



COMMITTEE ON
SCIENCE, SPACE, & TECHNOLOGY
Lamar Smith, Chairman

**H.R. 2262, U.S. Commercial Space Launch Competitiveness Act
Supporting America's Space Leaders**

The U.S. Commercial Space Launch Competitiveness Act will ensure American leadership in space and foster the development of advanced space technologies. The bill:

- Affirms Congress's bipartisan commitment to the development of the commercial space industry.
- Facilitates a pro-growth environment for the developing commercial space industry by encouraging private sector investment, creating more stable and predictable regulatory conditions, and improving safety.
- Prevents the FAA from imposing new and burdensome regulations on the growing industry and provides certainty by extending the current learning period regulatory framework.
- Provides similar liability risk-sharing as provided by other countries in order to keep American space companies internationally competitive.
- Provides a four-year extension of the International Space Station until at least 2024 that gives certainty for ISS National Laboratory users.
- Closes loopholes that leave spaceflight participants vulnerable to financial ruin for participating in commercial human spaceflight thereby making space accessible for everyone.
- Enables U.S. private sector exploration and use of celestial resources.

MYTH v. FACT

MYTH: This bill removes the FAA's ability to issue safety regulations.

FACT: Nothing in this bill alters the FAA's current authorities. The bill preserves the FAA's ability to regulate commercial human spaceflight in order to protect the uninvolved public, national security, public health and safety, safety of property, and foreign policy. It also preserves FAA's ability to regulate spaceflight participant and crew safety as a result of an accident or unplanned event.

MYTH: This bill gives a pass to industry if there is an accident.

FACT: The industry is required to get \$500 million of third-party insurance (indemnification) or the maximum probable loss as calculated by the FAA, whichever is lower. This is the first pool of money used in the event of an accident, at no cost to the taxpayer. U.S. indemnification is far less favorable than all other spacefaring nation's coverage. Without this coverage, launches would likely go overseas. Any use of indemnification would be subject to approval of Congress and would require separate appropriation. **Not a single taxpayer dime has ever been used – or needed – to cover damages from an accident or unplanned event.**

MYTH: This bill prevents people from going to court if they get hurt.

FACT: Current law and the courts already allow individuals to sue in cases of gross negligence or willful misconduct. This bill would do nothing to change existing legal safeguards for individuals. In an effort to ensure both launch providers and space flight participants are protected, it also requires informed consent for all who participate in a flight.

MYTH: This bill violates international law by granting entities private property rights of resources obtained from asteroids.

FACT: There is nothing in this Act which calls for the United States to violate its international obligations. The exploration and use of outer space includes the right to remove, take possession of and use natural resources from celestial bodies. This right is affirmed by State practice and by the U.S. State Department in Congressional testimony and written correspondence.