(ii) consolidate or modify requirements across affected agencies into a single application set that satisfies the requirements identified in paragraph (1)(A).

(3) DEFINITIONS.—For purposes of this subsection—

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

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

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

SEC. 13. OPERATION AND UTILIZATION OF THE ISS.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) maximum utilization of partnerships, scientific research, commercial applications, and exploration test bed capabilities of the ISS is essential to ensuring the greatest return on investments made by the United States and its international partners in the development, assembly, and operations of that unique facility; and

(2) every effort should be made to ensure that decisions regarding the service life of the ISS are based on the station’s projected capability to continue providing effective and productive research and exploration test bed capabilities.

(b) CONTINUATION OF THE INTERNATIONAL SPACE STATION.—

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

“§ 70907. Maintaining use through at least 2024

“(a) POLICY.—The Administrator shall take all necessary steps to ensure that the International Space Station remains a viable and productive facility capable of potential United States utilization through at least September 30, 2024.

“(b) NASA ACTIONS.—In furtherance of the policy under subsection (a), the Administrator shall ensure, to the extent prac-

licable, that the International Space Station, as a designated national laboratory—

“(1) remains viable as an element of overall exploration and partnership strategies and approaches;

“(2) is considered for use by all NASA mission directorates, as appropriate, for technically appropriate scientific data gathering or technology risk reduction demonstrations; and

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

(2) TECHNICAL AND CONFORMING AMENDMENT.—The table of contents for chapter 709 is amended by amending the item relating to section 70907 to read as follows:

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

PART B—TEXT OF AMENDMENT TO H.R. 880 CONSIDERED AS ADOPTED

At the end, add the following:

SEC. 3. BUDGETARY EFFECTS.

The budgetary effects of this Act shall not be entered on either PAYGO scorecard maintained pursuant to section 4(d) of the Statutory Pay-As-You-Go Act of 2010.

