

In paragraphs (1) and (2), the date “October 15, 2008” 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 2008 (Public Law 110–422, 122 Stat. 4779).

§ 40703. Research alignment

In addition to pursuing the research and development initiative described in section 40702 of this title, the Administrator shall, to the maximum extent practicable within available funding, align the fundamental aeronautics research program to address high priority technology challenges of the National Academies’ Decadal Survey of Civil Aeronautics, and shall work to increase the degree of involvement of external organizations, and especially of universities, in the fundamental aeronautics research program.

(Pub. L. 111–314, § 3, Dec. 18, 2010, 124 Stat. 3390.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
40703	42 U.S.C. 17722.	Pub. L. 110–422, title III, § 303, Oct. 15, 2008, 122 Stat. 4787.

§ 40704. Research program on perceived impact of sonic booms

(a) ESTABLISHMENT.—The Administrator shall establish a cooperative research program with industry, including the conduct of flight demonstrations in a relevant environment, to collect data on the perceived impact of sonic booms. The data could enable the promulgation of appropriate standards for overland commercial supersonic flight operations.

(b) COORDINATION.—The Administrator shall ensure that sonic boom research is coordinated as appropriate with the Administrator of the Federal Aviation Administration, and as appropriate make use of the expertise of the Partnership for Air Transportation Noise and Emissions Reduction Center of Excellence sponsored by the Administration and the Federal Aviation Administration.

(Pub. L. 111–314, § 3, Dec. 18, 2010, 124 Stat. 3391.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
40704(a)	42 U.S.C. 17723(b).	Pub. L. 110–422, title III, § 304(b), (c), Oct. 15, 2008, 122 Stat. 4787.
40704(b)	42 U.S.C. 17723(c).	

Statutory Notes and Related Subsidiaries

Purpose

Pub. L. 110–422, title III, § 304(a), Oct. 15, 2008, 122 Stat. 4787, provided that: “The ability to fly commercial aircraft over land at supersonic speeds without adverse impacts on the environment or on local communities would open new markets and enable new transportation capabilities. In order to have the basis for establishing appropriate sonic boom standards for such flight operations, a research program is needed to assess the impact in a relevant environment of commercial supersonic flight operations.”

CHAPTER 409—MISCELLANEOUS

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Statutory Notes and Related Subsidiaries

CYBERSECURITY IN STEM PROGRAMS OF THE NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

Pub. L. 116–283, div. H, title XCIV, § 9406, Jan. 1, 2021, 134 Stat. 4812, provided that: “In carrying out any STEM education program of the National Aeronautics and Space Administration (referred to in this section as ‘NASA’), including a program of the Office of STEM Engagement, the Administrator of NASA shall, to the maximum extent practicable, encourage the inclusion of cybersecurity education opportunities in such program.”

NASA INTERNSHIP AND FELLOWSHIP OPPORTUNITIES

Pub. L. 115–303, § 3, Dec. 11, 2018, 132 Stat. 4399, provided that: “Not later than October 1, 2018, the Administrator of the National Aeronautics and Space Administration (in this section referred to as ‘NASA’) shall institute a process to encourage the recruitment of qualified candidates who are women or individuals who are underrepresented in the fields of science, technology, engineering, and mathematics (STEM) and computer science for internships and fellowships at NASA with relevance to the aerospace sector and related fields.”

EDUCATION AND OUTREACH

Pub. L. 115–10, title VIII, § 824, Mar. 21, 2017, 131 Stat. 64, provided that:

“(a) SENSE OF CONGRESS.—It is the sense of Congress that—

“(1) United States competitiveness in the 21st century requires engaging the science, technology, engineering, and mathematics (referred to in this section as ‘STEM’) talent in all States;

“(2) the [National Aeronautics and Space] Administration is uniquely positioned to educate and inspire students and the broader public on STEM subjects and careers;

“(3) the Administration’s Education and Communication Offices, Mission Directorates, and Centers have been effective in delivering educational content because of the strong engagement of Administration scientists and engineers in the Administration’s education and outreach activities;

“(4) the Administration’s education and outreach programs, including the Experimental Program to Stimulate Competitive Research (EPSCoR) and the Space Grant College and Fellowship Program, reflect the Administration’s successful commitment to growing and diversifying the national science and engineering workforce; and

“(5) in order to grow and diversify the Nation’s engineering workforce, it is vital for the Administra-

¹ Section catchline amended by Pub. L. 117–167 without corresponding amendment of chapter analysis.

tion to bolster programs, such as High Schools United with NASA to Create Hardware (HUNCH) program, that conduct outreach activities to underserved rural communities, vocational schools, and tribal colleges and universities and encourage new participation in the STEM workforce.

“(b) CONTINUATION OF EDUCATION AND OUTREACH ACTIVITIES AND PROGRAMS.—

“(1) IN GENERAL.—The Administrator [of the National Aeronautics and Space Administration] shall continue engagement with the public and education opportunities for students via all the Administration’s mission directorates to the maximum extent practicable.

“(2) REPORT.—Not later than 60 days after the date of enactment of this Act [Mar. 21, 2017], the Administrator shall submit to the appropriate committees of Congress [Committee on Commerce, Science, and Transportation of the Senate and Committee on Science, Space, and Technology of the House of Representatives] a report on the Administration’s near-term outreach plans for advancing space law education.”

INSPIRING THE NEXT SPACE PIONEERS, INNOVATORS, RESEARCHERS, AND EXPLORERS (INSPIRE) WOMEN

Pub. L. 115–7, Feb. 28, 2017, 131 Stat. 13, provided that:

“SECTION 1. SHORT TITLE.

“This Act may be cited as the ‘Inspiring the Next Space Pioneers, Innovators, Researchers, and Explorers (INSPIRE) Women Act’.

“SEC. 2. FINDINGS.

“The Congress finds that—

“(1) NASA GIRLS and NASA BOYS are virtual mentoring programs using commercially available video chat programs to pair National Aeronautics and Space Administration mentors with young students anywhere in the country. NASA GIRLS and NASA BOYS give young students the opportunity to interact and learn from real engineers, scientists, and technologists.

“(2) The Aspire to Inspire (A2I) program engages young girls to present science, technology, engineering, and mathematics (STEM) career opportunities through the real lives and jobs of early career women at NASA.

“(3) The Summer Institute in Science, Technology, Engineering, and Research (SISTER) program at the Goddard Space Flight Center is designed to increase awareness of, and provide an opportunity for, female middle school students to be exposed to and explore nontraditional career fields with Goddard Space Flight Center women engineers, mathematicians, scientists, technicians, and researchers.

“SEC. 3. SUPPORTING WOMEN’S INVOLVEMENT IN THE FIELDS OF AEROSPACE AND SPACE EXPLORATION.

“The Administrator of the National Aeronautics and Space Administration shall encourage women and girls to study science, technology, engineering, and mathematics, pursue careers in aerospace, and further advance the Nation’s space science and exploration efforts through support of the following initiatives:

“(1) NASA GIRLS and NASA BOYS.

“(2) Aspire to Inspire.

“(3) Summer Institute in Science, Technology, Engineering, and Research.

“SEC. 4. PLAN.

“Not later than 90 days after the date of enactment of this Act [Feb. 28, 2017], the Administrator shall submit to the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a plan for how NASA can best facilitate and support both current and retired astronauts, scientists, engineers, and innovators, including early career female astronauts, scientists, engineers, and innovators,

to engage with K–12 female STEM students and inspire the next generation of women to consider participating in the fields of science, technology, engineering, and mathematics and to pursue careers in aerospace. This plan shall—

“(1) report on existing activities with current and retired NASA astronauts, scientists, engineers, and innovators;

“(2) identify how NASA could best leverage existing authorities to facilitate and support current and retired astronaut, scientist, engineer, and innovator participation in NASA outreach efforts;

“(3) propose and describe a program specific to retired astronauts, scientists, engineers, and innovators; and

“(4) identify any additional authorities necessary to institute such a program.”

NASA’S CONTRIBUTION TO EDUCATION

Pub. L. 111–358, title II, §202, Jan. 4, 2011, 124 Stat. 3993, provided that:

“(a) SENSE OF CONGRESS.—It is the sense of Congress that NASA [National Aeronautics and Space Administration] is uniquely positioned to interest students in science, technology, engineering, and mathematics, not only by the example it sets, but through its education programs.

“(b) EDUCATIONAL PROGRAM GOALS.—NASA shall develop and maintain educational programs—

“(1) to carry out and support research based programs and activities designed to increase student interest and participation in STEM, including students from minority and underrepresented groups;

“(2) to improve public literacy in STEM;

“(3) that employ proven strategies and methods for improving student learning and teaching in STEM;

“(4) to provide curriculum support materials and other resources that—

“(A) are designed to be integrated with comprehensive STEM education;

“(B) are aligned with national science education standards;

“(C) promote the adoption and implementation of high-quality education practices that build toward college and career-readiness; and

“(5) to create and support opportunities for enhanced and ongoing professional development for teachers using best practices that improve the STEM content and knowledge of the teachers, including through programs linking STEM teachers with STEM educators at the higher education level.”

[For definition of “STEM” as used in section 202 of Pub. L. 111–358, set out above, see section 2 of Pub. L. 111–358, set out as a note under section 6621 of Title 42, The Public Health and Welfare.]

REPORTS

Pub. L. 109–155, title I, §102, Dec. 30, 2005, 119 Stat. 2905, provided that:

“(a) NATIONAL AWARENESS CAMPAIGN.—

“(1) IN GENERAL.—The Administrator [of the National Aeronautics and Space Administration] shall implement, beginning not later than May 1, 2006, a national awareness campaign through various media, including print, radio, television, and the Internet, to articulate missions, publicize recent accomplishments, and facilitate efforts to encourage young Americans to enter the fields of science, mathematics, and engineering to help maintain United States leadership in those fields.

“(2) REPORTS.—(A) Not later than April 1, 2006, the Administrator shall transmit a plan to the Committee on Science [now Committee on Science, Space, and Technology] of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate describing the activities that will be undertaken as part of the national awareness campaign required by paragraph (1) and the expected cost of those activities. NASA [National

Aeronautics and Space Administration] may undertake activities as part of the national awareness campaign prior to the transmittal of the plan required by this subparagraph, but the plan shall include a description of any activities undertaken prior to the transmittal and the estimated cost of those activities.

“(B) Not later than three years after the date of enactment of this Act [Dec. 30, 2005], the Administrator shall transmit to the Committee on Science of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate an assessment of the impact of the national awareness campaign.

“(b) BUDGET INFORMATION.—Not later than April 30, 2006, the Administrator shall transmit to the Committee on Science [now Committee on Science, Space, and Technology] of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report describing—

“(1) the expected cost of the Crew Exploration Vehicle through fiscal year 2020, based on the public specifications for that development contract; and

“(2) the expected budgets for each fiscal year through 2020 for human spaceflight, aeronautics, space science, and earth science—

“(A) first assuming inflationary growth for the budget of NASA as a whole and including costs for the Crew Exploration Vehicle as projected under paragraph (1); and

“(B) then assuming inflationary growth for the budget of NASA as a whole and including at least two cost estimates for the Crew Exploration Vehicle that are higher than those projected under paragraph (1), based on NASA’s past experience with cost increases for similar programs, along with a description of the reasons for selecting the cost estimates used for the calculations under this subparagraph and the confidence level for each of the cost estimates used in this section.

“(c) SPACE COMMUNICATIONS PLAN.—

“(1) PLAN.—The Administrator shall develop a plan, in consultation with relevant Federal agencies, for updating NASA’s space communications architecture for both low-Earth orbital operations and deep space exploration so that it is capable of meeting NASA’s needs over the next 20 years. The plan shall include life-cycle cost estimates, milestones, estimated performance capabilities, and 5-year funding profiles. The plan shall also include an estimate of the amounts of any reimbursements NASA is likely to receive from other Federal agencies during the expected life of the upgrades described in the plan. At a minimum, the plan shall include a description of the following:

“(A) Projected Deep Space Network requirements for the next 20 years, including those in support of human space exploration missions.

“(B) Upgrades needed to support Deep Space Network requirements.

“(C) Cost estimates for the maintenance of existing Deep Space Network capabilities.

“(D) Cost estimates and schedules for the upgrades described in subparagraph (B).

“(E) Projected Tracking and Data Relay Satellite System requirements for the next 20 years, including those in support of other relevant Federal agencies.

“(F) Cost and schedule estimates to maintain and upgrade the Tracking and Data Relay Satellite System to meet projected requirements.

“(2) CONSULTATIONS.—The Administrator shall consult with other relevant Federal agencies in developing the plan under this subsection.

“(3) SCHEDULE.—The Administrator shall transmit the plan under this subsection to the Committee on Science [now Committee on Science, Space, and Technology] of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate not later than February 17, 2007.

“(d) JOINT DARK ENERGY MISSION.—The Administrator and the Director of the Department of Energy Office of Science shall jointly transmit to the Committee on Science [now Committee on Science, Space, and Technology] of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate, not later than July 15, 2006, a report on plans for a Joint Dark Energy Mission. The report shall include the amount of funds each agency intends to expend on the Joint Dark Energy Mission for each of the fiscal years 2007 through 2011, and any specific milestones for the development and launch of the Mission.

“(e) OFFICE OF SCIENCE AND TECHNOLOGY POLICY.—

“(1) STUDY.—As part of ongoing efforts to coordinate research and development across the Federal agencies, the Director of the Office of Science and Technology Policy shall conduct a study to determine—

“(A) if any research and development programs of NASA are unnecessarily duplicating aspects of programs of other Federal agencies; and

“(B) if any research and development programs of NASA are neglecting any topics of national interest that are related to the mission of NASA.

“(2) REPORT.—Not later than one year after the date of enactment of this Act [Dec. 30, 2005], the Director of the Office of Science and Technology Policy shall transmit to the Committee on Science [now Committee on Science, Space, and Technology] of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report that—

“(A) describes the results of the study under paragraph (1);

“(B) lists the research and development programs of Federal agencies other than NASA that were reviewed as part of the study, which shall include any program supporting research and development in an area related to the programs of NASA, and the most recent budget figures for those programs of other agencies;

“(C) recommends any changes to the research and development programs of NASA that should be made in response to the findings of the study required by paragraph (1); and

“(D) describes mechanisms the Office of Science and Technology Policy will use to ensure adequate coordination between NASA and Federal agencies that operate related programs.

“(3) CONTRACT.—The Director of the Office of Science and Technology Policy may contract with a nongovernmental entity to conduct the study required by paragraph (1).”

REVIEW OF MUST PROGRAM

Pub. L. 109–155, title VI, §617, Dec. 30, 2005, 119 Stat. 2934, directed the Administrator of the National Aeronautics and Space Administration to transmit a report to Congress on the legal status of the Motivating Undergraduates in Science and Technology program not later than 60 days after Dec. 30, 2005, and, if in compliance with law, implement the program as planned in the July 5, 2005, NASA Research Announcement.

DENIAL OF FINANCIAL ASSISTANCE TO CAMPUS DISRUPTERS

Pub. L. 92–304, §6, May 19, 1972, 86 Stat. 161, provided generally that any institution of higher education deny for a two-year period payment under programs authorized by the National Aeronautics and Space Act of 1958 (see 51 U.S.C. 20101 et seq.) to any individual attending or employed by such institution who has been convicted of any crime committed after May 19, 1972, which involved the use of force, disruption or seizure of property to prevent officers or students from engaging in their duties or pursuing their studies. Similar provisions were contained in the following prior appropriation acts:

Pub. L. 92-68, § 6, Aug. 6, 1971, 85 Stat. 177.
 Pub. L. 91-303, § 6, July 2, 1970, 84 Stat. 372.
 Pub. L. 91-119, § 7, Nov. 18, 1969, 83 Stat. 201.

§ 40901. Science, Space, and Technology Education Trust Fund

There is appropriated, by transfer from funds appropriated in the Department of Housing and Urban Development—Independent Agencies Appropriations Act, 1989 (Public Law 100-404, 102 Stat. 1014), for “Construction of facilities”, the sum of \$15,000,000 to the “Science, Space, and Technology Education Trust Fund”, which is hereby established in the Treasury of the United States. The Secretary of the Treasury shall invest these funds in the United States Treasury special issue securities, and interest shall be credited to the Trust Fund on a quarterly basis. Such interest shall be available for the purpose of making grants for programs directed at improving science, space, and technology education in the United States. The Administrator, after consultation with the Director of the National Science Foundation, shall review applications made for such grants and determine the distribution of available funds on a competitive basis. Grants shall be made available to any awardee only to the extent that the awardee provides matching funds from non-Federal sources to carry out the program for which grants from this Trust Fund are made. Of the funds made available by this Trust Fund, \$250,000 shall be disbursed each calendar quarter to the Challenger Center for Space Science Education. The Administrator shall submit to Congress an annual report on the grants made pursuant to this section.

(Pub. L. 111-314, § 3, Dec. 18, 2010, 124 Stat. 3391.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
40901	42 U.S.C. 2467.	Pub. L. 100-404, title II, (par. under heading “Science, Space, and Technology Education Trust Fund”, at 102 Stat. 1028), Aug. 19, 1988, 102 Stat. 1028; Pub. L. 103-327, title III, Sept. 28, 1994, 108 Stat. 2328.

In the first sentence, the words “the Department of Housing and Urban Development—Independent Agencies Appropriations Act, 1989 (Public Law 100-404, 102 Stat. 1014)” are substituted for “this Act” to clarify the reference.

In the second sentence, the words “of the Treasury” are inserted after “the Secretary” for clarity.

In the sixth sentence, the word “hereafter”, which appeared after “each calendar quarter”, is omitted as unnecessary.

§ 40902. National Aeronautics and Space Administration Endeavor Teacher Fellowship Trust Fund

(a) ESTABLISHMENT.—There is established in the Treasury of the United States, in tribute to the dedicated crew of the Space Shuttle Challenger, a trust fund to be known as the National Aeronautics and Space Administration Endeavor Teacher Fellowship Trust Fund (hereafter in this section referred to as the “Trust Fund”). The Trust Fund shall consist of amounts which may from time to time, at the discretion of the

Administrator, be transferred from the National Aeronautics and Space Administration Gifts and Donations Trust Fund.

(b) INVESTMENT OF TRUST FUND.—The Administrator shall direct the Secretary of the Treasury to invest and reinvest funds in the Trust Fund in public debt securities with maturities suitable for the needs of the Trust Fund, and bearing interest at rates determined by the Secretary of the Treasury, taking into consideration the current average market yield on outstanding marketable obligations of the United States of comparable maturities. Interest earned shall be credited to the Trust Fund.

(c) PURPOSE.—Income accruing from the Trust Fund principal shall be used to create the National Aeronautics and Space Administration Endeavor Teacher Fellowship Program, to the extent provided in advance in appropriation Acts. The Administrator is authorized to use such funds to award fellowships to selected United States nationals who are undergraduate students pursuing a course of study leading to certified teaching degrees in elementary education or in secondary education in mathematics, science, or technology disciplines. Awards shall be made pursuant to standards established for the fellowship program by the Administrator.

(d) AVAILABILITY OF FUNDS.—The interest accruing from the National Aeronautics and Space Administration Endeavor Teacher Fellowship Trust Fund principal shall be available in fiscal year 2012 for the purpose of the Endeavor Science Teacher Certificate Program.

(Pub. L. 111-314, § 3, Dec. 18, 2010, 124 Stat. 3391; Pub. L. 112-55, div. B, title III, Nov. 18, 2011, 125 Stat. 626.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
40902	42 U.S.C. 2467a.	Pub. L. 102-195, § 20, Dec. 9, 1991, 105 Stat. 1615.

In subsection (a), the words “The Trust Fund shall consist of amounts” are substituted for “The Trust Fund shall consist of gifts and donations accepted by the National Aeronautics and Space Administration pursuant to section 208 of the National Aeronautics and Space Act of 1958 (42 U.S.C. 2476b), as well as other amounts” because the Administration’s authority to accept gifts or donations under section 208 of the National Aeronautics and Space Act of 1958 terminated 5 years after October 30, 1987.

Editorial Notes

AMENDMENTS

2011—Subsec. (d). Pub. L. 112-55 added subsec. (d).

§ 40903. Established Program to Stimulate Competitive Research—merit grant competition requirements

(a) DEFINITION OF ELIGIBLE STATE.—In this section, the term “eligible State” means a State designated by the Administrator as eligible to compete in the National Science Foundation’s Established Program to Stimulate Competitive Research.

(b) COMPETITION.—Making use of the existing infrastructure established in eligible States by

the National Science Foundation, the Administrator shall conduct a merit grant competition among the eligible States in areas of research important to the mission of the Administration. With respect to a grant application by an eligible State, the Administrator shall consider—

- (1) the application's merit and relevance to the mission of the Administration;
- (2) the potential for the grant to serve as a catalyst to enhance the ability of researchers in the State to become more competitive for regular Administration funding;
- (3) the potential for the grant to improve the environment for science, mathematics, and engineering education in the State; and
- (4) the need to ensure the maximum distribution of grants among eligible States, consistent with merit.

(c) **SUPPLEMENTAL GRANTS.**—The Administrator shall endeavor, where appropriate, to supplement grants made under subsection (b) with such grants for fellowships, traineeships, equipment, or instrumentation as are available.

(d) **INFORMATION IN ANNUAL BUDGET SUBMISSION.**—In order to ensure that research expertise and talent throughout the Nation is developed and engaged in Administration research and education activities, the Administration shall, as part of its annual budget submission, detail additional steps that can be taken to further integrate the participating eligible States in both existing and new or emerging Administration research programs and center activities.

(Pub. L. 111–314, § 3, Dec. 18, 2010, 124 Stat. 3392; Pub. L. 117–167, div. B, title VII, § 10851(e), Aug. 9, 2022, 136 Stat. 1754.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
40903(a)	42 U.S.C. 2467b(c).	Pub. L. 102–588, title III, § 304, Nov. 4, 1992, 106 Stat. 5120.
40903(b)	42 U.S.C. 2467b(a).	
40903(c)	42 U.S.C. 2467b(b).	
40903(d)	42 U.S.C. 17781(b).	Pub. L. 110–422, title VII, § 704(b), Oct. 15, 2008, 122 Stat. 4802.

In subsection (d) the words “eligible States” are substituted for “EPSCoR States” for clarity and consistency in the section.

Editorial Notes

AMENDMENTS

2022—Pub. L. 117–167, § 10851(e)(1), substituted “Established” for “Experimental” in section catchline.

Subsec. (a). Pub. L. 117–167, § 10851(e)(2), substituted “Established” for “Experimental”.

Statutory Notes and Related Subsidiaries

CONGRESSIONAL FINDINGS AND POLICY

Pub. L. 102–588, title III, §§ 301–303, Nov. 4, 1992, 106 Stat. 5119, provided that:

“SEC. 301. SHORT TITLE.

“This title [see Tables for classification] may be cited as the ‘Experimental Program to Stimulate Competitive Research on Space and Aeronautics Act’.

“SEC. 302. FINDINGS.

“Congress finds that—

“(1) the report of the Advisory Committee on the Future of the United States Space Program has pro-

vided a framework within which a consensus on the goals of the space program can be developed;

“(2) the National Aeronautics and Space Administration’s space science and applications, aeronautical research and technology, and space research and technology programs will serve as the fulcrum for future initiatives by the United States in civil space and aviation;

“(3) colleges and universities in many States are currently not able to compete successfully for research grants awarded by the National Aeronautics and Space Administration through its space science and applications, aeronautical research and technology, and space research and technology programs;

“(4) balanced programs of space science and applications, aeronautical research and technology, and space research and technology should include initiatives designed to foster competitive research capacity in all geographic areas of the Nation; and

“(5) by strengthening the competitive research capacity in those geographic areas of the Nation which are not currently fully competitive, the education and training of scientists and engineers important to the future of the United States civil space and aviation programs will be fostered.

“SEC. 303. POLICY.

“It is the policy of the United States that—

“(1) the Administrator [of the National Aeronautics and Space Administration], in planning for national programs in space science and applications, aeronautical research, space flight, and exploration, should ensure the resilience of the space and aeronautics research infrastructure;

“(2) a stable and balanced program of space science and applications, aeronautical research and technology, and space research and technology should include programs to assure that geographic areas of the United States that currently do not successfully participate in competitive space and aeronautical research activities are enabled to become more competitive; and

“(3) programs to improve competitive capabilities should be a part of the research and the educational activities of the National Aeronautics and Space Administration.”

§ 40904. Microgravity research

The Administrator shall—

(1) ensure the capacity to support ground-based research leading to space-based basic and applied scientific research in a variety of disciplines with potential direct national benefits and applications that can be advanced significantly from the uniqueness of microgravity and the space environment; and

(2) carry out, to the maximum extent practicable, basic, applied, and commercial International Space Station research in fields such as molecular crystal growth, animal research, basic fluid physics, combustion research, cellular biotechnology, low-temperature physics, and cellular research at a level that will sustain the existing United States scientific expertise and research capability in microgravity research.

(Pub. L. 111–314, § 3, Dec. 18, 2010, 124 Stat. 3393.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
40904(1)	42 U.S.C. 16655(2).	Pub. L. 109–155, title III, § 305(2), (3), Dec. 30, 2005, 119 Stat. 2918.
40904(2)	42 U.S.C. 16655(3).	

§ 40905. Program to expand distance learning in rural underserved areas

(a) IN GENERAL.—The Administrator shall develop or expand programs to extend science and space educational outreach to rural communities and schools through video conferencing, interpretive exhibits, teacher education, classroom presentations, and student field trips.

(b) PRIORITIES.—In carrying out subsection (a), the Administrator shall give priority to existing programs, including Challenger Learning Centers—

- (1) that utilize community-based partnerships in the field;
- (2) that build and maintain video conference and exhibit capacity;
- (3) that travel directly to rural communities and serve low-income populations; and
- (4) with a special emphasis on increasing the number of women and minorities in the science and engineering professions.

(Pub. L. 111–314, § 3, Dec. 18, 2010, 124 Stat. 3393.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
40905	42 U.S.C. 16791.	Pub. L. 109–155, title VI, § 612, Dec. 30, 2005, 119 Stat. 2932.

§ 40906. Equal access to the Administration's education programs

(a) IN GENERAL.—The Administrator shall strive to ensure equal access for minority and economically disadvantaged students to the Administration's education programs.

(b) REPORT.—Every 2 years, the Administrator shall submit a report to the Committee on Science and Technology of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate describing the efforts by the Administrator to ensure equal access for minority and economically disadvantaged students under this section and the results of such efforts. As part of the report, the Administrator shall provide—

- (1) data on minority participation in the Administration's education programs, at a minimum in the categories of—
 - (A) elementary and secondary education;
 - (B) undergraduate education; and
 - (C) graduate education; and
- (2) the total value of grants the Administration made to Historically Black Colleges and Universities and to Hispanic Serving Institutions through education programs during the period covered by the report.

(c) PROGRAM.—The Administrator shall establish the Dr. Mae C. Jemison Grant Program to work with Minority Serving Institutions to bring more women of color into the field of space and aeronautics.

(Pub. L. 111–314, § 3, Dec. 18, 2010, 124 Stat. 3393.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
40906	42 U.S.C. 16794.	Pub. L. 109–155, title VI, § 615, Dec. 30, 2005, 119 Stat. 2934.

In subsection (b), in the matter before paragraph (1), the words “Every 2 years” are substituted for “Not later than 1 year after the date of enactment of this Act [December 30, 2005], and every 2 years thereafter” to eliminate obsolete language.

In subsection (b), in the matter before paragraph (1), the words “Committee on Science and Technology” are substituted for “Committee on Science” on authority of Rule X(1)(o) of the Rules of the House of Representatives, adopted by House Resolution No. 6 (110th Congress, January 5, 2007).

Statutory Notes and Related Subsidiaries

CHANGE OF NAME

Committee on Science and Technology of House of Representatives changed to Committee on Science, Space, and Technology of House of Representatives by House Resolution No. 5, One Hundred Twelfth Congress, Jan. 5, 2011.

§ 40907. Museums

The Administrator may provide grants to, and enter into cooperative agreements with, museums and planetariums to enable them to enhance programs related to space exploration, aeronautics, space science, Earth science, or microgravity.

(Pub. L. 111–314, § 3, Dec. 18, 2010, 124 Stat. 3394.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
40907	42 U.S.C. 16795.	Pub. L. 109–155, title VI, § 616, Dec. 30, 2005, 119 Stat. 2934.

§ 40908. Continuation of certain education programs

From amounts appropriated to the Administration for education programs, the Administrator shall ensure the continuation of the Space Grant Program, the Experimental Program to Stimulate Competitive Research, and, consistent with the results of the review under section 614 of the National Aeronautics and Space Administration Authorization Act of 2005 (Public Law 109–155, 119 Stat. 2933), the Administration Explorer School program, to motivate and develop the next generation of explorers.

(Pub. L. 111–314, § 3, Dec. 18, 2010, 124 Stat. 3394.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
40908	42 U.S.C. 16797.	Pub. L. 109–155, title VI, § 618, Dec. 30, 2005, 119 Stat. 2934.

Editorial Notes

REFERENCES IN TEXT

Section 614 of the National Aeronautics and Space Administration Authorization Act of 2005, referred to in text, was classified to former section 16793 of Title 42, The Public Health and Welfare, and was omitted from the Code following the enactment of this title by Pub. L. 111–314.

§ 40909. Compliance with title IX of Education Amendments of 1972

To comply with title IX of the Education Amendments of 1972 (20 U.S.C. 1681 et seq.), the

Administrator shall conduct compliance reviews of at least 2 grantees annually.

(Pub. L. 111–314, § 3, Dec. 18, 2010, 124 Stat. 3394.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
40909	42 U.S.C. 16798(b).	Pub. L. 109–155, title VI, § 619(b), Dec. 30, 2005, 119 Stat. 2935.

Editorial Notes

REFERENCES IN TEXT

The Education Amendments of 1972, referred to in text, is Pub. L. 92–318, June 23, 1972, 86 Stat. 235. Title IX of the Act, known as the Patsy Takemoto Mink Equal Opportunity in Education Act, is classified principally to chapter 38 (§1681 et seq.) of Title 20, Education. For complete classification of title IX to the Code, see Short Title note set out under section 1681 of Title 20 and Tables.

Subtitle V—Programs Targeting Commercial Opportunities

CHAPTER 501—SPACE COMMERCE

SUBCHAPTER I—GENERAL

Sec.

50101. Definitions.

SUBCHAPTER II—PROMOTION OF COMMERCIAL SPACE OPPORTUNITIES

- 50111. Commercialization of Space Station.
- 50112. Promotion of United States Global Positioning System standards.
- 50113. Acquisition of space science data.
- 50114. Administration of commercial space centers.
- 50115. Sources of Earth science data.
- 50116. Commercial technology transfer program.

SUBCHAPTER III—FEDERAL ACQUISITION OF SPACE TRANSPORTATION SERVICES

- 50131. Requirement to procure commercial space transportation services.
- 50132. Acquisition of commercial space transportation services.
- [50133. Repealed.]
- 50134. Use of excess intercontinental ballistic missiles.

Editorial Notes

AMENDMENTS

2017—Pub. L. 115–10, title IV, § 416(c), Mar. 21, 2017, 131 Stat. 35, struck out item 50133 “Shuttle privatization”.

SUBCHAPTER I—GENERAL

§ 50101. Definitions

In this chapter:

(1) **COMMERCIAL PROVIDER.**—The term “commercial provider” means any person providing space transportation services or other space-related activities, primary control of which is held by persons other than Federal, State, local, and foreign governments.

(2) **PAYLOAD.**—The term “payload” means anything that a person undertakes to transport to, from, or within outer space, or in sub-orbital trajectory, by means of a space transportation vehicle, but does not include the space transportation vehicle itself except for

its components which are specifically designed or adapted for that payload.

(3) **SPACE-RELATED ACTIVITIES.**—The term “space-related activities” includes research and development, manufacturing, processing, service, and other associated and support activities.

(4) **SPACE TRANSPORTATION SERVICES.**—The term “space transportation services” means the preparation of a space transportation vehicle and its payloads for transportation to, from, or within outer space, or in suborbital trajectory, and the conduct of transporting a payload to, from, or within outer space, or in suborbital trajectory.

(5) **SPACE TRANSPORTATION VEHICLE.**—The term “space transportation vehicle” means any vehicle constructed for the purpose of operating in, or transporting a payload to, from, or within, outer space, or in suborbital trajectory, and includes any component of such vehicle not specifically designed or adapted for a payload.

(6) **STATE.**—The term “State” means each of the several States of the Union, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, and any other commonwealth, territory, or possession of the United States.

(7) **UNITED STATES COMMERCIAL PROVIDER.**—The term “United States commercial provider” means a commercial provider, organized under the laws of the United States or of a State, that is—

(A) more than 50 percent owned by United States nationals; or

(B) a subsidiary of a foreign company and the Secretary of Transportation finds that—

(i) such subsidiary has in the past evidenced a substantial commitment to the United States market through—

(I) investments in the United States in long-term research, development, and manufacturing (including the manufacture of major components and subassemblies); and

(II) significant contributions to employment in the United States; and

(ii) the country or countries in which such foreign company is incorporated or organized, and, if appropriate, in which it principally conducts its business, affords reciprocal treatment to companies described in subparagraph (A) comparable to that afforded to such foreign company’s subsidiary in the United States, as evidenced by—

(I) providing comparable opportunities for companies described in subparagraph (A) to participate in Government-sponsored research and development similar to that authorized under this chapter;

(II) providing no barriers, to companies described in subparagraph (A) with respect to local investment opportunities, that are not provided to foreign companies in the United States; and

(III) providing adequate and effective protection for the intellectual property rights of companies described in subparagraph (A).