

HISTORICAL AND REVISION NOTES—CONTINUED

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
50131(b)	42 U.S.C. 14731(b) (less last sentence).	
50131(c)	42 U.S.C. 14731(b) (last sentence).	
50131(d)	42 U.S.C. 14731(c).	
50131(e)	42 U.S.C. 14731(d).	

In subsection (d), the date “October 28, 1998” is substituted for “the date of the enactment of this Act” and for “such date” to reflect the date of enactment of the Commercial Space Act of 1998 (Public Law 105–303, 112 Stat. 2843).

Editorial Notes

AMENDMENTS

2015—Subsec. (a). Pub. L. 114–90 inserted “or in section 70102” after “in this section”.

Statutory Notes and Related Subsidiaries

NASA LAUNCH CAPABILITIES COLLABORATION

Pub. L. 115–10, title VIII, §822, Mar. 21, 2017, 131 Stat. 61, provided that:

“(a) FINDINGS.—Congress makes the following findings:

“(1) The Launch Services Program is responsible for the acquisition, management, and technical oversight of commercial launch services for NASA’s [National Aeronautics and Space Administration’s] science and robotic missions.

“(2) The Commercial Crew Program is responsible for the acquisition, management, and technical oversight of commercial crew transportation systems.

“(3) The Launch Services Program and Commercial Crew Program have worked together to gain exceptional technical insight into the contracted launch service providers that are common to both programs.

“(4) The Launch Services Program has a long history of oversight of 12 different launch vehicles and over 80 launches.

“(5) Co-location of the Launch Services Program and Commercial Crew Program has enabled the Commercial Crew Program to efficiently obtain the launch vehicle technical expertise of and provide engineering and analytical support to the Commercial Crew Program.

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

“(1) the Launch Services Program and Commercial Crew Program each benefit from communication and coordination of launch manifests, technical information, and common launch vehicle insight between the programs; and

“(2) such communication and coordination is enabled by the co-location of the programs.

“(c) IN GENERAL.—The Administrator [of the National Aeronautics and Space Administration] shall pursue a strategy for acquisition of crewed transportation services and non-crewed launch services that continues to enhance communication, collaboration, and coordination between the Launch Services Program and the Commercial Crew Program.”

LEVERAGING COMMERCIAL SATELLITE SERVICING CAPABILITIES ACROSS MISSION DIRECTORATES

Pub. L. 115–10, title VIII, §825, Mar. 21, 2017, 131 Stat. 65, provided that:

“(a) FINDINGS.—Congress makes the following findings:

“(1) Refueling and relocating aging satellites to extend their operational lifetimes is a capacity that NASA [National Aeronautics and Space Administration] will substantially benefit from and is important for lowering the costs of ongoing scientific, national security, and commercial satellite operations.

“(2) The technologies involved in satellite servicing, such as dexterous robotic arms, propellant transfer systems, and solar electric propulsion, are all critical capabilities to support a human exploration mission to Mars.

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

“(1) satellite servicing is a vital capability that will bolster the capacity and affordability of NASA’s ongoing scientific and human exploration operations while simultaneously enhancing the ability of domestic companies to compete in the global marketplace; and

“(2) future NASA satellites and spacecraft across mission directorates should be constructed in a manner that allows for servicing in order to maximize operational longevity and affordability.

“(c) LEVERAGING OF CAPABILITIES.—The Administrator [of the National Aeronautics and Space Administration] shall—

“(1) identify orbital assets in both the Science Mission Directorate and the Human Exploration and Operations Mission Directorate that could benefit from satellite servicing-related technologies; and

“(2) work across all NASA mission directorates to evaluate opportunities for the private sector to perform such services or advance technical capabilities by leveraging the technologies and techniques developed by NASA programs and other industry programs.”

§ 50132. Acquisition of commercial space transportation services

(a) TREATMENT OF COMMERCIAL SPACE TRANSPORTATION SERVICES AS COMMERCIAL SERVICE UNDER ACQUISITION LAWS.—Acquisitions of space transportation services by the Federal Government shall be carried out in accordance with applicable acquisition laws and regulations (including applicable provisions of chapters 201 through 285, 341 through 343, and 363 of title 10). For purposes of such law and regulations, space transportation services shall be considered to be a commercial service.

(b) SAFETY STANDARDS.—Nothing in this section shall be construed to prohibit the Federal Government from requiring compliance with applicable safety standards.

(Pub. L. 111–314, §3, Dec. 18, 2010, 124 Stat. 3400; Pub. L. 115–232, div. A, title VIII, §836(g)(10)(C), Aug. 13, 2018, 132 Stat. 1874; Pub. L. 117–81, div. A, title XVII, §1702(l)(10), Dec. 27, 2021, 135 Stat. 2161.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
50132	42 U.S.C. 14732.	Pub. L. 105–303, title II, §202, Oct. 28, 1998, 112 Stat. 2855.

Editorial Notes

AMENDMENTS

2021—Subsec. (a). Pub. L. 117–81 substituted “including applicable provisions of chapters 201 through 285, 341 through 343, and 363” for “including chapters 137 and 140”.

2018—Subsec. (a). Pub. L. 115–232 substituted “Commercial Service” for “Commercial Item” in heading and “commercial service” for “commercial item” in text.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 2018 AMENDMENT

Amendment by Pub. L. 115–232 effective Jan. 1, 2020, subject to a savings provision, see section 836(h) of Pub.

L. 115-232, set out as an Effective Date of 2018 Amendment; Savings Provision note under section 453b of Title 6, Domestic Security.

[§ 50133. Repealed. Pub. L. 115-10, title IV, § 416(c), Mar. 21, 2017, 131 Stat. 35]

Section, Pub. L. 111-314, § 3, Dec. 18, 2010, 124 Stat. 3400, related to shuttle privatization.

§ 50134. Use of excess intercontinental ballistic missiles

(a) IN GENERAL.—The Federal Government shall not—

(1) convert any missile described in subsection (c) to a space transportation vehicle configuration; or

(2) transfer ownership of any such missile to another person, except as provided in subsection (b).

(b) AUTHORIZED FEDERAL USES.—

(1) IN GENERAL.—A missile described in subsection (c) may be converted for use as a space transportation vehicle by the Federal Government if, except as provided in paragraph (2) and at least 30 days before such conversion, the agency seeking to use the missile as a space transportation vehicle transmits to the Committee on Armed Services and the Committee on Science and Technology of the House of Representatives, and to the Committee on Armed Services and the Committee on Commerce, Science, and Transportation of the Senate, a certification that the use of such missile—

(A) would result in cost savings to the Federal Government when compared to the cost of acquiring space transportation services from United States commercial providers;

(B) meets all mission requirements of the agency, including performance, schedule, and risk requirements;

(C) is consistent with international obligations of the United States; and

(D) is approved by the Secretary of Defense or the designee of the Secretary of Defense.

(2) EXCEPTION TO REQUIREMENT THAT CERTIFICATION BE TRANSMITTED 30 DAYS BEFORE CONVERSION.—The requirement under paragraph (1) that the certification described in that paragraph must be transmitted at least 30 days before conversion of the missile shall not apply if the Secretary of Defense determines that compliance with that requirement would be inconsistent with meeting immediate national security requirements.

(c) MISSILES REFERRED TO.—The missiles referred to in this section are missiles owned by the United States that—

(1) were formerly used by the Department of Defense for national defense purposes as intercontinental ballistic missiles; and

(2) have been declared excess to United States national defense needs and are in compliance with international obligations of the United States.

(Pub. L. 111-314, § 3, Dec. 18, 2010, 124 Stat. 3400.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
50134	42 U.S.C. 14734.	Pub. L. 105-303, title II, § 205, Oct. 28, 1998, 112 Stat. 2857; Pub. L. 106-65, div. A, title X, § 1067(21), Oct. 5, 1999, 113 Stat. 775.

In subsection (b)(1), in the matter before subparagraph (A), 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.

CHAPTER 503—COMMERCIAL REUSABLE IN-SPACE TRANSPORTATION

Sec.

50301. Definitions.

50302. Loan guarantees for production of commercial reusable in-space transportation.

§ 50301. Definitions

In this chapter:

(1) COMMERCIAL PROVIDER.—The term “commercial provider” means any person or entity providing commercial reusable in-orbit space transportation services or systems, primary control of which is held by persons other than the Federal Government, a State or local government, or a foreign government.

(2) IN-SPACE TRANSPORTATION SERVICES.—The term “in-space transportation services” means operations and activities involved in the direct transportation or attempted transportation of a payload or object from one orbit to another by means of an in-space transportation vehicle.

(3) IN-SPACE TRANSPORTATION SYSTEM.—The term “in-space transportation system” means the space and ground elements, including in-space transportation vehicles and support space systems, and ground administration and control facilities and associated equipment, necessary for the provision of in-space transportation services.

(4) IN-SPACE TRANSPORTATION VEHICLE.—The term “in-space transportation vehicle” means a vehicle designed—

(A) to be based and operated in space;

(B) to transport various payloads or objects from one orbit to another orbit; and

(C) to be reusable and refueled in space.

(5) SECRETARY.—The term “Secretary” means the Secretary of Defense.

(6) UNITED STATES COMMERCIAL PROVIDER.—The term “United States commercial provider” means any commercial provider organized under the laws of the United States that is more than 50 percent owned by United States nationals.

(Pub. L. 111-314, § 3, Dec. 18, 2010, 124 Stat. 3401.)