

Public Law 108–428  
108th Congress

An Act

Nov. 30, 2004  
[H.R. 5245]

To extend the liability indemnification regime for the commercial space transportation industry.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. INDEMNIFICATION EXTENSION.**

Section 70113(f) of title 49, United States Code, is amended by striking “December 31, 2004.” and inserting “December 31, 2009.”.

**SEC. 2. STUDY.**

Not later than 60 days after the date of enactment of this Act, the Secretary of Transportation shall enter into an arrangement with a nonprofit entity for the conduct of an independent comprehensive study of the liability risk sharing regime in the United States for commercial space transportation under section 70113 of title 49, United States Code. To ensure that Congress has a full analysis of the liability risk sharing regime, the study shall assess methods by which the current system could be eliminated, including an estimate of the time required to implement each of the methods assessed. The study shall assess whether any alternative steps would be needed to maintain a viable and competitive United States space transportation industry if the current regime were eliminated. In conducting the assessment under this section, input from commercial space transportation insurance experts shall be sought. The study also shall examine liability risk sharing in other nations with commercial launch capability and evaluate the direct and indirect impact that ending this regime would have on the competitiveness of the United States commercial

space launch industry in relation to foreign commercial launch providers and on United States assured access to space.

Approved November 30, 2004.

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LEGISLATIVE HISTORY—H.R. 5245:

CONGRESSIONAL RECORD, Vol. 150 (2004):

Oct. 8, considered and passed House.

Nov. 16, considered and passed Senate.

