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(Original Signature of Member)

119TH CONGRESS
2D SESSION

H. R. _____

To prohibit weather modification within the United States, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. STEUBE introduced the following bill; which was referred to the Committee on _____

A BILL

To prohibit weather modification within the United States, and for other 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 “Air Quality Act”.

5 **SEC. 2. PROHIBITION OF WEATHER MODIFICATION.**

6 (a) IN GENERAL.—Whoever, in any circumstance de-
7 scribed in subsection (b), knowingly authorizes or con-
8 ducts weather modification in the United States shall be
9 subject to the penalties described in subsection (c).

1 (b) CIRCUMSTANCES DESCRIBED.—For the purposes
2 of subsection (a), the circumstances described in this sub-
3 section are that—

4 (1) the defendant traveled in interstate or for-
5 eign commerce, or traveled using a means, channel,
6 facility, or instrumentality of interstate or foreign
7 commerce, in furtherance of or in connection with
8 the conduct described in subsection (a);

9 (2) the defendant used a means, channel, facil-
10 ity, or instrumentality of interstate or foreign com-
11 merce in furtherance of or in connection with the
12 conduct described in subsection (a);

13 (3) the defendant transmitted in interstate or
14 foreign commerce any communication relating to or
15 in furtherance of the conduct described in subsection
16 (a) using any means, channel, facility, or instrumen-
17 tality of interstate or foreign commerce or in or af-
18 fecting interstate or foreign commerce by any means
19 or in any manner, including by computer, mail, wire,
20 or electromagnetic transmission;

21 (4) the conduct described in subsection (a) oc-
22 curred within the special maritime and territorial ju-
23 risdiction of the United States, the special aircraft
24 jurisdiction of the United States, or any territory or
25 possession of the United States; or

1 (5) the conduct described in subsection (a) oth-
2 erwise occurred in or affected interstate or foreign
3 commerce.

4 (c) PENALTIES.—

5 (1) CRIMINAL PENALTY.—Whoever violates
6 subsection (a) shall be fined not more than
7 \$100,000 for each violation, imprisoned not more
8 than 5 years, or both.

9 (2) CIVIL PENALTY.—The Administrator of the
10 Environmental Protection Agency may, in coordina-
11 tion with the Administrator of the Federal Aviation
12 Administration, impose a civil penalty of not more
13 than \$10,000 for each violation of subsection (a), in
14 addition to any other penalties provided by law.

15 (3) REPEAT VIOLATIONS.—Each instance of in-
16 jection, release, emission, or dispersal under sub-
17 section (a) shall constitute a separate violation of
18 such section.

19 (4) LIABILITY OF OFFICERS AND AGENTS.—In
20 the case of a violation of subsection (a) by a public
21 or private entity, the entity and any officer, director,
22 or employee of the entity who knowingly authorizes
23 a violation of, or violates, subsection (a) shall be
24 subject to the penalties under this section.

1 **SEC. 3. REPORTING AND INVESTIGATION.**

2 (a) AIRCRAFT REPORTING.—

3 (1) ESTABLISHMENT OF SYSTEM.—The Admin-
4 istrator of the Federal Aviation Administration shall
5 establish a system for air carriers to report the loca-
6 tion and movement of any aircraft equipped with
7 any component, device, or the like which may be
8 used to support weather modification.

9 (2) SUBMISSION OF REPORTS.—Such system
10 may collect reports via telephone, email, mail, or an
11 online portal.

12 (3) PUBLICATION OF REPORTS.—The Adminis-
13 trator of the Federal Aviation Administration shall
14 make publicly available on the website of the Federal
15 Aviation Administration any reports collected by
16 such system under this subsection.

17 (b) PUBLIC REPORTING.—

18 (1) ESTABLISHMENT OF SYSTEM.—The Admin-
19 istrator of the Environmental Protection Agency, in
20 consultation with the Administrator of the Federal
21 Aviation Administration and the Administrator of
22 the National Oceanic and Atmospheric Administra-
23 tion, shall establish a system for the public to report
24 suspected violations of section 2.

1 (2) SUBMISSION OF REPORTS.—Such system
2 may collect reports via telephone, email, mail, or an
3 online portal.

4 (3) PUBLICATION OF REPORTS.—The Adminis-
5 trator of the Environmental Protection Agency shall
6 make publicly available on the website of the Envi-
7 ronmental Protection Agency any reports collected
8 by such system under this subsection.

9 (c) INVESTIGATION.—

10 (1) IN GENERAL.—The Administrator of the
11 Environmental Protection Agency shall investigate
12 suspected violations of section 2 reported pursuant
13 to subsection (b) that the Administrator determines
14 warrant further review.

15 (2) DETERMINATION.—

16 (A) REQUIREMENT.—For any suspected
17 violation investigated under paragraph (1), the
18 Administrator shall determine whether a viola-
19 tion of section 2 has occurred.

20 (B) COORDINATION.—In determining
21 whether a violation of section 2 occurred, the
22 Administrator of the Environmental Protection
23 Agency may coordinate with the Secretary of
24 Agriculture, the Secretary of the Interior, the
25 Administrator of the Federal Aviation Adminis-

1 tration, the Administrator of the National Aero-
2 nautics and Space Administration, the Adminis-
3 trator of the National Oceanic and Atmospheric
4 Administration, or the head of any other Fed-
5 eral agency that the Administrator of the Envi-
6 ronmental Protection Agency determines to be
7 relevant, to verify the nature of any activities
8 described in a report submitted pursuant to
9 subsection (b).

10 (d) REFERRAL TO DOJ.—The Administrator of the
11 Environmental Protection Agency shall refer a suspected
12 violation that the Administrator determines to have oc-
13 curred under subsection (c)(2) to the Attorney General of
14 the United States for further action.

15 **SEC. 4. REPEAL OF EXISTING AUTHORITIES.**

16 (a) FEDERAL STATUTES.—Any provision of a Fed-
17 eral statute authorizing or requiring weather modification,
18 including a licensing requirement or permit for any such
19 weather modification, is hereby repealed.

20 (b) FEDERAL REGULATIONS OR EXECUTIVE OR-
21 DERS.—Any provision of a Federal regulation or executive
22 order authorizing or requiring weather modification, in-
23 cluding a licensing requirement or permit for any such
24 weather modification, is hereby nullified and shall have no
25 force or effect.

1 **SEC. 5. PROHIBITION ON RESEARCH AND EXPERIMEN-**
2 **TATION.**

3 Notwithstanding any other provision of law, no Fed-
4 eral department or agency, or any recipient of Federal
5 funds, may authorize or conduct any research, testing, or
6 experimentation that constitutes weather modification in
7 the United States, including the territories and posses-
8 sions of the United States.

9 **SEC. 6. DEFINITIONS.**

10 In this Act:

11 (1) AIR CARRIER.—The term “air carrier” has
12 the meaning given such term in section 40102 of
13 title 49, United States Code.

14 (2) AIR POLLUTANT.—The term “air pollutant”
15 has the meaning given such term in section 302(g)
16 of the Clean Air Act (42 U.S.C. 7602(g)).

17 (3) APPARATUS.—The term “apparatus” means
18 a device, instrument, or system.

19 (4) ATMOSPHERE.—The term “atmosphere”
20 means the gaseous envelope surrounding the Earth,
21 including all airspace within the territorial jurisdic-
22 tion of the United States.

23 (5) BIOLOGICAL AGENT.—The term “biological
24 agent” has the meaning given such term in section
25 178 of title 18, United States Code.

1 (6) CHEMICAL SUBSTANCE.—The term “chem-
2 ical substance” has the meaning given such term in
3 section 3 of the Toxic Substances Control Act (15
4 U.S.C. 2602).

5 (7) CLOUD SEEDING.—The term “cloud seed-
6 ing” means the act of altering the processes of a
7 cloud or storm by releasing a substance into the air.

8 (8) GEOENGINEERING.—The term
9 “geoengineering” means a technological intervention
10 aimed at mitigating the effects of lowering the tem-
11 perature of, or removing certain gases from, the at-
12 mosphere.

13 (9) MARINE CLOUD BRIGHTENING.—The term
14 “marine cloud brightening” means a strategy for
15 adding aerosol to the lower atmosphere over ocean
16 regions to increase the reflectivity of clouds.

17 (10) STRATOSPHERIC AEROSOL INJECTION.—
18 The term “stratospheric aerosol injection” means a
19 strategy for increasing the number of small reflective
20 aerosols in the stratosphere to increase the reflection
21 of incoming sunlight.

22 (11) WEATHER MODIFICATION.—

23 (A) IN GENERAL.—The term “weather
24 modification” means any injection, release,
25 emission, or dispersal of a chemical substance,

1 a biological agent, or an air pollutant, or con-
2 veyance of an apparatus, into the atmosphere
3 that—

4 (i) produces a change in the composi-
5 tion or behavior of the atmosphere; or

6 (ii) affects the temperature, weather,
7 climate, or intensity of sunlight.

8 (B) EXAMPLES.—Such term includes—

9 (i) geoengineering;

10 (ii) cloud seeding;

11 (iii) solar radiation modification and
12 management;

13 (iv) stratospheric aerosol injection;

14 and

15 (v) marine cloud brightening.

16 **SEC. 7. EFFECTIVE DATE.**

17 This Act shall take effect 90 days after the date of
18 enactment of this Act.