

“(B) the Committee on Armed Services, the Committee on Foreign Relations, and the Select Committee on Intelligence of the Senate.”

§ 30702. Foreign contract limitation

The Administration shall not enter into any agreement or contract with a foreign government that grants the foreign government the right to recover profit in the event that the agreement or contract is terminated.

(Pub. L. 111–314, § 3, Dec. 18, 2010, 124 Stat. 3371.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
30702	42 U.S.C. 2475b.	Pub. L. 106–391, title III, § 305, Oct. 30, 2000, 114 Stat. 1592.

§ 30703. Foreign launch vehicles

(a) ACCORD WITH SPACE TRANSPORTATION POLICY.—The Administration shall not launch a payload on a foreign launch vehicle except in accordance with the Space Transportation Policy announced by the President on December 21, 2004. This subsection shall not be construed to prevent the President from waiving the Space Transportation Policy.

(b) INTERAGENCY COORDINATION.—The Administration shall not launch a payload on a foreign launch vehicle unless the Administration commenced the interagency coordination required by the Space Transportation Policy announced by the President on December 21, 2004, at least 90 days before entering into a development contract for the payload.

(c) APPLICATION.—This section shall not apply to any payload for which development has begun prior to December 30, 2005, including the James Webb Space Telescope.

(Pub. L. 111–314, § 3, Dec. 18, 2010, 124 Stat. 3371.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
30703	42 U.S.C. 16614.	Pub. L. 109–155, title I, § 105, Dec. 30, 2005, 119 Stat. 2912.

In subsection (c), the date “December 30, 2005” is substituted for “the date of enactment of this Act” to reflect the date of enactment of the National Aeronautics and Space Administration Authorization Act of 2005 (Public Law 109–155, 119 Stat. 2895).

§ 30704. Offshore performance of contracts for the procurement of goods and services

The Administrator shall submit to Congress, not later than 120 days after the end of each fiscal year, a report on the contracts and subcontracts performed overseas and the amount of purchases directly or indirectly by the Administration from foreign entities in that fiscal year. The report shall separately indicate—

(1) the contracts and subcontracts and their dollar values for which the Administrator determines that essential goods or services under the contract are available only from a source outside the United States; and

(2) the items and their dollar values for which the Buy American Act (41 U.S.C. 10a et

seq.)¹ was waived pursuant to obligations of the United States under international agreements.

(Pub. L. 111–314, § 3, Dec. 18, 2010, 124 Stat. 3371.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
30704	42 U.S.C. 16823.	Pub. L. 109–155, title VII, § 709, Dec. 30, 2005, 119 Stat. 2938.

In the matter before paragraph (1), the words “beginning with the first fiscal year after the date of enactment of this Act [December 30, 2005]” are omitted as obsolete.

Editorial Notes

REFERENCES IN TEXT

The Buy American Act, referred to in par. (2), is title III of act Mar. 3, 1933, ch. 212, 47 Stat. 1520, which was classified generally to sections 10a, 10b, and 10c of former Title 41, Public Contracts, and was substantially repealed and restated in chapter 83 (§ 8301 et seq.) of Title 41, Public Contracts, by Pub. L. 111–350, §§ 3, 7(b), Jan. 4, 2011, 124 Stat. 3677, 3855. For complete classification of this Act to the Code, see Short Title of 1933 Act note set out under section 101 of Title 41 and Tables. For disposition of sections of former Title 41, see Disposition Table preceding section 101 of Title 41.

CHAPTER 309—AWARDS

Sec.

30901. Congressional Space Medal of Honor.

30902. Charles “Pete” Conrad Astronomy Awards.

§ 30901. Congressional Space Medal of Honor

(a) AUTHORITY TO AWARD.—The President may award, and present in the name of Congress, a medal of appropriate design, which shall be known as the Congressional Space Medal of Honor, to any astronaut who in the performance of the astronaut’s duties has distinguished himself or herself by exceptionally meritorious efforts and contributions to the welfare of the Nation and of humankind.

(b) APPROPRIATIONS.—There is authorized to be appropriated from time to time such sums of money as may be necessary to carry out the purposes of this section.

(Pub. L. 111–314, § 3, Dec. 18, 2010, 124 Stat. 3371.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
30901(a)	42 U.S.C. 2461 (1st par.).	Pub. L. 91–76, § 1, Sept. 29, 1969, 83 Stat. 124.
30901(b)	42 U.S.C. 2461 (last par.).	Pub. L. 91–76, § 2, Sept. 29, 1969, 83 Stat. 124.

§ 30902. Charles “Pete” Conrad Astronomy Awards

(a) SHORT TITLE.—This section may be cited as the “Charles ‘Pete’ Conrad Astronomy Awards Act”.

(b) DEFINITIONS.—In this section:

(1) AMATEUR ASTRONOMER.—The term “amateur astronomer” means an individual whose employer does not provide any funding, pay-

¹ See References in Text note below.

ment, or compensation to the individual for the observation of asteroids and other celestial bodies, and does not include any individual employed as a professional astronomer.

(2) **MINOR PLANET CENTER.**—The term “Minor Planet Center” means the Minor Planet Center of the Smithsonian Astrophysical Observatory.

(3) **NEAR-EARTH ASTEROID.**—The term “near-Earth asteroid” means an asteroid with a perihelion distance of less than 1.3 Astronomical Units from the Sun.

(4) **PROGRAM.**—The term “Program” means the Charles “Pete” Conrad Astronomy Awards Program established under subsection (c).

(c) **CHARLES “PETE” CONRAD ASTRONOMY AWARDS PROGRAM.**—

(1) **IN GENERAL.**—The Administrator shall establish the Charles “Pete” Conrad Astronomy Awards Program.

(2) **AWARDS.**—The Administrator shall make awards under the Program based on the recommendations of the Minor Planet Center.

(3) **AWARD CATEGORIES.**—The Administrator shall make one annual award, unless there are no eligible discoveries or contributions, for each of the following categories:

(A) **DISCOVERY OF BRIGHTEST NEAR-EARTH ASTEROID.**—The amateur astronomer or group of amateur astronomers who in the preceding calendar year discovered the intrinsically brightest near-Earth asteroid among the near-Earth asteroids that were discovered during that year by amateur astronomers or groups of amateur astronomers.

(B) **GREATEST CONTRIBUTION TO CATALOGUING NEAR-EARTH ASTEROIDS.**—The amateur astronomer or group of amateur astronomers who made the greatest contribution to the Minor Planet Center’s mission of cataloguing near-Earth asteroids during the preceding year.

(4) **AWARD AMOUNT.**—An award under the Program shall be in the amount of \$3,000.

(5) **GUIDELINES.**—

(A) **CITIZEN OR PERMANENT RESIDENT.**—No individual who is not a citizen or permanent resident of the United States at the time of the individual’s discovery or contribution may receive an award under this section.

(B) **FINALITY.**—The decisions of the Administrator in making awards under this section are final.

(Pub. L. 111-314, § 3, Dec. 18, 2010, 124 Stat. 3372.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
30902	42 U.S.C. 16792.	Pub. L. 109-155, title VI, § 613, Dec. 30, 2005, 119 Stat. 2932.

CHAPTER 311—SAFETY

Sec.	
31101.	Aerospace Safety Advisory Panel.
31102.	Drug and alcohol testing.

§ 31101. Aerospace Safety Advisory Panel

(a) **ESTABLISHMENT AND MEMBERS.**—There is established an Aerospace Safety Advisory Panel

consisting of a maximum of 9 members who shall be appointed by the Administrator for terms of 6 years each. Not more than 4 such members shall be chosen from among the officers and employees of the Administration.

(b) **CHAIRMAN.**—One member shall be designated by the Panel as its Chairman.

(c) **DUTIES.**—The Panel shall—

(1) review safety studies and operations plans referred to it, including evaluating the Administration’s compliance with the return-to-flight and continue-to-fly recommendations of the Columbia Accident Investigation Board, and make reports thereon;

(2) advise the Administrator and Congress with respect to—

(A) the hazards of proposed or existing facilities and proposed operations;

(B) the adequacy of proposed or existing safety standards; and

(C) management and culture related to safety; and

(3) perform such other duties as the Administrator may request.

(d) **COMPENSATION AND EXPENSES.**—

(1) **COMPENSATION.**—

(A) **FEDERAL OFFICERS AND EMPLOYEES.**—A member of the Panel who is an officer or employee of the Federal Government shall receive no compensation for the member’s services as such.

(B) **MEMBERS APPOINTED FROM OUTSIDE THE FEDERAL GOVERNMENT.**—A member of the Panel appointed from outside the Federal Government shall receive compensation, at a rate not to exceed the per diem rate equivalent to the maximum rate payable under section 5376 of title 5, for each day the member is engaged in the actual performance of duties vested in the Panel.

(2) **EXPENSES.**—A member of the Panel shall be allowed necessary travel expenses (or in the alternative, mileage for use of a privately owned vehicle and a per diem in lieu of subsistence not to exceed the rate and amount prescribed in sections 5702 and 5704 of title 5), and other necessary expenses incurred by the member in the performance of duties vested in the Panel, without regard to the provisions of subchapter I of chapter 57 of title 5, the Standardized Government Travel Regulations, or section 5731 of title 5.

(e) **ANNUAL REPORT.**—The Panel shall submit an annual report to the Administrator and to Congress. In the first annual report submitted after December 30, 2005, the Panel shall include an evaluation of the Administration’s management and culture related to safety. Each annual report shall include an evaluation of the Administration’s compliance with the recommendations of the Columbia Accident Investigation Board through retirement of the space shuttle.

(Pub. L. 111-314, § 3, Dec. 18, 2010, 124 Stat. 3373.)