115TH CONGRESS 2D SESSION

# H.R. 5346

## AN ACT

To amend title 51, United States Code, to provide for licenses and experimental permits for space support vehicles, 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,

### SECTION 1. SHORT TITLE.

- This Act may be cited as the "Commercial Space
- 3 Support Vehicle Act".
- 4 SEC. 2. DEFINITIONS.
- 5 Section 50902 of title 51, United States Code, is
- 6 amended—
- 7 (1) by redesignating paragraphs (21) through
- 8 (25) as paragraphs (23) through (27), respectively;
- 9 and
- 10 (2) by inserting after paragraph (20) the fol-
- 11 lowing:
- 12 "(21) 'space support flight' means a flight
- in the air that is—
- 14 "(A) not a launch or reentry; but
- 15 "(B) related to launch or reentry serv-
- ices.
- 17 "(22) 'space support vehicle' means a vehi-
- cle that is—
- 19 "(A) a launch vehicle;
- 20 "(B) a reentry vehicle; or
- 21 "(C) a component of a launch or re-
- entry vehicle.".
- 23 SEC. 3. LICENSING OF SPACE SUPPORT FLIGHTS.
- 24 (a) IN GENERAL.—Section 50904 of title 51, United
- 25 States Code, is amended by adding at the end the fol-
- 26 lowing:

| 1  | "(e) SPACE SUPPORT FLIGHTS.—                             |
|----|----------------------------------------------------------|
| 2  | "(1) The Secretary of Transportation may issue           |
| 3  | or transfer a license for multiple space support         |
| 4  | flights of a space support vehicle to a citizen of the   |
| 5  | United States, but only if such citizen holds an oper-   |
| 6  | ator license issued under this chapter for launch or     |
| 7  | reentry of such space support vehicle as, or included    |
| 8  | as a component of, a launch vehicle or reentry vehi-     |
| 9  | cle.                                                     |
| 10 | "(2) A licensee may only carry out a space sup-          |
| 11 | port flight of a space support vehicle under a license   |
| 12 | for carrying a person or property for compensation       |
| 13 | or hire if such flight lands at the same site from       |
| 14 | which the vehicle took flight.".                         |
| 15 | (b) Limitation on Wavier of Requirements.—               |
| 16 | Section 50905(b)(3) of title 51, United States Code, is  |
| 17 | amended by inserting ", or the operation of a space sup- |
| 18 | port vehicle," after "or a reentry vehicle".             |
| 19 | SEC. 4. EXPERIMENTAL PERMITS FOR SPACE SUPPORT           |
| 20 | FLIGHTS.                                                 |
| 21 | Section 50906 of title 51, United States Code, is        |
| 22 | amended—                                                 |
| 23 | (1) by striking subsection (d) and inserting the         |
| 24 | following:                                               |
| 25 | "(d) The Secretary may issue a permit only for—          |

| 1  | "(1) reusable suborbital rockets or reusable              |
|----|-----------------------------------------------------------|
| 2  | launch vehicles that will be launched into a sub-         |
| 3  | orbital trajectory or reentered under that permit         |
| 4  | solely for—                                               |
| 5  | "(A) research and development to test de-                 |
| 6  | sign concepts, equipment, or operating tech-              |
| 7  | niques;                                                   |
| 8  | "(B) showing compliance with require-                     |
| 9  | ments as part of the process for obtaining a li-          |
| 10 | cense for launch or reentry under this chapter;           |
| 11 | or                                                        |
| 12 | "(C) crew training for a launch or reentry                |
| 13 | using the design of the rocket or vehicle for             |
| 14 | which the permit would be issued; or                      |
| 15 | "(2) a space support vehicle, or a vehicle that           |
| 16 | is in development to become a space support vehicle,      |
| 17 | operated by a citizen of the United States for space      |
| 18 | support flights that will be conducted under the per-     |
| 19 | mit for, or in support of, the purposes described in      |
| 20 | subparagraphs (A) through (C) of paragraph (1).";         |
| 21 | and                                                       |
| 22 | (2) by striking subsection (h) and inserting the          |
| 23 | following:                                                |
| 24 | "(h) No person may, under a permit, operate a reus-       |
| 25 | able suborbital rocket, reusable launch vehicle, or space |

- 1 support vehicle for carrying any property or human being
- 2 for compensation or hire.".

### 3 SEC. 5. COMMUNICATION AND TRANSPARENCY.

- 4 Nothing in this Act or the amendments made by this
- 5 Act shall be construed to limit the authority of the Sec-
- 6 retary of Transportation to discuss potential regulatory
- 7 approaches, potential performance standards, or any other
- 8 topic related to this Act and the amendments made by
- 9 this Act with the commercial space industry prior to the
- 10 issuance of a notice of proposed rulemaking.

### 11 SEC. 6. APPLICABILITY.

- 12 (a) IN GENERAL.—The amendments made by this
- 13 Act shall take effect on March 1, 2019.
- 14 (b) REGULATIONS.—The Secretary of Transportation
- 15 may issue such regulations as are necessary to carry out
- 16 the amendments made by this Act beginning on the date
- 17 of enactment of this Act.

Passed the House of Representatives June 27, 2018. Attest:

Clerk.

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