

upmass and downmass capabilities to utilize the ISS research capacity, as available. The Administrator may allocate additional capacity to the ISS national laboratory should such capacity be in excess of NASA research requirements.

(2) Additional research capabilities

If any NASA research plan is determined to require research capacity onboard the ISS beyond the percentage allocated under paragraph (1), such research plan shall be prepared in the form of a requested research opportunity to be submitted to the process established under this section for the consideration of proposed research within the capacity allocated to the ISS national laboratory. A proposal for such a research plan may include the establishment of partnerships with non-NASA institutions eligible to propose research to be conducted within the ISS national laboratory capacity. Until at least September 30, 2030, the official or employee designated under subsection (b) may grant an exception to this requirement in the case of a proposed experiment considered essential for purposes of preparing for exploration beyond low-Earth orbit, as determined by joint agreement between the organization with which the Administrator enters into a cooperative agreement under subsection (a) and the official or employee designated under subsection (b).

(3) Research priorities and enhanced capacity

The organization with which the Administrator enters into the cooperative agreement shall consider recommendations of the National Academies Decadal Survey on Biological and Physical Sciences in Space in establishing research priorities and in developing proposed enhancements of research capacity and opportunities for the ISS national laboratory.

(4) Responsibility for research payload

NASA shall retain its roles and responsibilities in providing research payload physical, analytical, and operations integration during pre-flight, post-flight, transportation, and orbital phases essential to ensure safe and effective flight readiness and vehicle integration of research activities approved and prioritized by the organization with which the Administrator enters into the cooperative agreement and the official or employee designated under subsection (b).

(Pub. L. 111-267, title V, §504, Oct. 11, 2010, 124 Stat. 2825; Pub. L. 114-90, title I, §114(b)(3), Nov. 25, 2015, 129 Stat. 716; Pub. L. 117-167, div. B, title VII, §10815(c), Aug. 9, 2022, 136 Stat. 1738.)

Editorial Notes

CODIFICATION

In subsec. (c)(3), “section 70906 of title 51” substituted for “section 602 of the National Aeronautics and Space Administration Authorization Act of 2008 (42 U.S.C. 17752)” on authority of Pub. L. 111-314, §5(e), Dec. 18, 2010, 124 Stat. 3443, which Act enacted Title 51, National and Commercial Space Programs.

AMENDMENTS

2022—Subsec. (d)(1). Pub. L. 117-167, §10815(c)(1), substituted “The ISS” for “As soon as practicable after

October 11, 2010, but not later than October 1, 2011, ISS” and “September 30, 2030” for “September 30, 2024”.

Subsec. (d)(2). Pub. L. 117-167, §10815(c)(2), substituted “September 30, 2030” for “September 30, 2024”.

2015—Subsec. (d)(1), (2). Pub. L. 114-90 substituted “at least September 30, 2024” for “September 30, 2020”.

**SUBCHAPTER V—SPACE SHUTTLE
RETIREMENT AND TRANSITION**

§ 18361. Sense of Congress on the Space Shuttle program

(a) Findings

Congress makes the following findings:

(1) The Space Shuttle program represents a national asset consisting of critical skills and capabilities, including the ability to lift large payloads into space and return them to Earth.

(2) The Space Shuttle has carried more than 355 people from 16 nations into space.

(3) The Space Shuttle has projected the best of American values around the world, and Space Shuttle crews have sparked the imagination and dreams of the world’s youth and young at heart.

(b) Sense of Congress

It is the sense of Congress that—

(1) it is essential that the retirement of the Space Shuttle and the transition to new human space flight capabilities be done in a manner that builds upon the legacy of this national asset; and

(2) it is imperative for the United States to retain the skills and the industrial capability to provide a follow-on Space Launch System that is primarily designed for missions beyond near-Earth space, while offering some potential for supplanting shuttle delivery capabilities to low-Earth orbit, particularly in support of ISS requirements, if necessary.

(Pub. L. 111-267, title VI, §601, Oct. 11, 2010, 124 Stat. 2828.)

§ 18362. Retirement of Space Shuttle orbiters and transition of Space Shuttle program

(a) In general

The Administrator shall retire the Space Shuttle orbiters pursuant to a schedule established by the Administrator and in a manner consistent with provisions of this chapter regarding potential requirements for contingency utilization of Space Shuttle orbiters for ISS requirements.

(b) Utilization of workforce and assets in follow-on Space Launch System

(1) Utilization of vehicle assets

In carrying out subsection (a), the Administrator shall, to the maximum extent practicable, utilize workforce, assets, and infrastructure of the Space Shuttle program in efforts relating to the initiation of a follow-on Space Launch System developed pursuant to section 18322 of this title.

(2) Other assets

With respect to the workforce, assets, and infrastructure not utilized as described in paragraph (1), the Administrator shall work closely with other departments and agencies

of the Federal Government, and the private sector, to divest unneeded assets and to assist displaced workers with retraining and other placement efforts. Amounts authorized to be appropriated by section 101(2)(B)¹ shall be available for activities pursuant to this paragraph.

(Pub. L. 111-267, title VI, §602, Oct. 11, 2010, 124 Stat. 2828.)

Editorial Notes

REFERENCES IN TEXT

Section 101(2)(B), referred to in subsec. (b)(2), is Pub. L. 111-267, title I, §101(2)(B), Oct. 11, 2010, 124 Stat. 2809, which is not classified to the Code.

§ 18363. Disposition of orbiter vehicles

(a) In general

Upon the termination of the Space Shuttle program as provided in section 18362 of this title, the Administrator shall decommission any remaining Space Shuttle orbiter vehicles according to established safety and historic preservation procedures prior to their designation as surplus government property. The orbiter vehicles shall be made available and located for display and maintenance through a competitive procedure established pursuant to the disposition plan developed under section 613(a) of the National Aeronautics and Space Administration Authorization Act of 2008 (42 U.S.C. 17761(a)),¹ with priority consideration given to eligible applicants meeting all conditions of that plan which would provide for the display and maintenance of orbiters at locations with the best potential value to the public, including where the location of the orbiters can advance educational opportunities in science, technology, engineering, and mathematics disciplines, and with an historical relationship with either the launch, flight operations, or processing of the Space Shuttle orbiters or the retrieval of NASA manned space vehicles, or significant contributions to human space flight. The Smithsonian Institution, which, as of October 11, 2001, houses the Space Shuttle Enterprise, shall determine any new location for the Enterprise.

(b) Display and maintenance

The orbiter vehicles made available under subsection (a) shall be displayed and maintained through agreements and procedures established pursuant to section 613(a) of the National Aeronautics and Space Administration Authorization Act of 2008 (42 U.S.C. 17761(a)).¹

(c) Authorization of appropriations

There are authorized to be appropriated to NASA such sums as may be necessary to carry out this section. The amounts authorized to be appropriated by this subsection shall be in addition to any amounts authorized to be appropriated by title I, and may be requested by the President as supplemental requirements, if needed, in the appropriate fiscal years.

(Pub. L. 111-267, title VI, §603, Oct. 11, 2010, 124 Stat. 2829.)

¹ See References in Text note below.

¹ See References in Text note below.

Editorial Notes

REFERENCES IN TEXT

Section 613(a) of the National Aeronautics and Space Administration Authorization Act of 2008, referred to in subsecs. (a) and (b), is section 613(a) of Pub. L. 110-422, formerly classified to section 17761(a) of this title, which was transferred and is set out as a note under section 70501 of Title 51, National and Commercial Space Programs.

Title I, referred to in subsec. (c), is title I of Pub. L. 111-267, Oct. 11, 2010, 124 Stat. 2809, which is not classified to the Code.

SUBCHAPTER VI—EARTH SCIENCE

§ 18371. Interagency collaboration implementation approach

The Director of OSTP shall establish a mechanism to ensure greater coordination of the research, operations, and activities relating to civilian Earth observation of those Agencies, including NASA, that have active programs that either contribute directly or indirectly to these areas. This mechanism should include the development of a strategic implementation plan that is updated at least every 3 years, and includes a process for external independent advisory input. This plan should include a description of the responsibilities of the various Agency roles in Earth observations, recommended cost-sharing and procurement arrangements between Agencies and other entities, including international arrangements, and a plan for ensuring the provision of sustained, long term space-based climate observations. The Director shall provide a report to Congress within 90 days after October 11, 2010, on the implementation plan for this mechanism.

(Pub. L. 111-267, title VII, §702, Oct. 11, 2010, 124 Stat. 2830.)

§ 18372. Transitioning experimental research to operations

The Administrator shall coordinate with the Administrator of NOAA and the Director of the United States Geological Survey to establish a formal mechanism that plans, coordinates, and supports the transitioning of NASA research findings, assets, and capabilities to NOAA operations and United States Geological Survey operations. In defining this mechanism, NASA should consider the establishment of a formal or informal Interagency Transition Office. The Administrator of NASA shall provide an implementation plan for this mechanism to Congress within 90 days after October 11, 2010.

(Pub. L. 111-267, title VII, §703, Oct. 11, 2010, 124 Stat. 2830.)

§ 18373. Decadal Survey missions implementation for Earth observation

The Administrator shall undertake to implement, as appropriate, missions identified in the National Research Council's Earth Science Decadal Survey within the scope of the funds authorized for the Earth Science Mission Directorate.

(Pub. L. 111-267, title VII, §704, Oct. 11, 2010, 124 Stat. 2831.)