

“(b) AWARDS.—At least 75 percent of the amount appropriated for Technology and Commercialization under section 101(b)(4) [114 Stat. 1581] for any fiscal year shall be awarded through broadly distributed announcements of opportunity that solicit proposals from educational institutions, industry, nonprofit institutions, National Aeronautics and Space Administration Centers, the Jet Propulsion Laboratory, other Federal agencies, and other interested organizations, and that allow partnerships among any combination of those entities, with evaluation, prioritization, and recommendations made by external peer review panels.

“(c) PLAN.—The Administrator shall provide to the Committee on Science [now Committee on Science, Space, and Technology] of the House of Representatives and to the Committee on Commerce, Science, and Transportation of the Senate, not later than December 1, 2000, a plan to implement the program established under subsection (a).”

§ 70507. Technology development

The Administrator shall establish an intra-Directorate long-term technology development program for space and Earth science within the Science Mission Directorate for the development of new technology. The program shall be independent of the flight projects under development. The Administration shall have a goal of funding the intra-Directorate technology development program at a level of 5 percent of the total Science Mission Directorate annual budget. The program shall be structured to include competitively awarded grants and contracts.

(Pub. L. 111-314, § 3, Dec. 18, 2010, 124 Stat. 3431.)

HISTORICAL AND REVISION NOTES

Table with 3 columns: Revised Section, Source (U.S. Code), Source (Statutes at Large). Row 70507: 42 U.S.C. 17741, Pub. L. 110-422, title V, § 501, Oct. 15, 2008, 122 Stat. 4791.

§ 70508. Robotic or human servicing of spacecraft

The Administrator shall take all necessary steps to ensure that provision is made in the design and construction of all future observatory-class scientific spacecraft intended to be deployed in Earth orbit or at a Lagrangian point in space for robotic or human servicing and repair to the extent practicable and appropriate.

(Pub. L. 111-314, § 3, Dec. 18, 2010, 124 Stat. 3432.)

HISTORICAL AND REVISION NOTES

Table with 3 columns: Revised Section, Source (U.S. Code), Source (Statutes at Large). Row 70508: 42 U.S.C. 17742, Pub. L. 110-422, title V, § 502, Oct. 15, 2008, 122 Stat. 4791.

CHAPTER 707—HUMAN SPACE FLIGHT INDEPENDENT INVESTIGATION COMMISSION

- Sec. 70701. Definitions. 70702. Establishment of Commission. 70703. Tasks of Commission. 70704. Composition of Commission. 70705. Powers of Commission. 70706. Public meetings, information, and hearings. 70707. Staff of Commission. 70708. Compensation and travel expenses. 70709. Security clearances for Commission members and staff. 70710. Reporting requirements and termination.

§ 70701. Definitions

In this chapter:

(1) COMMISSION.—The term “Commission” means a Commission established under this chapter.

(2) INCIDENT.—The term “incident” means either an accident or a deliberate act.

(Pub. L. 111-314, § 3, Dec. 18, 2010, 124 Stat. 3432.)

HISTORICAL AND REVISION NOTES

Table with 3 columns: Revised Section, Source (U.S. Code), Source (Statutes at Large). Row 70701: 42 U.S.C. 16841, Pub. L. 109-155, title VIII, § 821, Dec. 30, 2005, 119 Stat. 2941.

§ 70702. Establishment of Commission

(a) ESTABLISHMENT.—The President shall establish an independent, nonpartisan Commission within the executive branch to investigate any incident that results in the loss of—

- (1) a space shuttle; (2) the International Space Station or its operational viability; (3) any other orbital or suborbital space vehicle carrying humans that is— (A) owned by the Federal Government; or (B) being used pursuant to a contract or Space Act Agreement with the Federal Government for carrying a government astronaut or a researcher funded by the Federal Government; or

(4) a crew member or passenger of any space vehicle described in this subsection.

(b) DEADLINE FOR ESTABLISHMENT.—The President shall establish a Commission within 7 days after an incident specified in subsection (a).

(c) DEFINITIONS.—In this section:

(1) GOVERNMENT ASTRONAUT.—The term “government astronaut” has the meaning given the term in section 50902.

(2) SPACE ACT AGREEMENT.—The term “Space Act Agreement” means an agreement entered into by the Administration pursuant to its other transactions authority under section 20113(e).

(Pub. L. 111-314, § 3, Dec. 18, 2010, 124 Stat. 3432; Pub. L. 115-10, title VIII, § 838, Mar. 21, 2017, 131 Stat. 71.)

HISTORICAL AND REVISION NOTES

Table with 3 columns: Revised Section, Source (U.S. Code), Source (Statutes at Large). Row 70702: 42 U.S.C. 16842, Pub. L. 109-155, title VIII, § 822, Dec. 30, 2005, 119 Stat. 2941.

Editorial Notes

AMENDMENTS

2017—Subsec. (a)(3). Pub. L. 115-10, § 838(1), amended par. (3) generally. Prior to amendment, par. (3) read as follows: “any other United States space vehicle carrying humans that is owned by the Federal Government or that is being used pursuant to a contract with the Federal Government; or”.

Subsec. (c). Pub. L. 115-10, § 838(2), added subsec. (c).

§ 70703. Tasks of Commission

A Commission established pursuant to this chapter shall, to the extent possible, undertake the following tasks:

- (1) INVESTIGATION.—Investigate the incident.
- (2) CAUSE.—Determine the cause of the incident.
- (3) CONTRIBUTING FACTORS.—Identify all contributing factors to the cause of the incident.
- (4) RECOMMENDATIONS.—Make recommendations for corrective actions.
- (5) ADDITIONAL FINDINGS OR RECOMMENDATIONS.—Provide any additional findings or recommendations deemed by the Commission to be important, whether or not they are related to the specific incident under investigation.
- (6) REPORT.—Prepare a report to Congress, the President, and the public.

(Pub. L. 111-314, § 3, Dec. 18, 2010, 124 Stat. 3432.)

HISTORICAL AND REVISION NOTES

| Revised Section | Source (U.S. Code) | Source (Statutes at Large) |
|-----------------|--------------------|--|
| 70703 | 42 U.S.C. 16843. | Pub. L. 109-155, title VIII, § 823, Dec. 30, 2005, 119 Stat. 2941. |

§ 70704. Composition of Commission

(a) NUMBER OF COMMISSIONERS.—A Commission established pursuant to this chapter shall consist of 15 members.

(b) SELECTION.—The members of a Commission shall be chosen in the following manner:

(1) APPOINTMENT BY PRESIDENT.—The President shall appoint the members, and shall designate the Chairman and Vice Chairman of the Commission from among its members.

(2) LISTS PROVIDED BY LEADERS OF CONGRESS.—The majority leader of the Senate, the minority leader of the Senate, the Speaker of the House of Representatives, and the minority leader of the House of Representatives shall each provide to the President a list of candidates for membership on the Commission. The President may select one of the candidates from each of the 4 lists for membership on the Commission.

(3) PROHIBITION REGARDING FEDERAL OFFICERS AND EMPLOYEES AND MEMBERS OF CONGRESS.—No officer or employee of the Federal Government or Member of Congress shall serve as a member of the Commission.

(4) PROHIBITION REGARDING CONTRACTORS.—No member of the Commission shall have, or have pending, a contractual relationship with the Administration.

(5) PROHIBITION REGARDING CONFLICT OF INTEREST.—The President shall not appoint any individual as a member of a Commission under this section who has a current or former relationship with the Administrator that the President determines would constitute a conflict of interest.

(6) EXPERIENCE.—To the extent practicable, the President shall ensure that the members of the Commission include some individuals with experience relative to human carrying spacecraft, as well as some individuals with investigative experience and some individuals with legal experience.

(7) DIVERSITY.—To the extent practicable, the President shall seek diversity in the membership of the Commission.

(c) DEADLINE FOR APPOINTMENT.—All members of a Commission established under this chapter

shall be appointed no later than 30 days after the incident.

(d) INITIAL MEETING.—A Commission shall meet and begin operations as soon as practicable.

(e) SUBSEQUENT MEETINGS.—After its initial meeting, a Commission shall meet upon the call of the Chairman or a majority of its members.

(f) QUORUM.—Eight members of a Commission shall constitute a quorum.

(g) VACANCIES.—Any vacancy in a Commission shall not affect its powers, but shall be filled in the same manner in which the original appointment was made.

(Pub. L. 111-314, § 3, Dec. 18, 2010, 124 Stat. 3433.)

HISTORICAL AND REVISION NOTES

| Revised Section | Source (U.S. Code) | Source (Statutes at Large) |
|-----------------|--|--|
| 70704(a) | 42 U.S.C. 16844(a). | Pub. L. 109-155, title VIII, § 824, Dec. 30, 2005, 119 Stat. 2942. |
| 70704(b) | 42 U.S.C. 16844(b). | |
| 70704(c) | 42 U.S.C. 16844(c). | |
| 70704(d) | 42 U.S.C. 16844(d). | |
| 70704(e) | 42 U.S.C. 16844(e) (1st sentence). | |
| 70704(f) | 42 U.S.C. 16844(e) (2d sentence). | |
| 70704(g) | 42 U.S.C. 16844(e) (last sentence). | |

§ 70705. Powers of Commission

(a) HEARINGS AND EVIDENCE.—A Commission or, on the authority of the Commission, any subcommittee or member thereof, may, for the purpose of carrying out this chapter—

(1) hold such hearings and sit and act at such times and places, take such testimony, receive such evidence, administer such oaths; and

(2) require, by subpoena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memoranda, papers, and documents,

as the Commission or such designated subcommittee or member may determine advisable.

(b) CONTRACTING.—A Commission may, to such extent and in such amounts as are provided in appropriation Acts, enter into contracts to enable the Commission to discharge its duties under this chapter.

(c) INFORMATION FROM FEDERAL AGENCIES.—

(1) IN GENERAL.—A Commission may secure directly from any executive department, bureau, agency, board, commission, office, independent establishment, or instrumentality of the Government, information, suggestions, estimates, and statistics for the purposes of this chapter. Each department, bureau, agency, board, commission, office, independent establishment, or instrumentality shall, to the extent authorized by law, furnish such information, suggestions, estimates, and statistics directly to the Commission, upon request made by the Chairman, the chairman of any subcommittee created by a majority of the Commission, or any member designated by a majority of the Commission.

(2) RECEIPT, HANDLING, STORAGE, AND DISSEMINATION.—Information shall only be received, handled, stored, and disseminated by members of the Commission and its staff con-