

under this chapter without the appropriate security clearances.

(Pub. L. 111–314, § 3, Dec. 18, 2010, 124 Stat. 3435.)

HISTORICAL AND REVISION NOTES

| Revised Section | Source (U.S. Code) | Source (Statutes at Large) |
|-----------------|--------------------|--|
| 70709 | 42 U.S.C. 16849. | Pub. L. 109–155, title VIII, § 829, Dec. 30, 2005, 119 Stat. 2944. |

§ 70710. Reporting requirements and termination

(a) INTERIM REPORTS.—A Commission may submit to the President and Congress interim reports containing such findings, conclusions, and recommendations for corrective actions as have been agreed to by a majority of Commission members.

(b) FINAL REPORT.—A Commission shall submit to the President and Congress, and make concurrently available to the public, a final report containing such findings, conclusions, and recommendations for corrective actions as have been agreed to by a majority of Commission members. Such report shall include any minority views or opinions not reflected in the majority report.

(c) TERMINATION.—

(1) IN GENERAL.—A Commission, and all the authorities of this chapter with respect to that Commission, shall terminate 60 days after the date on which the final report is submitted under subsection (b).

(2) ADMINISTRATIVE ACTIVITIES BEFORE TERMINATION.—A Commission may use the 60-day period referred to in paragraph (1) for the purpose of concluding its activities, including providing testimony to committees of Congress concerning its reports and disseminating the final report.

(Pub. L. 111–314, § 3, Dec. 18, 2010, 124 Stat. 3436.)

HISTORICAL AND REVISION NOTES

| Revised Section | Source (U.S. Code) | Source (Statutes at Large) |
|-----------------|--------------------|--|
| 70710 | 42 U.S.C. 16850. | Pub. L. 109–155, title VIII, § 830, Dec. 30, 2005, 119 Stat. 2944. |

CHAPTER 709—INTERNATIONAL SPACE STATION

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| Sec. | |
| 70901. | Peaceful uses of space station. |
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| 70907. | Maintaining use through at least 2030. |

Editorial Notes

AMENDMENTS

2022—Pub. L. 117–167, div. B, title VII, § 10815(d)(2), Aug. 9, 2022, 136 Stat. 1738, substituted “Maintaining use through at least 2030.” for “Maintaining use through at least 2024.” in item 70907.

2015—Pub. L. 114–90, title I, § 114(b)(5)(B), Nov. 25, 2015, 129 Stat. 716, substituted “Maintaining use through at

least 2024.” for “Maintaining use through at least 2020.” in item 70907.

§ 70901. Peaceful uses of space station

No civil space station authorized under section 103(a)(1) of the National Aeronautics and Space Administration Authorization Act, Fiscal Year 1991 (Public Law 101–611, 104 Stat. 3190) may be used to carry or place in orbit any nuclear weapon or any other weapon of mass destruction, to install any such weapon on any celestial body, or to station any such weapon in space in any other manner. This civil space station may be used only for peaceful purposes.

(Pub. L. 111–314, § 3, Dec. 18, 2010, 124 Stat. 3436.)

HISTORICAL AND REVISION NOTES

| Revised Section | Source (U.S. Code) | Source (Statutes at Large) |
|-----------------|-----------------------------|---|
| 70901 | (not previously classified) | Pub. L. 101–611, title I, § 123, Nov. 16, 1990, 104 Stat. 3204. |

The words “the National Aeronautics and Space Administration Authorization Act, Fiscal Year 1991 (Public Law 101–611, 104 Stat. 3190)” are substituted for “this Act” to clarify the reference.

Editorial Notes

REFERENCES IN TEXT

Section 103(a)(1) of the National Aeronautics and Space Administration Authorization Act, Fiscal Year 1991 (Public Law 101–611, 104 Stat. 3190), referred to in text, is not classified to the Code.

Statutory Notes and Related Subsidiaries

PRIORITIES FOR INTERNATIONAL SPACE STATION

Pub. L. 117–167, div. B, title VII, § 10816, Aug. 9, 2022, 136 Stat. 1739, provided that:

“(a) IN GENERAL.—The Administrator [of the National Aeronautics and Space Administration] shall assess International Space Station research activities and shall ensure that crew time and resources allocated to the [National Aeronautics and Space] Administration for use on the International Space Station prioritize—

“(1) the research of the Human Research Program, including research on and development of countermeasures relevant to reducing human health and performance risks, behavioral and psychological risks, and other astronaut safety risks related to long-duration human spaceflight;

“(2) risk reduction activities relevant to exploration technologies, including for the Environmental Control and Life Support System, extravehicular activity and space suits, environmental monitoring, safety, emergency response, and deep space communications;

“(3) the advancement of United States leadership in basic and applied space life and physical science research, consistent with the priorities of the most recent space life and physical sciences decadal survey of the National Academies of Sciences, Engineering, and Medicine; and

“(4) other research and development activities identified by the Administrator as essential to Moon to Mars activities.

“(b) REPORTS.—

“(1) ASSESSMENT AND PRIORITIZATION.—Not later than 180 days after the date of the enactment of this Act [Aug. 9, 2022], the Administrator shall submit to the appropriate committees of Congress [Committee on Commerce, Science, and Transportation of the Senate and Committee on Science, Space, and Technology of the House of Representatives] a report on—

“(A) the assessment; and

“(B) the steps taken to achieve the prioritization required by subsection (a).

“(2) SPACE FLIGHT PARTICIPANTS.—Not later than 120 days after the date of the enactment of this Act, the Administrator shall submit to the appropriate committees of Congress a report on measures taken, with respect to space flight participants aboard the ISS [International Space Station], to ensure government astronaut safety, to avoid interference in ISS operations and research priorities, and to prevent undue demands on crew time and resources.

“(3) ANNUAL PROGRESS REPORTS.—Concurrent with the annual budget submission of the President to Congress under section 1105(a) of title 31, United States Code, the Administrator shall provide to the appropriate committees of Congress an annual accounting of the use of Administration crew time and ISS resources, including the allocation of such resources toward the priorities described in subsection (a).”

[For definitions of “deep space”, “space flight participant”, and “government astronaut” as used in section 10816 of Pub. L. 117-167, set out above, see section 10802 of Pub. L. 117-167, set out as a Definitions note under section 10101 of this title.]

INTERNATIONAL SPACE STATION

Pub. L. 110-69, title II, §2006, Aug. 9, 2007, 121 Stat. 584, provided that:

“(a) SENSE OF CONGRESS.—It is the sense of Congress that the International Space Station National Laboratory offers unique opportunities for educational activities and provides a unique resource for research and development in science, technology, and engineering, which can enhance the global competitiveness of the United States.

“(b) DEVELOPMENT OF EDUCATIONAL PROJECTS.—The Administrator of the National Aeronautics and Space Administration shall develop a detailed plan for implementation of 1 or more education projects that utilize the resources offered by the International Space Station. In developing any detailed plan according to this paragraph, the Administrator shall make use of the findings and recommendations of the International Space Station National Laboratory Education Concept Development Task Force.

“(c) DEVELOPMENT OF RESEARCH PLANS FOR COMPETITIVENESS ENHANCEMENT.—The Administrator shall develop a detailed plan for identification and support of research to be conducted aboard the International Space Station, which offers the potential for enhancement of United States competitiveness in science, technology, and engineering. In developing any detailed plan pursuant to this subsection, the Administrator shall consult with agencies and entities with which cooperative agreements have been reached regarding utilization of International Space Station National Laboratory facilities.”

Pub. L. 106-391, title II, §§201-203, 205, Oct. 30, 2000, 114 Stat. 1586-1590, as amended by Pub. L. 108-271, §8(b), July 7, 2004, 118 Stat. 814; Pub. L. 109-155, title II, §207(b), title VII, §706(a), Dec. 30, 2005, 119 Stat. 2916, 2937, provided that:

“SEC. 201. INTERNATIONAL SPACE STATION CONTINGENCY PLAN.

“(a) BIMONTHLY REPORTING ON RUSSIAN STATUS.—Not later than the first day of the first month beginning more than 60 days after the date of the enactment of this Act [Oct. 30, 2000], and semiannually thereafter until December 31, 2011, the Administrator [of the National Aeronautics and Space Administration] shall report to Congress whether or not the Russians have performed work expected of them and necessary to complete the International Space Station. Each such report shall also include a statement of the Administrator’s judgment concerning Russia’s ability to perform work anticipated and required to complete the International Space Station before the next report under this sub-

section. Each such report shall also identify each Russian entity or person to whom NASA has, since the date of the enactment of the Iran Nonproliferation Amendments Act of 2005 [Nov. 22, 2005], made a payment in cash or in-kind for work to be performed or services to be rendered under the Agreement Concerning Cooperation on the Civil International Space Station, with annex, signed at Washington January 29, 1998, and entered into force March 27, 2001, or any protocol, agreement, memorandum of understanding, or contract related thereto. Each report shall include the specific purpose of each payment made to each entity or person identified in the report.

“(b) DECISION ON RUSSIAN CRITICAL PATH ITEMS.—The President shall notify Congress within 90 days after the date of the enactment of this Act [Oct. 30, 2000] of the decision on whether or not to proceed with permanent replacement of any Russian elements in the critical path [as defined in section 3 of Pub. L. 106-391, 51 U.S.C. 10101 note] of the International Space Station or any Russian launch services. Such notification shall include the reasons and justifications for the decision and the costs associated with the decision. Such decision shall include a judgment of when all elements identified in Revision E assembly sequence as of June 1999 will be in orbit and operational. If the President decides to proceed with a permanent replacement for any Russian element in the critical path or any Russian launch services, the President shall notify Congress of the reasons and the justification for the decision to proceed with the permanent replacement and the costs associated with the decision.

“(c) ASSURANCES.—The United States shall seek assurances from the Russian Government that it places a higher priority on fulfilling its commitments to the International Space Station than it places on extending the life of the Mir Space Station, including assurances that Russia will not utilize assets allocated by Russia to the International Space Station for other purposes, including extending the life of Mir.

“(d) EQUITABLE UTILIZATION.—In the event that any International Partner in the International Space Station Program willfully violates any of its commitments or agreements for the provision of agreed-upon Space Station-related hardware or related goods or services, the Administrator should, in a manner consistent with relevant international agreements, seek a commensurate reduction in the utilization rights of that Partner until such time as the violated commitments or agreements have been fulfilled.

“(e) OPERATION COSTS.—The Administrator shall, in a manner consistent with relevant international agreements, seek to reduce the National Aeronautics and Space Administration’s share of International Space Station common operating costs, based upon any additional capabilities provided to the International Space Station through the National Aeronautics and Space Administration’s Russian Program Assurance activities.

“[SEC. 202. Repealed. Pub. L. 109-155, title II, §207(b), Dec. 30, 2005, 119 Stat. 2916, effective 30 days after Dec. 1, 2006.]

“SEC. 203. RESEARCH ON INTERNATIONAL SPACE STATION.

“(a) STUDY.—The Administrator [of the National Aeronautics and Space Administration] shall enter into a contract with the National Research Council and the National Academy of Public Administration to jointly conduct a study of the status of life and microgravity research as it relates to the International Space Station. The study shall include—

“(1) an assessment of the United States scientific community’s readiness to use the International Space Station for life and microgravity research;

“(2) an assessment of the current and projected factors limiting the United States scientific community’s ability to maximize the research potential of the International Space Station, including, but not limited to, the past and present availability of re-

sources in the life and microgravity research accounts within the Office of Human Spaceflight and the Office of Life and Microgravity Sciences and Applications and the past, present, and projected access to space of the scientific community; and

“(3) recommendations for improving the United States scientific community’s ability to maximize the research potential of the International Space Station, including an assessment of the relative costs and benefits of—

“(A) dedicating an annual mission of the Space Shuttle to life and microgravity research during assembly of the International Space Station; and

“(B) maintaining the schedule for assembly in place at the time of the enactment [Oct. 30, 2000].

“(b) REPORT.—Not later than 1 year after the date of the enactment of this Act [Oct. 30, 2000], the Administrator shall transmit to the Committee on Science [now Committee on Science, Space, and Technology] of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on the results of the study conducted under this section.

“SEC. 205. SPACE STATION RESEARCH UTILIZATION AND COMMERCIALIZATION MANAGEMENT.

“(a) RESEARCH UTILIZATION AND COMMERCIALIZATION MANAGEMENT ACTIVITIES.—The Administrator of the National Aeronautics and Space Administration shall enter into an agreement with a non-government organization to conduct research utilization and commercialization management activities of the International Space Station subsequent to substantial completion as defined in section 202(b)(3). The agreement may not take effect less than 120 days after the implementation plan for the agreement is submitted to the Congress under subsection (b).

“(b) IMPLEMENTATION PLAN.—Not later than September 30, 2001, the Administrator shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science [now Committee on Science, Space, and Technology] of the House of Representatives an implementation plan to incorporate the use of a non-government organization for the International Space Station. The implementation plan shall include—

“(1) a description of the respective roles and responsibilities of the Administration and the non-government organization;

“(2) a proposed structure for the non-government organization;

“(3) a statement of the resources required;

“(4) a schedule for the transition of responsibilities; and

“(5) a statement of the duration of the agreement.”

[Pub. L. 109-155, title VII, §706(a)(2), Dec. 30, 2005, 119 Stat. 2937, which directed insertion of two sentences at end of section 201 of Pub. L. 106-391, set out above, was executed by making the insertion at the end of section 201(a) of Pub. L. 106-391, to reflect the probable intent of Congress.]

PERMANENTLY MANNED SPACE STATION

Pub. L. 100-147, title I, §§106-112, Oct. 30, 1987, 101 Stat. 863-865, as amended by Pub. L. 102-195, §16, Dec. 9, 1991, 105 Stat. 1614; Pub. L. 105-362, title XI, §1101(c), Nov. 10, 1998, 112 Stat. 3292, provided that:

“SEC. 106. (a) The Administrator [of the National Aeronautics and Space Administration] is directed to undertake the construction of a permanently manned space station (hereinafter referred to as the ‘space station’) to become operational in 1995. The space station will be used for the following purposes—

“(1) the conduct of scientific experiments, applications experiments, and engineering experiments;

“(2) the servicing, rehabilitation, and construction of satellites and space vehicles;

“(3) the development and demonstration of commercial products and processes; and

“(4) the establishment of a space base for other civilian and commercial space activities.

“(b) The space station shall be developed and operated in a manner that supports other science and space activities.

“(c) In order to reduce the cost of operations of the space station and its ground support system, the Administrator shall undertake the development of such advanced technologies as may be appropriate within the level of funding authorized in this Act [see Tables for classification].

“(d) The Administrator shall seek to have portions of the space station constructed and operated by the private sector, where appropriate.

“(e) The Administrator shall promote international cooperation in the space station program by undertaking the development, construction, and operation of the space station in conjunction with (but not limited to) the Governments of Europe, Japan, and Canada.

“(f) The space station shall be designed, developed, and operated in a manner that enables evolutionary enhancement.

“[SEC. 107. Repealed. Pub. L. 105-362, title XI, §1101(c), Nov. 10, 1998, 112 Stat. 3292.]

“SEC. 108. In order to ensure that the development of the space station is part of a balanced civilian space program, the Administrator is instructed to establish as a goal a funding profile that limits (1) space station total annual costs under the capital development plan in section 107 to 25 percent of the total budget request for the National Aeronautics and Space Administration and (2) all space station direct operations costs, except for those costs associated with the utilization of the space station, to 10 percent of the total budget request for the National Aeronautics and Space Administration.

“SEC. 109. (a) It is the sense of the Congress that the launching and servicing of the space station should be accomplished by the most cost-effective use of space transportation systems, including the space shuttle and expendable launch vehicles.

“(b) Not later than January 15, 1988, the Administrator shall submit a preliminary report on the cost-effective use of space transportation systems for the launch of space station elements during the development and operation of the space station. The Administrator shall consider—

“(1) the potential use of future advanced or heavy lift expendable launch vehicles for purposes of the assembly and operation of the space station;

“(2) the use of existing expendable launch vehicles of the National Aeronautics and Space Administration, the Department of Defense, and the Private Sector;

“(3) the requirement for space shuttle launches; and

“(4) the risk of capital losses from the use of expendable launch vehicles and the space shuttle.

“SEC. 110. (a) The Administrator shall set and collect reasonable user fees for the use and maintenance of the space station.

“(b) The Administrator shall set user fees so as to—

“(1) promote the use of the space station consistent with the policy set forth in section 106;

“(2) recover the costs of the use of the space station, including reasonable charges for any enhancement needed for such use; and

“(3) conserve and efficiently allocate the resources of the space station.

“(c) The Administrator may, on a case-by-case basis, waive or modify such user fees when in the Administrator’s judgment such waiver or modification will further the goals and purposes of the National Aeronautics and Space Act of 1958 [see 51 U.S.C. 20101 et seq.], including—

“(1) the advancement of scientific or engineering knowledge;

“(2) international cooperation; and

“(3) the commercial use of space.

“SEC. 111. No later than September 30, 1988, the Administrator shall submit a detailed plan for collecting

reimbursements for the utilization of the space station under section 110, including the services to be offered, the methodology and bases by which prices will be charged, and the estimated revenues.

“SEC. 112. The Intergovernmental Agreement currently being negotiated between the United States Government and Canada, Japan, and member governments of the European Space Agency, and the Memorandum of Understanding currently being negotiated between the National Aeronautics and Space Administration and its counterpart agencies in Canada, Japan, and Europe concerning the detailed design, development, construction, operation, or utilization of the space station shall be submitted to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science, Space, and Technology of the House of Representatives. No such agreement shall take effect until 30 days have passed after the receipt by such committees of the agreement.”

§ 70902. Allocation of International Space Station research budget

The Administrator shall allocate at least 15 percent of the funds budgeted for International Space Station research to ground-based, free-flyer, and International Space Station life and microgravity science research that is not directly related to supporting the human exploration program, consistent with section 40904 of this title.

(Pub. L. 111-314, § 3, Dec. 18, 2010, 124 Stat. 3436.)

HISTORICAL AND REVISION NOTES

| <i>Revised Section</i> | <i>Source (U.S. Code)</i> | <i>Source (Statutes at Large)</i> |
|------------------------|---------------------------|--|
| 70902 | 42 U.S.C. 16633. | Pub. L. 109-155, title II, § 204, Dec. 30, 2005, 119 Stat. 2916. |

The words “Beginning with fiscal year 2006”, which appeared at the beginning of this section, are omitted as obsolete.

§ 70903. International Space Station research

The Administrator shall—

- (1) carry out a program of microgravity research consistent with section 40904 of this title; and
- (2) consider the need for a life sciences centrifuge and any associated holding facilities.

(Pub. L. 111-314, § 3, Dec. 18, 2010, 124 Stat. 3436.)

HISTORICAL AND REVISION NOTES

| <i>Revised Section</i> | <i>Source (U.S. Code)</i> | <i>Source (Statutes at Large)</i> |
|------------------------|---------------------------|---|
| 70903 | 42 U.S.C. 16766(1), (2). | Pub. L. 109-155, title V, § 506(1), (2), Dec. 30, 2005, 119 Stat. 2930. |

§ 70904. International Space Station completion

(a) POLICY.—It is the policy of the United States to achieve diverse and growing utilization of, and benefits from, the International Space Station.

(b) ELEMENTS, CAPABILITIES, AND CONFIGURATION CRITERIA.—The Administrator shall ensure that the International Space Station will—

- (1) be assembled and operated in a manner that fulfills international partner agreements, as long as the Administrator determines that the shuttle can safely enable the United States to do so;

(2) be used for a diverse range of microgravity research, including fundamental, applied, and commercial research, consistent with section 40904 of this title;

(3) have an ability to support a crew size of at least 6 persons, unless the Administrator transmits to the Committee on Science and Technology of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate not later than 60 days after December 30, 2005, a report explaining why such a requirement should not be met, the impact of not meeting the requirement on the International Space Station research agenda and operations and international partner agreements, and what additional funding or other steps would be required to have an ability to support a crew size of at least 6 persons;

(4) support Crew Exploration Vehicle docking and automated docking of cargo vehicles or modules launched by either heavy-lift or commercially-developed launch vehicles;

(5) support any diagnostic human research, on-orbit characterization of molecular crystal growth, cellular research, and other research that the Administration believes is necessary to conduct, but for which the Administration lacks the capacity to return the materials that need to be analyzed to Earth; and

(6) be operated at an appropriate risk level.

(c) CONTINGENCIES.—

(1) POLICY.—The Administrator shall ensure that the International Space Station can have available, if needed, sufficient logistics and on-orbit capabilities to support any potential period during which the space shuttle or its follow-on crew and cargo systems are unavailable, and can have available, if needed, sufficient surge delivery capability or repositioning of spares and other supplies needed to accommodate any such hiatus.

(2) PLAN.—Before making any change in the International Space Station assembly sequence in effect on December 30, 2005, the Administrator shall transmit to the Committee on Science and Technology of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a plan to carry out the policy described in paragraph (1).

(Pub. L. 111-314, § 3, Dec. 18, 2010, 124 Stat. 3437.)

HISTORICAL AND REVISION NOTES

| <i>Revised Section</i> | <i>Source (U.S. Code)</i> | <i>Source (Statutes at Large)</i> |
|------------------------|---------------------------|---|
| 70904 | 42 U.S.C. 16765. | Pub. L. 109-155, title V, § 505, Dec. 30, 2005, 119 Stat. 2929. |

In subsections (b)(3) and (c)(2), 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).

In subsections (b)(3) and (c)(2), 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).

In subsection (c)(2) the words “Not later than 60 days after the date of enactment of this Act [December 30, 2005], and” are omitted as obsolete.