

103D CONGRESS  
2D SESSION

# S. 1881

## AN ACT

To establish and implement a technology investment policy for aeronautical and space activities of the National Aeronautics and Space Administration, and for other purposes.

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To establish and implement a technology investment policy for aeronautical and space activities of the National Aeronautics and Space Administration, 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 Technology Investment Act of  
6       1994”.

1 **SEC. 2. FINDINGS.**

2 The Congress finds and declares the following:

3 (1) Federal investment in research and tech-  
4 nology development can enhance the competitiveness  
5 of United States industry in global markets.

6 (2) Industry and government partnerships in  
7 the development of technologies increase the effec-  
8 tiveness of Federal investment in the United States  
9 economy.

10 (3) Ongoing defense reductions impact the  
11 aerospace industrial base and require greater effort  
12 by the National Aeronautics and Space Administra-  
13 tion to ensure technological advancements in support  
14 of its missions as well as in support of competitive-  
15 ness.

16 (4) Increased contribution to the health of the  
17 United States economy by the National Aeronautics  
18 and Space Administration is important to the long-  
19 term support of civilian aeronautics and space activi-  
20 ties.

21 (5) Investments in research and development at  
22 the National Aeronautics and Space Administration  
23 can be made to enhance the competitiveness of  
24 United States industry, as well as to promote devel-  
25 opment of technologies for government and commer-  
26 cial aeronautics and space missions.

1           (6) The National Aeronautics and Space Ad-  
2           ministration directs a large portion of its budget to-  
3           ward the procurement of goods and services for its  
4           aeronautical and space missions and can use such  
5           procurement to advance technology development in  
6           industry and academia.

7   **SEC. 3. TECHNOLOGY INVESTMENT POLICY.**

8           It is the policy of the United States that—

9           (1) improving the competitive capabilities of  
10          United States industry in conjunction with imple-  
11          menting aeronautics and space missions shall be a  
12          fundamental goal of the National Aeronautics and  
13          Space Administration;

14          (2) the Administrator of the National Aero-  
15          nautics and Space Administration (hereinafter re-  
16          ferred to as the “Administrator”), in planning for  
17          and implementing national programs in aeronautics  
18          and space, shall advocate technology development  
19          designed to foster competitiveness of United States  
20          industry in global markets;

21          (3) the investment in technology by the Na-  
22          tional Aeronautics and Space Administration shall  
23          be coordinated closely with investment of other Fed-  
24          eral agencies, the States, and local governments;

1           (4) technology investments shall be identified in  
2           concert with United States industry; and

3           (5) the establishment of industry-led consortia,  
4           alliances, or other entities shall be encouraged to en-  
5           hance opportunities for United States industry to  
6           develop and advance technologies.

7   **TITLE I—ROLE OF NATIONAL AERO-**  
8   **NAUTICS AND SPACE ADMINISTRA-**  
9   **TION IN TECHNOLOGY INVESTMENT**

10 **SEC. 101. AMENDMENTS TO NATIONAL AERONAUTICS AND**  
11 **SPACE ACT OF 1958.**

12       Section 102 of the National Aeronautics and Space  
13 Act of 1958 (42 U.S.C. 2451) is amended—

14           (1) by striking subsection (e) and inserting the  
15       following:

16       “(e) The aeronautical and space activities of the  
17 United States shall be conducted so as to contribute mate-  
18 rially to the economic growth, competitiveness, and pro-  
19 ductivity of the Nation.”;

20           (2) by striking subsection (f) and by redesignat-  
21       ing subsections (g) and (h) as subsections (f) and  
22       (g), respectively; and

23           (3) in subsection (g), as so redesignated, by  
24       striking “(f), and (g)” and inserting “and (f)”.

1 **SEC. 102. TECHNOLOGY DEVELOPMENT AND COMMER-**  
2 **CIALIZATION GOALS.**

3 The Administrator shall require that, to the maxi-  
4 mum extent practicable, aeronautical and space projects  
5 of the National Aeronautics and Space Administration—

6 (1) incorporate a technology plan that fosters  
7 technological advances of value to both the mission  
8 and the economy and reduces the life cycle costs of  
9 such projects;

10 (2) promote commercial technology applications;

11 (3) measure and evaluate technology develop-  
12 ment and the potential for commercialization; and

13 (4) seek the involvement of United States in-  
14 dustry.

15 **SEC. 103. INDUSTRY TECHNOLOGY PROGRAM.**

16 (a) PURPOSE; CRITERIA.—The Administrator shall  
17 establish a competitive program under which the Adminis-  
18 trator may fund research and development projects pro-  
19 posed by industry-led consortia, alliances, or other entities,  
20 for the purpose of developing new technologies. In select-  
21 ing projects to be funded under this section, the Adminis-  
22 trator shall weigh and consider—

23 (1) each project's scientific and technical merit;

24 (2) the potential of the project to advance mis-  
25 sion needs of the National Aeronautics and Space  
26 Administration;

1           (3) each project's potential to advance tech-  
2           nologies that enhance the competitiveness of United  
3           States industry in global markets; and

4           (4) such other criteria as the Administrator  
5           considers appropriate to carry out the purposes of  
6           this section.

7           (b) COST-SHARING.—The Administrator shall ensure  
8           that the amount of the funds provided by the Federal Gov-  
9           ernment under this section for a project does not exceed  
10          the total amount provided by non-Federal participants for  
11          that project.

12          (c) FINANCING MECHANISMS.—In funding the tech-  
13          nology projects selected under this section, the Adminis-  
14          trator is encouraged—

15               (1) to make greater use of the authority of the  
16               National Aeronautics and Space Administration  
17               under section 203(c)(5) of the National Aeronautics  
18               and Space Act of 1958 (42 U.S.C. 2473(c)(5)) espe-  
19               cially when applied to non-aerospace firms; and

20               (2) to enter into innovative procurement, fi-  
21               nancing, and management arrangements, consistent  
22               with existing statutes.

23          (d) COORDINATION WITH FEDERAL AGENCIES.—In  
24          carrying out this section, the Administrator shall consult  
25          with the Secretaries of Commerce, Defense, Energy, and

1 Transportation and with such other Federal agency heads  
2 as the Administrator considers appropriate.

3 (e) AUTHORIZATION.—There are authorized to be ap-  
4 propriated to the Administrator such sums as may be nec-  
5 essary to carry out the provisions of this section. Sums  
6 appropriated under this section shall remain available  
7 until expended.

8 **SEC. 104. CONDITIONS ON TECHNOLOGY INVESTMENT;**  
9 **ECONOMIC BENEFIT.**

10 In funding technology programs and activities under  
11 this title, the Administrator shall ensure that the principal  
12 economic benefits accrue to the economy of the United  
13 States. The Administrator may consider such specific cri-  
14 teria as appropriate, and in developing such criteria, shall  
15 consult with appropriate Federal agency heads.

16 **SEC. 105. ROLE OF PROCUREMENT IN TECHNOLOGY IN-**  
17 **VESTMENT.**

18 The Administrator, in meeting aeronautical and  
19 space mission needs, shall coordinate and direct resources  
20 of the National Aeronautics and Space Administration in  
21 the area of procurement to—

- 22 (1) advance state-of-the-art technologies;  
23 (2) assess and procure, where appropriate, com-  
24 mercially available technologies from the market-  
25 place;



1 (3) use performance incentives; and

2 (4) reduce the paperwork requirements associ-  
3 ated with procurement.

4 **SEC. 106. COORDINATION WITH OTHER FEDERAL PRO-**  
5 **GRAMS.**

6 (a) TECHNOLOGY PROGRAMS AND TECHNOLOGY  
7 TRANSFER PROGRAMS.—To ensure a consistent Federal  
8 investment policy and to preclude multiple awards for a  
9 single proposal, the Administrator shall ensure that the  
10 technology investment activities established under this  
11 title are coordinated closely with existing and future—

12 (1) Federal technology programs such as the  
13 Technology Reinvestment Program of the Advanced  
14 Research Projects Agency and the Advanced Tech-  
15 nology Program of the National Institute of Stand-  
16 ards and Technology; and

17 (2) Federal technology transfer programs and  
18 activities established to promote and advocate the  
19 use of technologies developed in the Federal labora-  
20 tories.

21 (b) IDENTIFICATION OF FUNDING RECEIVED FROM  
22 OTHER AGENCIES.—The Administrator shall identify, as  
23 part of the annual budget submission to Congress, all  
24 funding received by the National Aeronautics and Space  
25 Administration from other Federal agencies for technology

1 investment and development, including funds from pro-  
2 grams listed in (a)(1) above.

3 **SEC. 107. INTERAGENCY TECHNOLOGY INITIATIVES.**

4 As part of the National Aeronautics and Space Ad-  
5 ministration's annual budget submission to Congress, the  
6 Administrator shall identify funding requirements, project  
7 milestones, and 5-year budget projections, for the portion  
8 undertaken by the National Aeronautics and Space Ad-  
9 ministration of each interagency technology project.

10 **SEC. 108. COORDINATION WITH OTHER NASA PROGRAMS.**

11 (a) SMALL BUSINESS INNOVATION RESEARCH.—The  
12 Administrator shall coordinate the technology investment  
13 activities under this title with the Small Business Innova-  
14 tion Research activities of the National Aeronautics and  
15 Space Administration to ensure the effectiveness of fund-  
16 ing to small businesses, to the maximum extent permitted  
17 by law.

18 (b) INDEPENDENT RESEARCH AND DEVELOPMENT  
19 FUNDS.—The Administrator shall identify all funds pro-  
20 vided to contractors of the National Aeronautics and  
21 Space Administration for activities commonly referred to  
22 as “Independent Research and Development” and coordi-  
23 nate such funds with the technology investment activities  
24 under this title.

1 (c) TECHNOLOGY TRANSFER AND COMMERCIAL PRO-  
2 GRAMS.—The Administrator shall coordinate the activities  
3 of ongoing and future technology transfer, innovation, and  
4 commercial programs of the National Aeronautics and  
5 Space Administration with the technology investment ac-  
6 tivities under this title.

7 **SEC. 109. PERSONNEL INCENTIVES.**

8 To encourage the personnel of the National Aero-  
9 nautics and Space Administration to pursue technology in-  
10 novation and development, the Administrator shall provide  
11 personnel incentives, including—

- 12 (1) promotions and within-grade increases;
- 13 (2) bonuses and cash awards under the inven-  
14 tions and contributions system and senior executive  
15 service; and
- 16 (3) paid leave, sabbaticals, or intergovernmental  
17 personnel transfers to other Federal agencies or the  
18 private sector to pursue technology innovation and  
19 development, as the Administrator deems appro-  
20 priate.

21 **SEC. 110. ANNUAL REPORT TO CONGRESS.**

22 The Administrator shall assess the technology invest-  
23 ment activities established under this title and shall sub-  
24 mit a report to Congress on the results of such assessment

1 of activities. The report shall accompany the annual budg-  
2 et submission to Congress.

3 **SEC. 111. APPLICATION OF ANTITRUST LAWS.**

4 Nothing in this title shall be construed to create an  
5 immunity from any civil or criminal action under any Fed-  
6 eral or State antitrust law, or to alter or restrict in any  
7 manner the applicability of any Federal or State antitrust  
8 law.

9 **SEC. 112. DEFINITIONS.**

10 For the purposes of this title, the term—

11 (1) “Federal laboratory” has the meaning given  
12 such term in section 4(6) of the Stevenson-Wydler  
13 Technology Innovation Act of 1980 (15 U.S.C.  
14 3703(6)).

15 (2) “United States” means the several States,  
16 the District of Columbia, Puerto Rico, the Virgin Is-  
17 lands, Guam, American Samoa, the Northern Mari-  
18 ana Islands, and any other territory or possession of  
19 the United States.

20 **TITLE II—NATIONAL AERONAUTICS**  
21 **FACILITIES**

22 **SEC. 201. FINDINGS.**

23 The Congress finds and declares the following:

1           (1) Aerospace technologies contribute substan-  
2           tially to the balance of trade and the competitiveness  
3           of United States industry.

4           (2) The international market share of the Unit-  
5           ed States aerospace industry has eroded steadily due  
6           to competition from foreign consortia that receive  
7           substantial direct subsidies from their governments.

8           (3) The United States aerospace industry con-  
9           tinues to be impacted negatively by the reduced in-  
10          vestment in national defense.

11          (4) The national civil and military aeronautics  
12          facilities of the United States are aging and, with  
13          few exceptions, cannot be modified to simulate ade-  
14          quately the flight conditions that will be required for  
15          highly productive aircraft design and development.

16          (5) Inadequate domestic facilities force the  
17          United States aerospace industry to use the aero-  
18          nautics facilities of foreign countries, increasing the  
19          likelihood that technologies will be transferred to  
20          competing foreign industries.

21 **SEC. 202. POLICY.**

22          It is the policy of the United States that—

23               (1) Federal investment in domestic aerospace  
24          technologies shall be a priority of the United States

1 to safeguard the international market share of the  
2 United States aerospace industry;

3 (2) maintaining world class aeronautics facili-  
4 ties in the United States shall be a major element  
5 of Federal investment in aerospace research and de-  
6 velopment;

7 (3) the National Aeronautics and Space Admin-  
8 istration shall work closely with industry to identify  
9 and address aeronautics technology and facility is-  
10 sues; and

11 (4) industry and government cost-sharing for  
12 facilities construction and use shall be investigated  
13 to achieve aeronautics research and technology goals  
14 within a constrained Federal budget.

15 **SEC. 203. WORLDWIDE FACILITIES ASSESSMENT.**

16 The President shall conduct an assessment of all aer-  
17 onautics facilities in the United States and in other coun-  
18 tries and report to Congress the results of this assessment  
19 at the time the fiscal year 1996 budget is submitted. The  
20 assessment shall include—

21 (1) identification of all existing and planned  
22 aeronautics research and development facilities in  
23 the United States and in other countries;

24 (2) analysis of the capabilities of each aero-  
25 nautics facility that impact aeronautical research

1 and technology objectives of the United States Gov-  
2 ernment and domestic industries; and

3 (3) determination of the current use and plans  
4 for use of foreign aeronautics facilities for research  
5 and technology activities of the United States Gov-  
6 ernment and domestic industries.

7 **SEC. 204. AERONAUTICS FACILITIES STRATEGY.**

8 (a) STRATEGY.—The President or his designees shall  
9 work closely with domestic industries to coordinate, de-  
10 velop, and implement a strategy for Federal investment  
11 in aeronautics research and technology and aeronautics fa-  
12 cilities. This strategy shall establish—

13 (1) priorities for Federal investment in aero-  
14 nautics facilities;

15 (2) a facilities implementation schedule to meet  
16 research and technology project milestones and aero-  
17 space industry market requirements;

18 (3) the projected cost of constructing and oper-  
19 ating new facilities; and

20 (4) options and recommendations to provide  
21 funding (including cost-sharing and risk-sharing  
22 with industries and among Federal agencies and in-  
23 novative procurement, financing, or management ar-  
24 rangements) for the construction of new aeronautics

1 facilities and for the operation of new aeronautics  
2 facilities.

3 (b) DEADLINE.—The strategy required by subsection  
4 (a), and budget requirements associated with implement-  
5 ing such strategy, shall accompany the fiscal year 1996  
6 budget submission to Congress.

7 **TITLE III—COMMERCIAL SPACE LAUNCH**  
8 **AMENDMENTS**

9 **SEC. 301. COMMERCIAL REENTRY VEHICLES.**

10 Chapter 701 of title 49, United States Code, is  
11 amended—

12 (1) in the table of sections—

13 (A) by amending the item relating to sec-  
14 tion 70104 to read as follows:

“70104. Restrictions on launches, operations, and reentries.”;

15 (B) by amending the item relating to sec-  
16 tion 70108 to read as follows:

“70108. Prohibition, suspension, and end of launches, operation of launch sites,  
and reentries.”;

17 (C) by amending the item relating to sec-  
18 tion 70109 to read as follows:

“70109. Preemption of scheduled launches or reentries.”;

19 and

20 (D) by adding at the end the following new  
21 item:

“70120. Report to Congress.”;

22 (2) in section 70102—



1 (A) by inserting “from Earth” after “and  
2 any payload” in paragraph (3);

3 (B) by redesignating paragraphs (10)  
4 through (12) as paragraphs (12) through (14),  
5 respectively; and

6 (C) by inserting after paragraph (9) the  
7 following new paragraphs:

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

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

15 (3) in section 70104—

16 (A) by amending the section designation  
17 and heading to read as follows:

18 **“§ 70104. Restrictions on launches, operations, and**  
19 **reentries”;**

20 (B) by inserting “, or reenter a reentry ve-  
21 hicle,” after “operate a launch site” each place  
22 it appears in subsection (a);

23 (C) by inserting “or reentry” after “launch  
24 or operation” in subsection (a)(3) and (4);

25 (D) in subsection (b)—

1 (i) by striking “launch license” and  
2 inserting “license”;

3 (ii) by inserting “or reenter” after  
4 “may launch”; and

5 (iii) by inserting “or reentering” after  
6 “related to launching”; and

7 (E) in subsection (c)—

8 (i) by amending the subsection head-  
9 ing to read as follows: “PREVENTING  
10 LAUNCHES OR REENTRIES.—”;

11 (ii) by inserting “or reentry” after  
12 “prevent the launch”; and

13 (iii) by inserting “or reentry” after  
14 “decides the launch”;

15 (4) in section 70105—

16 (A) by inserting “, or reentry of a reentry  
17 vehicle,” after “operation of a launch site” in  
18 subsection (b)(1); and

19 (B) by striking “or operation” and insert-  
20 ing “, operation, or reentry” in subsection  
21 (b)(2)(A);

22 (5) in section 70106(a)—

23 (A) by inserting “or reentry site” after  
24 “observer at a launch site”; and

1 (B) by inserting “or reentry vehicle” after  
2 “assemble a launch vehicle”;

3 (6) in section 70108—

4 (A) by amending the section designation  
5 and heading to read as follows:

6 **“§ 70108. Prohibition, suspension, and end of**  
7 **launches, operation of launch site, and**  
8 **reentries”;**

9 and

10 (B) in subsection (a)—

11 (i) by inserting “, or reentry of a re-  
12 entry vehicle,” after “operation of a launch  
13 site”; and

14 (ii) by inserting “or reentry” after  
15 “launch or operation”;

16 (7) in section 70109—

17 (A) by amending the section designation  
18 and heading to read as follows:

19 **“§ 70109. Preemption of scheduled launches or reen-**  
20 **tries”;**

21 (B) in subsection (a)—

22 (i) by inserting “or reentry” after  
23 “ensure that a launch”;

24 (ii) by inserting “, reentry site,” after  
25 “United States Government launch site”;

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

4 (iv) by inserting “or reentry” after  
5 “obtained for a launch”;

6 (v) by inserting “, reentry site,” after  
7 “access to a launch site”;

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

11 (vii) by inserting “or reentry” after  
12 “the scheduled launch”; and

13 (C) in subsection (c), by inserting “or re-  
14 entry” after “prompt launching”;

15 (8) in section 70110—

16 (A) by inserting “or reentry” after “pre-  
17 vent the launch” in subsection (a)(2); and

18 (B) by inserting “, or reentry of a reentry  
19 vehicle,” after “operation of a launch site” in  
20 subsection (a)(3)(B);

21 (9) in section 70112—

22 (A) by inserting “or reentry” after “one  
23 launch” in subsection (a)(3);

24 (B) by inserting “or reentry” after “launch  
25 services” in subsection (a)(4);

1 (C) by inserting “or reentry” after “launch  
2 services” each place it appears in subsection  
3 (b);

4 (D) by inserting “OR REENTRIES” after  
5 “LAUNCHES” in the heading for subsection (e);  
6 and

7 (E) by inserting “or reentry” after “launch  
8 site” in subsection (e);

9 (10) in section 70113 (a)(1) and (d) (1) and  
10 (2), by inserting “or reentry” after “one launch”  
11 each place it appears;

12 (11) in section 70115(b)(1)(D)(i)—

13 (A) by inserting “reentry site,” after  
14 “launch site,”; and

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

17 (12) in section 70117—

18 (A) by inserting “or reentry a reentry vehi-  
19 cle” after “operate a launch site” in subsection  
20 (a);

21 (B) by inserting “or reentry” after “ap-  
22 proval of a space launch” in subsection (d);

23 (C) in subsection (f)—

24 (i) by inserting “OR REENTRY” after  
25 “LAUNCH” in the subsection heading;

1 (ii) by inserting “, reentry vehicle,”  
2 after “A launch vehicle”;

3 (iii) by inserting “or reentered” after  
4 “that is launched”; and

5 (iv) by inserting “or reentry” after  
6 “the launch”; and

7 (D) in subsection (g)—

8 (i) by inserting “reentry of a reentry  
9 vehicle,” after “or launch site,” in para-  
10 graph (1); and

11 (ii) by inserting “reentry,” after  
12 “launch,” in paragraph (2);

13 (13) in section 70119, by inserting the follow-  
14 ing after paragraph (2):

15 “There are authorized to be appropriated to the Secretary  
16 of Transportation such amounts as may be necessary to  
17 carry out this chapter for fiscal year 1995.”; and

18 (14) by adding at the end the following new  
19 section:

20 **“§ 70120. Report to Congress**

21 “The Secretary of Transportation shall submit to  
22 Congress an annual report to accompany the President’s  
23 budget request that—

24 “(1) describes all activities undertaken under  
25 this chapter, including a description of the process

1 for the application for and approval of licenses under  
2 this chapter and recommendations for legislation  
3 that may further commercial launches and reentries;  
4 and

5 “(2) reviews the performance of the regulatory  
6 activities and the effectiveness of the Office of Com-  
7 mercial Space Transportation.”.

8 **SEC. 302. LICENSE APPLICATIONS.**

9 (a) IN GENERAL.—Section 70105 of title 49, United  
10 States Code, is amended—

11 (1) in subsection (a), by striking “receiving an  
12 application” both places it appears and inserting  
13 “accepting an application in accordance with sub-  
14 section (b)(2)(D)”;

15 (2) by striking “and” at the end of subsection  
16 (b)(2)(B);

17 (3) by striking the period at the end of sub-  
18 section (b)(2)(C) and inserting “; and”; and

19 (4) by adding at the end of subsection (b)(2)(C)  
20 the following new subparagraph:

21 “(D) regulations establishing criteria for ac-  
22 cepting an application for a license under this chap-  
23 ter.”.

24 (b) EFFECTIVE DATE.—The amendment made by  
25 subsection (a)(1) shall take effect upon the effective date

1 of final regulations issued pursuant to section  
2 70105(b)(2)(D) of title 49, United States Code, as added  
3 by subsection (a)(4).

4 **SEC. 303. PROHIBITION ON SPACE ADVERTISING.**

5 (a) DEFINITION.—Section 70102 of title 49, United  
6 States Code, is amended by inserting after paragraph  
7 (14), as redesignated by section 301(2)(B) of this title,  
8 the following new paragraph:

9 “(15) ‘space advertising’ means advertising in  
10 outer space that is capable of being seen by a  
11 human being on the surface of the Earth without  
12 the aid of a telescope or other technological device.”.

13 (b) PROHIBITION.—Chapter 701 of title 49, United  
14 States Code, is amended by inserting after section 70109  
15 the following new section:

16 **“§ 70109a. Prohibition on space advertising**

17 “(a) PROHIBITION.—Notwithstanding the provisions  
18 of this chapter or any other provision of law—

19 “(1) the Secretary shall not—

20 “(A) issue or transfer a license under this  
21 chapter; or

22 “(B) waive the license requirements of this  
23 chapter;

24 for the launch of a payload containing any material  
25 to be used for the purposes of space advertising; and



1           “(2) no holder of a license under this chapter,  
2           on or after the date of enactment of the National  
3           Aeronautics and Space Administration Technology  
4           Investment Act of 1994, shall launch a payload con-  
5           taining any material to be used for purposes of  
6           space advertising.

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

9           “(1) be subject to a civil penalty, not to exceed  
10          \$30,000,000 which shall be assessed by the Sec-  
11          retary; and

12          “(2) not be issued a license under this chapter  
13          for a period of 2 years from the date of such viola-  
14          tion, or, in the case of multiple violations, from the  
15          date of the most recent violation.”.

16          (c) NEGOTIATION WITH FOREIGN SPACE LAUNCH-  
17          ING NATIONS.—

18                (1) The President is requested to negotiate with  
19                foreign launching nations for the purpose of reach-  
20                ing an agreement or agreements that prohibit the  
21                use of outer space for advertising purposes.

22                (2) It is the sense of Congress that the Presi-  
23                dent should take such action as is appropriate and  
24                feasible to enforce the terms of any agreement to

1       prohibit the use of outer space for advertising pur-  
2       poses.

3           (3) As used in this subsection, the term “for-  
4       eign launching nation” means a nation—

5                   (A) which launches, or procures the  
6       launching of, a payload into outer space; or

7                   (B) from whose territory or facility a pay-  
8       load is launched into outer space.

9       (d) CLERICAL AMENDMENT.—The table of sections  
10   for chapter 701 of title 49, United States Code, is amend-  
11   ed by inserting the following after the item relating to sec-  
12   tion 70109:

“70109a. Prohibition on space advertising”.

Passed the Senate October 6 (legislative day, Sep-  
tember 12), 1994.

Attest:

*Secretary.*

S 1881 ES——2

S 1881 ES——3

S 1881 ES——4

S 1881 ES——5