

116TH CONGRESS
1ST SESSION

S. 1694

AN ACT

To require any Federal agency that issues licenses to conduct lunar activities to include in the requirements for such licenses an agreement relating to the preservation and protection of the Apollo 11 landing site, 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “One Small Step to
3 Protect Human Heritage in Space Act”.

4 **SEC. 2. FINDINGS; SENSE OF CONGRESS.**

5 (a) FINDINGS.—Congress makes the following find-
6 ings:

7 (1) On July 16, 1969, the Apollo 11 spacecraft
8 launched from the John F. Kennedy Space Center
9 carrying Neil A. Armstrong, Edwin E. “Buzz”
10 Aldrin, Jr., and Michael Collins.

11 (2) July 20, 2019, will mark the 50th anniver-
12 sary of the date on which the Apollo 11 spacecraft
13 landed on the Moon and Neil Armstrong and Buzz
14 Aldrin became the first humans to set foot on a ce-
15 lestial body off the Earth.

16 (3) The landing of the Apollo 11 spacecraft and
17 humanity’s first off-world footprints are achieve-
18 ments unparalleled in history, a direct product of the
19 work and perseverance of the more than 400,000 in-
20 dividuals who contributed to the development of the
21 Apollo missions on the shoulders of centuries of
22 science and engineering pioneers from all corners of
23 the world.

24 (4) Among the thousands of individuals who
25 have contributed to the achievements of the National
26 Aeronautics and Space Administration (in this sec-

1 tion referred to as “NASA”) are African-American
2 women such as Katherine Johnson, Dorothy
3 Vaughn, Mary Jackson, and Dr. Christine Darden,
4 who made critical contributions to NASA space pro-
5 grams. Katherine Johnson worked at NASA for 35
6 years and calculated the trajectory of the Apollo 11
7 landing and the trajectories for the spaceflights of
8 astronauts Alan Shepard and John Glenn. Katherine
9 Johnson, together with many other individuals the
10 work of whom often went unacknowledged, helped
11 broaden the scope of space travel and charted new
12 frontiers for humanity’s exploration of space.

13 (5) The landing of the Apollo 11 spacecraft was
14 made on behalf of all humankind, and Neil Arm-
15 strong and Buzz Aldrin were accompanied by mes-
16 sages of peace from the leaders of more than 70
17 countries.

18 (6) The lunar landing sites of the Apollo 11
19 spacecraft, the robotic spacecraft that preceded the
20 Apollo 11 mission, and the crewed and robotic
21 spacecraft that followed, are of outstanding uni-
22 versal value to humanity.

23 (7) Such landing sites—

24 (A) are the first archaeological sites with
25 human activity that are not on Earth;

1 (B) provide evidence of the first achieve-
2 ments of humankind in the realm of space trav-
3 el and exploration; and

4 (C) contain artifacts and other evidence of
5 human exploration activities that remain a po-
6 tential source of cultural, historical, archae-
7 ological, anthropological, scientific, and engi-
8 neering knowledge.

9 (8) On July 20, 2011, NASA published the vol-
10 untary guidance entitled “NASA’s Recommendations
11 to Space-Faring Entities: How to Protect and Pre-
12 serve the Historic and Scientific Value of U.S. Gov-
13 ernment Lunar Artifacts”.

14 (9) In March 2018, the Office of Science and
15 Technology Policy published a report entitled “Pro-
16 tecting & Preserving Apollo Program Lunar Landing
17 Sites & Artifacts”.

18 (10) Space-faring entities based outside the
19 United States have the capacity to land on the
20 Moon.

21 (11) The licensing requirements under this Act
22 are applicable only to United States-based lunar ac-
23 tivities and therefore have limited efficacy for pro-
24 tecting the Apollo 11 landing site, other similar his-
25 toric sites, and lunar artifacts from disturbances

1 caused by space-faring entities based outside the
2 United States.

3 (b) SENSE OF CONGRESS.—It is the sense of Con-
4 gress that—

5 (1) as commercial enterprises and more coun-
6 tries acquire the ability to land on the Moon, it is
7 necessary to ensure the recognition and protection of
8 the Apollo 11 landing site and other historic landing
9 sites in acknowledgment of the human effort and in-
10 novation the sites represent;

11 (2) the Apollo 11 landing site, other similar his-
12 toric landing sites, lunar artifacts, and the environ-
13 ment surrounding such sites and artifacts merit
14 legal protection from disturbance to prevent irreme-
15 diable loss of sites and artifacts that are of archeo-
16 logical, anthropological, historical, scientific, and en-
17 gineering significance and value; and

18 (3) the President should work with other coun-
19 tries to develop best practices to ensure the protec-
20 tion of historic lunar landing sites and artifacts.

21 **SEC. 3. LICENSING REQUIREMENTS CONCERNING PRESER-**
22 **VATION OF HISTORIC LUNAR LANDING SITES.**

23 (a) IN GENERAL.—Not later than 90 days after the
24 date of the enactment of this Act, any Federal agency that

1 issues a license to conduct a lunar activity shall require
2 each applicant for such a license—

3 (1) to agree to abide by the recommendations
4 described in subsection (b); or

5 (2) in the case of a lunar activity that requires
6 a license from more than one Federal agency, to cer-
7 tify under penalty of perjury as provided in para-
8 graph (1) or (2), as applicable, of section 1746 of
9 title 28, United States Code, that the applicant has
10 submitted an application for a license for such activ-
11 ity to another Federal agency that satisfies para-
12 graph (1).

13 (b) RECOMMENDATIONS DESCRIBED.—The rec-
14 ommendations described in this subsection are—

15 (1) “NASA’s Recommendations to Space-
16 Faring Entities: How to Protect and Preserve the
17 Historic and Scientific Value of U.S. Government
18 Lunar Artifacts” issued by the National Aeronautics
19 and Space Administration on July 20, 2011, and up-
20 dated on October 28, 2011; and

21 (2) any successor heritage preservation rec-
22 ommendations, guidelines, or principles relating to
23 the protection and preservation of Government lunar
24 artifacts issued by the National Aeronautics and
25 Space Administration.

1 (c) EXEMPTIONS.—A Federal agency issuing a li-
2 cense described in subsection (a) may, in consultation with
3 the Administrator of the National Aeronautics and Space
4 Administration, exempt specific lunar activities of an ap-
5 plicant from the historic preservation agreement or certifi-
6 cation under subsection (a) if such bona fide activities are
7 determined to have legitimate and significant historical,
8 archeological, anthropological, scientific, or engineering
9 value.

10 (d) AUTHORITY TO ASSESS PENALTY FEES.—

11 (1) IN GENERAL.—A Federal agency issuing a
12 license described in subsection (a) may assess a pen-
13 alty fee on the holder of such license for conduct
14 that violates one or more terms of the license relat-
15 ing to the agreement under subsection (a)(1).

16 (2) AMOUNT.—The penalty fee amount as-
17 sessed under paragraph (1) shall be—

18 (A) commensurate with the nature and ex-
19 tent of the violation; and

20 (B) sufficient to deter future violations.

21 (e) LUNAR ACTIVITY DEFINED.—In this section, the
22 term “lunar activity” means an action or endeavor in
23 space that—

24 (1) is intended to be lunar in nature, including
25 lunar orbit, landing, and impact; or

1 (2) has a greater likelihood than not of becom-
2 ing lunar in nature, including unintentional orbit
3 and impact.

Passed the Senate July 18, 2019.

Attest:

Secretary.

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