

103D CONGRESS  
1ST SESSION

# S. 1145

To prohibit the use of outer space for advertising purposes.

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## IN THE SENATE OF THE UNITED STATES

JUNE 23 (legislative day, JUNE 22), 1993

Mr. JEFFORDS (for himself and Mr. AKAKA) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

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## A BILL

To prohibit the use of outer space for advertising 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 “Space Advertising  
5 Prohibition Act”.

6 **SEC. 2. PROHIBITION ON SPACE ADVERTISING.**

7 (a) AMENDMENT TO FINDINGS.—Section 2 of the  
8 Commercial Space Launch Act (49 U.S.C. App. 2601) is  
9 amended—

10 (1) in paragraph (8), by striking “and” at the  
11 end;

1           (2) in paragraph (9), by striking the period at  
2           the end and inserting “; and”; and

3           (3) by adding at the end the following new  
4           paragraph:

5           “(10) the use of outer space for advertising  
6           purposes is not an appropriate use of outer space  
7           and should be prohibited.”.

8           (b) AMENDMENT TO PURPOSES.—Section 3 of the  
9           Commercial Space Launch Act (49 U.S.C. App. 2602) is  
10          amended—

11          (1) in paragraph (3), by striking “and” at the  
12          end;

13          (2) in paragraph (4), by striking the period at  
14          the end and inserting “; and”;

15          (3) by inserting at the end the following new  
16          paragraph:

17          “(5) to prohibit the use of outer space for ad-  
18          vertising purposes.”.

19          (c) DEFINITION.—Section 4 of the Commercial Space  
20          Launch Act (49 U.S.C. App. 2603) is amended—

21          (1) in paragraph (11), by striking “and” at the  
22          end;

23          (2) in paragraph (12), by striking the period at  
24          the end and inserting “; and”; and

1           (3) by inserting after paragraph (12) the fol-  
2           lowing new paragraph:

3           “(13) ‘space advertising’ means advertising in  
4           outer space, including the placement of images or  
5           objects in outer space that are visible from earth, for  
6           purposes of marketing or otherwise promoting the  
7           sale or use of goods or services.”.

8           (d) PROHIBITION ON SPACE ADVERTISING.—The  
9           Commercial Space Launch Act (49 U.S.C. 2601 et. seq.)  
10          is amended by inserting after section 10 the following new  
11          section:

12         **“SEC. 10A. PROHIBITION ON SPACE ADVERTISING.**

13           “(a) PROHIBITION.—Notwithstanding the provisions  
14          of this Act or any other provision of law—

15                 “(1) the Secretary shall not—

16                         “(A) issue or transfer a license under this  
17                         Act; or

18                         “(B) waive the license requirements of this  
19                         Act;

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

22                 “(2) no holder of a license under this Act, on  
23           or after the effective date of this section, shall  
24           launch a payload containing any material to be used  
25           for purposes of space advertising.

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

3               “(1) be subject to a civil penalty, not to exceed  
4 \$30,000,000, which shall be assessed by the Sec-  
5 retary; and

6               “(2) not be issued a license under this Act for  
7 a period of 2 years from the date of such violation,  
8 or, in the case of multiple violations, from the date  
9 of the most recent violation.”.

10 **SEC. 3. IMPORT RESTRICTION.**

11       (a) PROHIBITION.—It shall be unlawful for any per-  
12 son to import into the United States any product, goods,  
13 or other item that is manufactured, assembled, distrib-  
14 uted, or sold by any person who is engaged or who has  
15 previously engaged in space advertising.

16       (b) CIVIL PENALTY.—Any person who violates the  
17 provisions of subsection (a) shall be subject to a civil pen-  
18 alty, which shall be assessed by the Secretary of the Treas-  
19 ury, of not more than \$10,000 for each such violation.

20       (c) DEFINITIONS.—For purposes of this section, the  
21 following definitions shall apply:

22               (1) PERSON.—The term “person” means any  
23 individual, corporation, partnership, joint venture,  
24 association, or other legal entity.

1           (2) SPACE ADVERTISING.—The term “space ad-  
2           vertising” means advertising in outer space, includ-  
3           ing the placement of images or objects in outer  
4           space that are visible from earth, for purposes of  
5           marketing or otherwise promoting the sale or use of  
6           goods or services.

7   **SEC. 4. AGREEMENTS WITH FOREIGN NATIONS.**

8           The President, acting through the Secretary of State,  
9           is requested to negotiate with foreign nations for the pur-  
10          pose of reaching an agreement or agreements that prohibit  
11          the use of outer space for advertising purposes.

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