

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.

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#### 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).

(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)
50101 .....	42 U.S.C. 14701.	Pub. L. 105-303, § 2, Oct. 28, 1998, 112 Stat. 2843.

The definition of “Administrator” in section 2 of the Commercial Space Act of 1998 (Public Law 105-303, 112 Stat. 2843) is omitted as unnecessary because of the definition added by section 10101 of title 51.

#### Executive Documents

##### SPACE POLICY DIRECTIVE-2. STREAMLINING REGULATIONS ON COMMERCIAL USE OF SPACE

Space Policy Directive-2, May 24, 2018, 83 F.R. 24901, provided:

Memorandum for the Vice President[,] the Secretary of State[,] the Secretary of Defense[,] the Secretary of Commerce[,] the Secretary of Transportation[,] the Secretary of Homeland Security[,] the Secretary of Labor[,] the Director of National Intelligence[,] the Director of the Office of Management and Budget[,] the Assistant to the President for National Security Affairs[,] the Administrator of the National Aeronautics and Space Administration[,] the Director of the Office of Science and Technology Policy[,] the Assistant to the President for Homeland Security and Counterterrorism[, and] the Chairman of the Joint Chiefs of Staff

**SECTION 1. Policy.** It is the policy of the executive branch to be prudent and responsible when spending taxpayer funds, and to recognize how government actions, including Federal regulations, affect private resources. It is therefore important that regulations adopted and enforced by the executive branch promote economic growth; minimize uncertainty for taxpayers, investors, and private industry; protect national security, public-safety, and foreign policy interests; and encourage American leadership in space commerce.

**SEC. 2. Launch and Re-entry Licensing.** (a) No later than February 1, 2019, the Secretary of Transportation shall review regulations adopted by the Department of Transportation that provide for and govern licensing of commercial space flight launch and re-entry for consistency with the policy set forth in section 1 of this memorandum and shall rescind or revise those regulations, or publish for notice and comment proposed rules rescinding or revising those regulations, as appropriate and consistent with applicable law.

(b) Consistent with the policy set forth in section 1 of this memorandum, the Secretary of Transportation shall consider the following:

(i) requiring a single license for all types of commercial space flight launch and re-entry operations; and

(ii) replacing prescriptive requirements in the commercial space flight launch and re-entry licensing process with performance-based criteria.

(c) In carrying out the review required by subsection (a) of this section, the Secretary of Transportation shall coordinate with the members of the National Space Council.

(d) The Secretary of Defense, the Secretary of Transportation, and the Administrator of the National Aeronautics and Space Administration shall coordinate to examine all existing U.S. Government requirements, standards, and policies associated with commercial space flight launch and re-entry operations from Federal launch ranges and, as appropriate and consistent with applicable law, to minimize those requirements, except those necessary to protect public safety and national security, that would conflict with the efforts of the Secretary of Transportation in implementing the Secretary’s responsibilities under this section.

**SEC. 3. Commercial Remote Sensing.** (a) Within 90 days of the date of this memorandum [May 24, 2018], the Secretary of Commerce shall review the regulations adopt-

ed by the Department of Commerce under Title II of the Land Remote Sensing Policy Act of 1992 ([now] 51 U.S.C. 60101 *et seq.*) for consistency with the policy set forth in section 1 of this memorandum and shall rescind or revise those regulations, or publish for notice and comment proposed rules rescinding or revising those regulations, as appropriate and consistent with applicable law.

(b) In carrying out the review required by subsection (a) of this section, the Secretary of Commerce shall coordinate with the Secretary of State, the Secretary of Defense, the Administrator of the National Aeronautics and Space Administration, and, as appropriate, the Chairman of the Federal Communications Commission.

(c) Within 120 days of the date of the completion of the review required by subsection (a) of this section, the Secretary of Commerce, in coordination with the Secretary of State and the Secretary of Defense, shall transmit to the Director of the Office of Management and Budget a legislative proposal to encourage expansion of the licensing of commercial remote sensing activities. That proposal shall be consistent with the policy set forth in section 1 of this memorandum.

**SEC. 4. Reorganization of the Department of Commerce.** (a) To the extent permitted by law, the Secretary of Commerce shall consolidate in the Office of the Secretary of Commerce the responsibilities of the Department of Commerce with respect to the Department’s regulation of commercial space flight activities.

(b) Within 30 days of the date of this memorandum, the Secretary of Commerce shall transmit to the Director of the Office of Management and Budget a legislative proposal to create within the Department of Commerce an entity with primary responsibility for administering the Department’s regulation of commercial space flight activities.

**SEC. 5. Radio Frequency Spectrum.** (a) The Secretary of Commerce, in coordination with the Director of the Office of Science and Technology Policy, shall work with the Federal Communications Commission to ensure that Federal Government activities related to radio frequency spectrum are, to the extent permitted by law, consistent with the policy set forth in section 1 of this memorandum.

(b) Within 120 days of the date of this memorandum, the Secretary of Commerce and the Director of the Office of Science and Technology Policy, in consultation with the Chairman of the Federal Communications Commission, and in coordination with the members of the National Space Council, shall provide to the President, through the Executive Secretary of the National Space Council, a report on improving the global competitiveness of the United States space sector through radio frequency spectrum policies, regulation, and United States activities at the International Telecommunication Union and other multilateral forums.

**SEC. 6. Review of Export Licensing Regulations.** The Executive Secretary of the National Space Council, in coordination with the members of the National Space Council, shall:

(a) initiate a review of export licensing regulations affecting commercial space flight activity;

(b) develop recommendations to revise such regulations consistent with the policy set forth in section 1 of this memorandum and with applicable law; and

(c) submit such recommendations to the President, through the Vice President, no later than 180 days from the date of this memorandum.

**SEC. 7. General Provisions.** (a) Nothing in this memorandum shall be construed to impair or otherwise affect:

(i) the authority granted by law to an executive department or agency, or the head thereof; or

(ii) the functions of the Director of the Office of Management and Budget relating to budgetary, administrative, or legislative proposals.

(b) This memorandum shall be implemented consistent with applicable law and subject to the availability of appropriations.

(c) This memorandum is not intended to, and does not, create any right or benefit, substantive or proce-

dural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

(d) The Secretary of Transportation is authorized and directed to publish this memorandum in the Federal Register.

DONALD J. TRUMP.

## SUBCHAPTER II—PROMOTION OF COMMERCIAL SPACE OPPORTUNITIES

### § 50111. Commercialization of Space Station

(a) **POLICY.**—Congress declares that a priority goal of constructing the International Space Station is the economic development of Earth orbital space. Congress further declares that free and competitive markets create the most efficient conditions for promoting economic development, and should therefore govern the economic development of Earth orbital space. Congress further declares that the use of free market principles in operating, servicing, allocating the use of, and adding capabilities to the Space Station, and the resulting fullest possible engagement of commercial providers and participation of commercial users, will reduce Space Station operational costs for all partners and the Federal Government's share of the United States burden to fund operations.

(b) **USE OF UNITED STATES COMMERCIALY PROVIDED SERVICES.**—

(1) **IN GENERAL.**—In order to stimulate commercial use of space, help maximize the utility and productivity of the International Space Station, and enable a commercial means of providing crew transfer and crew rescue services for the International Space Station, the Administration shall—

(A) make use of United States commercially provided International Space Station crew transfer and crew rescue services to the maximum extent practicable, if those commercial services have demonstrated the capability to meet Administration-specified ascent, entry, and International Space Station proximity operations safety requirements;

(B) limit, to the maximum extent practicable, the use of the Crew Exploration Vehicle to missions carrying astronauts beyond low Earth orbit once commercial crew transfer and crew rescue services that meet safety requirements become operational;

(C) facilitate, to the maximum extent practicable, the transfer of Administration-developed technologies to potential United States commercial crew transfer and rescue service providers, consistent with United States law; and

(D) issue a notice of intent, not later than 180 days after October 15, 2008, to enter into a funded, competitively awarded Space Act Agreement with 2 or more commercial entities for a Phase 1 Commercial Orbital Transportation Services crewed vehicle demonstration program.

(2) **CONGRESSIONAL INTENT.**—It is the intent of Congress that funding for the program described in paragraph (1)(D) shall not come at the expense of full funding of the amounts au-

thorized under section 101(3)(A) of the National Aeronautics and Space Administration Authorization Act of 2008 (Public Law 110-422, 122 Stat. 4783), and for future fiscal years, for Orion Crew Exploration Vehicle development, Ares I Crew Launch Vehicle development, or International Space Station cargo delivery.

(3) **ADDITIONAL TECHNOLOGIES.**—The Administration shall make International Space Station-compatible docking adaptors and other relevant technologies available to the commercial crew providers selected to service the International Space Station.

(4) **CREW TRANSFER AND CREW RESCUE SERVICES CONTRACT.**—If a commercial provider demonstrates the capability to provide International Space Station crew transfer and crew rescue services and to satisfy Administration ascent, entry, and International Space Station proximity operations safety requirements, the Administration shall enter into an International Space Station crew transfer and crew rescue services contract with that commercial provider for a portion of the Administration's anticipated International Space Station crew transfer and crew rescue requirements from the time the commercial provider commences operations under contract with the Administration through calendar year 2016, with an option to extend the period of performance through calendar year 2020.

(c) **ISS TRANSITION PLAN.**—

(1) **IN GENERAL.**—The Administrator, in coordination with the ISS management entity (as defined in section 2 of the National Aeronautics and Space Administration Transition Authorization Act of 2017), ISS partners, the scientific user community, and the commercial space sector, shall develop a plan to transition in a step-wise approach from the current regime that relies heavily on NASA sponsorship to a regime where NASA could be one of many customers of a low-Earth orbit non-governmental human space flight enterprise.

(2) **REPORTS.**—Not later than December 1, 2017, and biennially thereafter until 2028, the Administrator shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science, Space, and Technology of the House of Representatives a report that includes—

(A) a description of the progress in achieving the Administration's deep space human exploration objectives on ISS and prospects for accomplishing future mission requirements, space exploration objectives, and other research objectives on future commercially supplied low-Earth orbit platforms or migration of those objectives to cis-lunar space;

(B) the steps NASA is taking and will take, including demonstrations that could be conducted on the ISS, to stimulate and facilitate commercial demand and supply of products and services in low-Earth orbit;

(C) an identification of barriers preventing the commercialization of low-Earth orbit, including issues relating to policy, regulations, commercial intellectual property, data, and confidentiality, that could inhibit the use of the ISS as a commercial incubator;

(D) the criteria for defining the ISS as a research success;

(E) the criteria used to determine whether the ISS is meeting the objective under section 301(b)(2) of the National Aeronautics and Space Administration Transition Authorization Act of 2017;

(F) an assessment of whether the criteria under subparagraphs (D) and (E) are consistent with the research areas defined in, and recommendations and schedules under, the current National Academies of Sciences, Engineering, and Medicine Decadal Survey on Biological and Physical Sciences in Space;

(G) any necessary contributions that ISS extension would make to enabling execution of the human exploration roadmap under section 432 of the National Aeronautics and Space Administration Transition Authorization Act of 2017;

(H) the cost estimates for operating the ISS to achieve the criteria required under subparagraphs (D) and (E) and the contributions identified under subparagraph (G);

(I) the cost estimates for extending operations of the ISS to 2024, 2028, and 2030;

(J) an evaluation of the feasible and preferred service life of the ISS beyond the period described in section 503 of the National Aeronautics and Space Administration Authorization Act of 2010 (42 U.S.C. 18353), through at least 2030, as a unique scientific, commercial, and space exploration-related facility, including—

(i) a general discussion of international partner capabilities and prospects for extending the partnership;

(ii) the cost associated with extending the service life;

(iii) an assessment on the technical limiting factors of the service life of the ISS, including a list of critical components and their expected service life and availability; and

(iv) such other information as may be necessary to fully describe the justification for and feasibility of extending the service life of the ISS, including the potential scientific or technological benefits to the Federal Government, public, or to academic or commercial entities;

(K) an identification of the necessary actions and an estimate of the costs to deorbit the ISS once it has reached the end of its service life;

(L) the impact on deep space exploration capabilities, including a crewed mission to Mars in the 2030s, if the preferred service life of the ISS is extended beyond 2024 and NASA maintains a flat budget profile; and

(M) an evaluation of the functions, roles, and responsibilities for management and operation of the ISS and a determination of—

(i) those functions, roles, and responsibilities the Federal Government should retain during the lifecycle of the ISS;

(ii) those functions, roles, and responsibilities that could be transferred to the commercial space sector;

(iii) the metrics that would indicate the commercial space sector's readiness and

ability to assume the functions, roles, and responsibilities described in clause (ii); and

(iv) any necessary changes to any agreements or other documents and the law to enable the activities described in subparagraphs (A) and (B).

(3) DEMONSTRATIONS.—If additional Government crew, power, and transportation resources are available after meeting the Administration's requirements for ISS activities defined in the human exploration roadmap and related research, demonstrations identified under paragraph (2) may—

(A) test the capabilities needed to meet future mission requirements, space exploration objectives, and other research objectives described in paragraph (2)(A); and

(B) demonstrate or test capabilities, including commercial modules or deep space habitats, Environmental Control and Life Support Systems, orbital satellite assembly, exploration space suits, a node that enables a wide variety of activity, including multiple commercial modules and airlocks, additional docking or berthing ports for commercial crew and cargo, opportunities for the commercial space sector to cost share for transportation and other services on the ISS, other commercial activities, or services obtained through alternate acquisition approaches.

(Pub. L. 111–314, § 3, Dec. 18, 2010, 124 Stat. 3396; Pub. L. 115–10, title III, § 303(c), Mar. 21, 2017, 131 Stat. 27; Pub. L. 117–167, div. B, title VII, § 10815(e), Aug. 9, 2022, 136 Stat. 1738.)

#### HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
50111(a) .....	42 U.S.C. 14711(a).	Pub. L. 105–303, title I, § 101(a), Oct. 28, 1998, 112 Stat. 2845.
50111(b) .....	42 U.S.C. 17801.	Pub. L. 110–422, title IX, § 902, Oct. 15, 2008, 122 Stat. 4805.

In subsection (b)(1)(D), 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).

#### Editorial Notes

##### REFERENCES IN TEXT

Section 101(3)(A) of the National Aeronautics and Space Administration Authorization Act of 2008, referred to in subsec. (b)(2), is section 101(3)(A) of Pub. L. 110–422, Oct. 15, 2008, 122 Stat. 4783, which was not classified to the Code.

The National Aeronautics and Space Administration Transition Authorization Act of 2017, referred to in subsec. (c)(1), (2)(E), (G), is Pub. L. 115–10, Mar. 21, 2017, 131 Stat. 18. Section 2 of the Act is set out as a note under section 10101 of this title, section 301(b)(2) of the Act is set out in a note under this section, and section 432 of the Act is set out in a note under section 20302 of this title.

##### AMENDMENTS

2022—Subsec. (c)(2). Pub. L. 117–167, § 10815(e)(1), substituted “2028” for “2023” in introductory provisions.

Subsec. (c)(2)(J). Pub. L. 117–167, § 10815(e)(2), substituted “2030” for “2028” in introductory provisions.

2017—Subsec. (c). Pub. L. 115–10 added subsec. (c).

### Statutory Notes and Related Subsidiaries

#### MAXIMIZING UTILIZATION OF ISS

Pub. L. 115–10, title III, §§ 301–303, Mar. 21, 2017, 131 Stat. 22–26, provided that:

#### “SEC. 301. OPERATION OF THE ISS.

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

“(1) after 15 years of continuous human presence in low-Earth orbit, the ISS continues to overcome challenges and operate safely;

“(2) the ISS is a unique testbed for future space exploration systems development, including long-duration space travel;

“(3) the expansion of partnerships, scientific research, and commercial applications of the ISS is essential to ensuring the greatest return on investments made by the United States and its international space partners in the development, assembly, and operations of that unique facility;

“(4) utilization of the ISS will sustain United States leadership and progress in human space exploration by—

“(A) facilitating the commercialization and economic development of low-Earth orbit;

“(B) serving as a testbed for technologies and a platform for scientific research and development; and

“(C) serving as an orbital facility enabling research upon—

“(i) the health, well-being, and performance of humans in space; and

“(ii) the development of in-space systems enabling human space exploration beyond low-Earth orbit; and

“(5) the ISS provides a platform for fundamental, microgravity, discovery-based space life and physical sciences research that is critical for enabling space exploration, protecting humans in space, increasing pathways for commercial space development that depend on advances in basic research, and contributes to advancing science, technology, engineering, and mathematics research.

“(b) OBJECTIVES.—The primary objectives of the ISS program shall be—

“(1) to achieve the long term goal and objectives under section 202 of the National Aeronautics and Space Administration Authorization Act of 2010 (42 U.S.C. 18312); and

“(2) to pursue a research program that advances knowledge and provides other benefits to the Nation.

“(c) CONTINUATION OF THE ISS.—[Amended section 18351 of Title 42, The Public Health and Welfare.]

#### “SEC. 302. TRANSPORTATION TO ISS.

“(a) FINDINGS.—Congress finds that reliance on foreign carriers for United States crew transfer is unacceptable, and the Nation’s human space flight program must acquire the capability to launch United States government astronauts on vehicles using United States rockets from United States soil as soon as is safe, reliable, and affordable to do so.

“(b) SENSE OF CONGRESS ON COMMERCIAL CREW PROGRAM AND COMMERCIAL RESUPPLY SERVICES PROGRAM.—It is the sense of Congress that—

“(1) once developed and certified to meet the Administration’s safety and reliability requirements, United States commercially provided crew transportation systems can serve as the primary means of transporting United States government astronauts and international partner astronauts to and from the ISS and serving as ISS crew rescue vehicles;

“(2) previous budgetary assumptions used by the Administration in its planning for the Commercial Crew Program assumed significantly higher funding levels than were authorized and appropriated by Congress;

“(3) credibility in the Administration’s budgetary estimates for the Commercial Crew Program can be enhanced by an independently developed cost estimate;

“(4) such credibility in budgetary estimates is an important factor in understanding program risk;

“(5) United States access to low-Earth orbit is paramount to the continued success of the ISS and ISS National Laboratory;

“(6) a stable and successful Commercial Resupply Services Program and Commercial Crew Program are critical to ensuring timely provisioning of the ISS and to reestablishing the capability to launch United States government astronauts from United States soil into orbit, ending reliance upon Russian transport of United States government astronauts to the ISS which has not been possible since the retirement of the Space Shuttle program in 2011;

“(7) NASA should build upon the success of the Commercial Orbital Transportation Services Program and Commercial Resupply Services Program that have allowed private sector companies to partner with NASA to deliver cargo and scientific experiments to the ISS since 2012;

“(8) the 21st Century Launch Complex Program has enabled significant modernization and infrastructure improvements at launch sites across the United States to support NASA’s Commercial Resupply Services Program and other civil and commercial space flight missions; and

“(9) the 21st Century Launch Complex Program should be continued in a manner that leverages State and private investments to achieve the goals of that program.

“(c) REAFFIRMATION.—Congress reaffirms—

“(1) its commitment to the use of a commercially developed, private sector launch and delivery system to the ISS for crew missions as expressed in the National Aeronautics and Space Administration Authorization Act of 2005 (Public Law 109–155; 119 Stat. 2895) [see Tables for classification], the National Aeronautics and Space Administration Authorization Act of 2008 (Public Law 110–422; 122 Stat. 4779) [see Tables for classification], and the National Aeronautics and Space Administration Authorization Act of 2010 (42 U.S.C. 18301 et seq.); and

“(2) the requirement under section 50111(b)(1)(A) of title 51, United States Code, that the Administration shall make use of United States commercially provided ISS crew transfer and crew rescue services to the maximum extent practicable.

“(d) USE OF NON-UNITED STATES HUMAN SPACE FLIGHT TRANSPORTATION CAPABILITIES.—[Amended section 18311 of Title 42.]

“(e) COMMERCIAL CREW PROGRAM.—

“(1) OBJECTIVE.—The objective of the Commercial Crew Program shall be to assist in the development and certification of commercially provided transportation that—

“(A) can carry United States government astronauts safely, reliably, and affordably to and from the ISS;

“(B) can serve as a crew rescue vehicle; and

“(C) can accomplish subparagraphs (A) and (B) as soon as practicable.

“(2) PRIMARY CONSIDERATION.—The objective described in paragraph (1) shall be the primary consideration in the acquisition strategy for the Commercial Crew Program.

“(3) SAFETY.—

“(A) IN GENERAL.—The Administrator shall protect the safety of government astronauts by ensuring that each commercially provided transportation system under this subsection meets all applicable human rating requirements in accordance with section 403(b)(1) of the National Aeronautics and Space Administration Authorization Act of 2010 (42 U.S.C. 18342(b)(1)).

“(B) LESSONS LEARNED.—Consistent with the findings and recommendations of the Columbia Acci-

dent Investigation Board, the Administration shall ensure that safety and the minimization of the probability of loss of crew are the critical priorities of the Commercial Crew Program.

“(4) COST MINIMIZATION.—The Administrator shall strive through the competitive selection process to minimize the life cycle cost to the Administration through the planned period of commercially provided crew transportation services.

“(f) COMMERCIAL CARGO PROGRAM.—[Amended section 18341 of Title 42.]

“(g) COMPETITION.—It is the policy of the United States that, to foster the competitive development, operation, improvement, and commercial availability of space transportation services, and to minimize the life cycle cost to the Administration, the Administrator shall procure services for Federal Government access to and return from the ISS, whenever practicable, via fair and open competition for well-defined, milestone-based, Federal Acquisition Regulation-based contracts under section 201(a) of the National Aeronautics and Space Administration Authorization Act of 2010 (42 U.S.C. 18311(a)).

“(h) TRANSPARENCY.—

“(1) SENSE OF CONGRESS.—It is the sense of Congress that cost transparency and schedule transparency aid in effective program management and risk assessment.

“(2) IN GENERAL.—The Administrator shall, to the greatest extent practicable and in a manner that does not add costs or schedule delays to the program, ensure all Commercial Crew Program and Commercial Resupply Services Program providers provide evidence-based support for their costs and schedules.

“(i) ISS CARGO RESUPPLY SERVICES LESSONS LEARNED.—Not later than 120 days after the date of enactment of this Act [Mar. 21, 2017], the Administrator shall submit to the appropriate committees of Congress a report that—

“(1) identifies the lessons learned to date from previous and existing Commercial Resupply Services contracts;

“(2) indicates whether changes are needed to the manner in which the Administration procures and manages similar services prior to the issuance of future Commercial Resupply Services procurement opportunities; and

“(3) identifies any lessons learned from the Commercial Resupply Services contracts that should be applied to the procurement and management of commercially provided crew transfer services to and from the ISS or to other future procurements.

“SEC. 303. ISS TRANSITION PLAN.

“(a) FINDINGS.—Congress finds that—

“(1) NASA has been both the primary supplier and consumer of human space flight capabilities and services of the ISS and in low-Earth orbit; and

“(2) according to the National Research Council report ‘Pathways to Exploration: Rationales and Approaches for a U.S. Program of Human Space Exploration’ extending ISS beyond 2020 to 2024 or 2028 will have significant negative impacts on the schedule of crewed missions to Mars, without significant increases in funding.

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

“(1) an orderly transition for United States human space flight activities in low-Earth orbit from the current regime, that relies heavily on NASA sponsorship, to a regime where NASA is one of many customers of a low-Earth orbit commercial human space flight enterprise may be necessary; and

“(2) decisions about the long-term future of the ISS impact the ability to conduct future deep space exploration activities, and that such decisions regarding the ISS should be considered in the context of the human exploration roadmap under section 432 of this Act [set out in a note under section 20302 of this title].

“(c) REPORTS.—[Amended this section.]”

[For definitions of terms used in sections 301 to 303 of Pub. L. 115–10, set out above, see section 2 of Pub. L. 115–10, set out as a note under section 10101 of this title.]

### § 50112. Promotion of United States Global Positioning System standards

In order to support and sustain the Global Positioning System in a manner that will most effectively contribute to the national security, public safety, scientific, and economic interests of the United States, Congress encourages the President to—

(1) ensure the operation of the Global Positioning System on a continuous worldwide basis free of direct user fees;

(2) enter into international agreements that promote cooperation with foreign governments and international organizations to—

(A) establish the Global Positioning System and its augmentations as an acceptable international standard; and

(B) eliminate any foreign barriers to applications of the Global Positioning System worldwide; and

(3) provide clear direction and adequate resources to the Assistant Secretary of Commerce for Communications and Information so that on an international basis the Assistant Secretary can—

(A) achieve and sustain efficient management of the electromagnetic spectrum used by the Global Positioning System; and

(B) protect that spectrum from disruption and interference.

(Pub. L. 111–314, § 3, Dec. 18, 2010, 124 Stat. 3397.)

#### HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
50112 .....	42 U.S.C. 14712(b).	Pub. L. 105–303, title I, § 104(b), Oct. 28, 1998, 112 Stat. 2852.

#### Statutory Notes and Related Subsidiaries

##### FINDING

Pub. L. 105–303, title I, § 104(a), Oct. 28, 1998, 112 Stat. 2852, provided that: “The Congress finds that the Global Positioning System, including satellites, signal equipment, ground stations, data links, and associated command and control facilities, has become an essential element in civil, scientific, and military space development because of the emergence of a United States commercial industry which provides Global Positioning System equipment and related services.”

### § 50113. Acquisition of space science data

(a) DEFINITION OF SPACE SCIENCE DATA.—In this section, the term “space science data” includes scientific data concerning—

(1) the elemental and mineralogical resources of the moon, asteroids, planets and their moons, and comets;

(2) microgravity acceleration; and

(3) solar storm monitoring.

(b) ACQUISITION FROM COMMERCIAL PROVIDERS.—The Administrator shall, to the extent possible and while satisfying the scientific or educational requirements of the Administration,

and where appropriate, of other Federal agencies and scientific researchers, acquire, where cost effective, space science data from a commercial provider.

(c) **TREATMENT OF SPACE SCIENCE DATA AS COMMERCIAL PRODUCT OR COMMERCIAL SERVICE UNDER ACQUISITION LAWS.**—Acquisitions of space science data by the Administrator 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 science data shall be considered to be a commercial product or commercial service. Nothing in this subsection shall be construed to preclude the United States from acquiring, through contracts with commercial providers, sufficient rights in data to meet the needs of the scientific and educational community or the needs of other government activities.

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

(e) **LIMITATION.**—This section does not authorize the Administration to provide financial assistance for the development of commercial systems for the collection of space science data.

(Pub. L. 111–314, § 3, Dec. 18, 2010, 124 Stat. 3397; Pub. L. 115–232, div. A, title VIII, § 836(g)(10)(A), 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>
50113 .....	42 U.S.C. 14713.	Pub. L. 105–303, title I, § 105, Oct. 28, 1998, 112 Stat. 2852.

#### Editorial Notes

##### AMENDMENTS

2021—Subsec. (c). 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. (c). Pub. L. 115–232 substituted “Commercial Product or Commercial Service” for “Commercial Item” in heading and “commercial product or 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.

#### § 50114. Administration of commercial space centers

The Administrator shall administer the Commercial Space Center program in a coordinated manner from Administration headquarters in Washington, D.C.

(Pub. L. 111–314, § 3, Dec. 18, 2010, 124 Stat. 3398.)

#### HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
50114 .....	42 U.S.C. 14714.	Pub. L. 105–303, title I, § 106, Oct. 28, 1998, 112 Stat. 2853.

#### § 50115. Sources of Earth science data

(a) **ACQUISITION.**—The Administrator shall, to the extent possible and while satisfying the scientific or educational requirements of the Administration, and where appropriate, of other Federal agencies and scientific researchers, acquire, where cost-effective, space-based and airborne Earth remote sensing data, services, distribution, and applications from a commercial provider.

(b) **TREATMENT AS COMMERCIAL PRODUCT OR COMMERCIAL SERVICE UNDER ACQUISITION LAWS.**—Acquisitions by the Administrator of the data, services, distribution, and applications referred to in subsection (a) 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, such data, services, distribution, and applications shall be considered to be a commercial product or commercial service. Nothing in this subsection shall be construed to preclude the United States from acquiring, through contracts with commercial providers, sufficient rights in data to meet the needs of the scientific and educational community or the needs of other government activities.

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

(d) **ADMINISTRATION AND EXECUTION.**—This section shall be carried out as part of the Commercial Remote Sensing Program at the Stennis Space Center.

(Pub. L. 111–314, § 3, Dec. 18, 2010, 124 Stat. 3398; Pub. L. 115–232, div. A, title VIII, § 836(g)(10)(B), 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>
50115(a) .....	42 U.S.C. 14715(a).	Pub. L. 105–303, title I, § 107(a), (b), (d), (e), Oct. 28, 1998, 112 Stat. 2853, 2854.
50115(b) .....	42 U.S.C. 14715(b).	
50115(c) .....	42 U.S.C. 14715(d).	
50115(d) .....	42 U.S.C. 14715(e).	

#### Editorial Notes

##### AMENDMENTS

2021—Subsec. (b). 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. (b). Pub. L. 115–232, in heading, substituted “Commercial Product or Commercial Service” for “Commercial Item” and, in text, substituted “commercial product or commercial service” for “commercial item”.

**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.

**§ 50116. Commercial technology transfer program**

(a) **IN GENERAL.**—The Administrator shall execute a commercial technology transfer program with the goal of facilitating the exchange of services, products, and intellectual property between the Administration and the private sector. This program shall place at least as much emphasis on encouraging the transfer of Administration technology to the private sector (“spinning out”) as on encouraging use of private sector technology by the Administration. This program shall be maintained in a manner that provides clear benefits for the Administration, the domestic economy, and the research community, while protecting national security.

(b) **PROGRAM STRUCTURE.**—In carrying out the program described in subsection (a), the Administrator shall provide program participants with at least 45 days notice of any proposed changes to the structure of the Administration’s technology transfer and commercialization organizations that is in effect as of December 30, 2005.

(Pub. L. 111-314, § 3, Dec. 18, 2010, 124 Stat. 3399; Pub. L. 115-10, title VIII, § 829, Mar. 21, 2017, 131 Stat. 66.)

**HISTORICAL AND REVISION NOTES**

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
50116 .....	42 U.S.C. 16811.	Pub. L. 109-155, title VI, § 621, Dec. 30, 2005, 119 Stat. 2935.

This section restates provisions originally enacted as part of the National Aeronautics and Space Administration Authorization Act of 2005 (Public Law 109-155, 119 Stat. 2895), and not as part of the Commercial Space Act of 1998 (Public Law 105-303, 112 Stat. 2843), which is generally restated in this chapter.

In subsection (a), in the last sentence, the word “Administration” is substituted for “agency” for clarity and because of the definition of “Administration” added by section 10101 of title 51.

In subsection (b), 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).

**Editorial Notes****AMENDMENTS**

2017—Subsec. (a). Pub. L. 115-10 inserted “, while protecting national security” after “research community”.

**SUBCHAPTER III—FEDERAL ACQUISITION OF SPACE TRANSPORTATION SERVICES****§ 50131. Requirement to procure commercial space transportation services**

(a) **IN GENERAL.**—Except as otherwise provided in this section or in section 70102, the Federal Government shall acquire space transportation

services from United States commercial providers whenever such services are required in the course of its activities. To the maximum extent practicable, the Federal Government shall plan missions to accommodate the space transportation services capabilities of United States commercial providers.

(b) **EXCEPTIONS.**—The Federal Government shall not be required to acquire space transportation services under subsection (a) if, on a case-by-case basis, the Administrator or, in the case of a national security issue, the Secretary of the Air Force, determines that—

(1) a payload requires the unique capabilities of the space shuttle;

(2) cost effective space transportation services that meet specific mission requirements would not be reasonably available from United States commercial providers when required;

(3) the use of space transportation services from United States commercial providers poses an unacceptable risk of loss of a unique scientific opportunity;

(4) the use of space transportation services from United States commercial providers is inconsistent with national security objectives;

(5) the use of space transportation services from United States commercial providers is inconsistent with international agreements for international collaborative efforts relating to science and technology;

(6) it is more cost effective to transport a payload in conjunction with a test or demonstration of a space transportation vehicle owned by the Federal Government; or

(7) a payload can make use of the available cargo space on a space shuttle mission as a secondary payload, and such payload is consistent with the requirements of research, development, demonstration, scientific, commercial, and educational programs authorized by the Administrator.

(c) **AGREEMENTS WITH FOREIGN ENTITIES.**—Nothing in this section shall prevent the Administrator from planning or negotiating agreements with foreign entities for the launch of Federal Government payloads for international collaborative efforts relating to science and technology.

(d) **DELAYED EFFECT.**—Subsection (a) shall not apply to space transportation services and space transportation vehicles acquired or owned by the Federal Government before October 28, 1998, or with respect to which a contract for such acquisition or ownership has been entered into before October 28, 1998.

(e) **HISTORICAL PURPOSES.**—This section shall not be construed to prohibit the Federal Government from acquiring, owning, or maintaining space transportation vehicles solely for historical display purposes.

(Pub. L. 111-314, § 3, Dec. 18, 2010, 124 Stat. 3399; Pub. L. 114-90, title I, § 117(b)(3), Nov. 25, 2015, 129 Stat. 718.)

**HISTORICAL AND REVISION NOTES**

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
50131(a) .....	42 U.S.C. 14731(a).	Pub. L. 105-303, title II, § 201, Oct. 28, 1998, 112 Stat. 2854.



## 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.)