



1 work and perseverance of the more than 400,000 in-  
2 dividuals who contributed to the development of the  
3 Apollo missions on the shoulders of centuries of  
4 science and engineering pioneers from all corners of  
5 the world.

6 (4) Among the thousands of individuals who  
7 have contributed to the achievements of the National  
8 Aeronautics and Space Administration (in this sec-  
9 tion referred to as “NASA”) are African-American  
10 women such as Katherine Johnson, Dorothy  
11 Vaughn, Mary Jackson, and Dr. Christine Darden,  
12 who made critical contributions to NASA space pro-  
13 grams. Katherine Johnson worked at NASA for 35  
14 years and calculated the trajectory of the Apollo 11  
15 landing and the trajectories for the spaceflights of  
16 astronauts Alan Shepard and John Glenn. Katherine  
17 Johnson, together with many other individuals the  
18 work of whom often went unacknowledged, helped  
19 broaden the scope of space travel and charted new  
20 frontiers for humanity’s exploration of space.

21 (5) The landing of the Apollo 11 spacecraft was  
22 made on behalf of all humankind, and Neil Arm-  
23 strong and Buzz Aldrin were accompanied by mes-  
24 sages of peace from the leaders of more than 70  
25 countries.

1           (6) The lunar landing sites of the Apollo 11  
2 spacecraft, the robotic spacecraft that preceded the  
3 Apollo 11 mission, and the crewed and robotic  
4 spacecraft that followed, are of outstanding uni-  
5 versal value to humanity.

6           (7) Such landing sites—

7           (A) are the first archaeological sites with  
8 human activity that are not on Earth;

9           (B) provide evidence of the first achieve-  
10 ments of humankind in the realm of space trav-  
11 el and exploration; and

12           (C) contain artifacts and other evidence of  
13 human exploration activities that remain a po-  
14 tential source of cultural, historical, archae-  
15 ological, anthropological, scientific, and engi-  
16 neering knowledge.

17           (8) On July 20, 2011, NASA published the vol-  
18 untary guidance entitled “NASA’s Recommendations  
19 to Space-Faring Entities: How to Protect and Pre-  
20 serve the Historic and Scientific Value of U.S. Gov-  
21 ernment Lunar Artifacts”.

22           (9) In March 2018, the Office of Science and  
23 Technology Policy published a report entitled “Pro-  
24 tecting & Preserving Apollo Program Lunar Landing  
25 Sites & Artifacts”.

1           (10) Article one of the “Treaty on Principles  
2           Governing the Activities of States in the Exploration  
3           and Use of Outer Space, including the Moon and  
4           Other Celestial Bodies,” commonly known as the  
5           “Outer Space Treaty,” states “[o]uter space, includ-  
6           ing the moon and other celestial bodies, shall be free  
7           for exploration and use by all States without dis-  
8           crimination of any kind, on a basis of equality and  
9           in accordance with international law, and there shall  
10          be free access to all areas of celestial bodies.”

11          (11) Article eight of the Outer Space Treaty  
12          states, “[a] State Party to the Treaty on whose reg-  
13          istry an object launched into outer space is carried  
14          shall retain jurisdiction and control over such object,  
15          and over any personnel thereof, while in outer space  
16          or on a celestial body. Ownership of objects launched  
17          into outer space, including objects landed or con-  
18          structed on a celestial body, and of their component  
19          parts, is not affected by their presence in outer  
20          space or on a celestial body or by their return to the  
21          Earth.”

22          (12) Article nine of the Outer Space Treaty  
23          states, “[i]n the exploration and use of outer space,  
24          including the moon and other celestial bodies, States  
25          Parties to the Treaty shall be guided by the prin-

1       ciple of co-operation and mutual assistance and shall  
2       conduct all their activities in outer space, including  
3       the moon and other celestial bodies, with due regard  
4       to the corresponding interests of all other States  
5       Parties to the Treaty,” and continues, “[i]f a State  
6       Party to the Treaty has reason to believe that an ac-  
7       tivity or experiment planned by it or its nationals in  
8       outer space, including the moon and other celestial  
9       bodies, would cause potentially harmful interference  
10      with activities of other States Parties in the peaceful  
11      exploration and use of outer space, including the  
12      moon and other celestial bodies, it shall undertake  
13      appropriate international consultations before pro-  
14      ceeding with any such activity or experiment. A  
15      State Party to the Treaty which has reason to be-  
16      lieve that an activity or experiment planned by an-  
17      other State Party in outer space, including the moon  
18      and other celestial bodies, would cause potentially  
19      harmful interference with activities in the peaceful  
20      exploration and use of outer space, including the  
21      moon and other celestial bodies, may request con-  
22      sultation concerning the activity or experiment.”.

23      (b) SENSE OF CONGRESS.—It is the sense of Con-  
24      gress that—

1           (1) as commercial enterprises and more coun-  
2 tries acquire the ability to land on the Moon, it is  
3 necessary to encourage the development of best prac-  
4 tices to respect the principle of due regard and to  
5 limit harmful interference to the Apollo landing site  
6 artifacts in acknowledgment of the human effort and  
7 innovation they represent, as well as their archae-  
8 ological, anthropological, historical, scientific, and  
9 engineering significance and value; and

10           (2) the Administrator of the National Aero-  
11 nautics and Space Administration should continue to  
12 develop best practices to respect the principle of due  
13 regard and limit harmful interference with historic  
14 Apollo lunar landing site artifacts.

15 **SEC. 3. BEST PRACTICES RELATED TO APOLLO HISTORIC**  
16 **LUNAR LANDING SITE ARTIFACTS.**

17           (a) IN GENERAL.—The Administrator of the Na-  
18 tional Aeronautics and Space Administration shall—

19           (1) add the recommendations in subsection (b)  
20 as a condition or requirement to contracts, grants,  
21 agreements, partnerships or other arrangements per-  
22 taining to lunar activities carried out by, for, or in  
23 partnership with the National Aeronautics and  
24 Space Administration;

1           (2) inform other relevant Federal agencies of  
2           the recommendations described in subsection (b);  
3           and

4           (3) encourage the use of best practices, con-  
5           sistent with the recommendations in subsection (b),  
6           by other relevant Federal agencies.

7           (b) RECOMMENDATIONS DESCRIBED.—The rec-  
8           ommendations described in this subsection are—

9           (1) “NASA’s Recommendations to Space-  
10           Faring Entities: How to Protect and Preserve the  
11           Historic and Scientific Value of U.S. Government  
12           Lunar Artifacts” issued by the National Aeronautics  
13           and Space Administration on July 20, 2011, and up-  
14           dated on October 28, 2011; and

15           (2) any successor recommendations, guidelines,  
16           best practices, or standards relating to the principle  
17           of due regard and the limitation of harmful inter-  
18           ference with Apollo landing site artifacts issued by  
19           the National Aeronautics and Space Administration.

20           (c) EXEMPTION.—The Administrator may waive the  
21           conditions or requirements from subsection (a)(1) as it ap-  
22           plies to an individual contract, grant, agreement, partner-  
23           ship or other arrangement pertaining to lunar activities  
24           carried out by, for, or in partnership with the National  
25           Aeronautics and Space Administration so long as—

1           (1) such waiver is accompanied by a finding  
2           from the Administrator that carrying out the obliga-  
3           tion of subsection (a)(1) would be unduly prohibitive  
4           to an activity or activities of legitimate and signifi-  
5           cant historical, archaeological, anthropological, sci-  
6           entific, or engineering value; and

7           (2) the finding in paragraph (1) is provided to  
8           the Committee on Science, Space, and Technology of  
9           the House of Representatives and the Committee on  
10          Commerce, Science, and Transportation of the Sen-  
11          ate not later than 30 days prior to the waiver taking  
12          effect.

