

**AMENDMENT TO RULES COMMITTEE PRINT 117-**

**13**

**OFFERED BY MR. YOUNG OF ALASKA**

Add at the end of subtitle A of title XVI the following new section:

1 **SEC. 1609. REQUIREMENT FOR USE OF DOMESTIC SPACE-**  
2 **PORTS.**

3 (a) **REQUIREMENT.**—Except as provided by sub-  
4 section (b), the Secretary of Defense may only conduct  
5 a covered launch from a spaceport or privately owned  
6 space launch site that is—

7 (1) located in the United States; and

8 (2) licensed by the Federal Aviation Adminis-  
9 tration or on a Federal installation.

10 (b) **WAIVER.**—On a case-by-case basis, the Secretary  
11 may waive the requirement under subsection (a) with re-  
12 spect to a covered launch if—

13 (1) the Secretary determines that—

14 (A) there is no spaceport or launch site de-  
15 scribed in such subsection that can support the  
16 required inclination and class of launch vehicle;

17 or

1           (B) there is an urgent and compelling na-  
2           tional security requirement to conduct the  
3           launch outside the United States; and

4           (2) the Secretary submits to the congressional  
5           defense committees a detailed justification of the de-  
6           termination under paragraph (1), including—

7           (A) with respect to such a determination  
8           under subparagraph (A) of paragraph (1),  
9           statements from spaceports located in the  
10          United States with respect to the spaceports  
11          being either unable to support the launch or de-  
12          clining the launch; or

13          (B) with respect to such a determination  
14          under subparagraph (B) of paragraph (1), a  
15          certification of the urgent and compelling na-  
16          tional security requirement.

17          (c) DELEGATION.—The Secretary may not delegate  
18          the authority to make a determination under subsection  
19          (b)(1)(B) below the level of Under Secretary.

20          (d) DEFINITIONS.—In this section:

21           (1) The term “covered launch” means a launch  
22           of the Department of Defense that is suborbital or  
23           bound for low Earth orbit, medium Earth orbit, geo-  
24           stationary orbit, polar orbit, or cislunar space orbit.

1           (2) The term “State” includes the District of  
2           Columbia, Puerto Rico, the Commonwealth of the  
3           Northern Mariana Islands, and any territory or pos-  
4           session of the United States.

