

In subsection (b), 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).

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.

§ 60506. Sharing of climate related data

The Administrator shall work to ensure that the Administration’s policies on the sharing of climate related data respond to the recommendations of the Government Accountability Office’s report on climate change research and data-sharing policies and to the recommendations on the processing, distribution, and archiving of data by the National Academies Earth Science Decadal Survey, “Earth Science and Applications from Space”, and other relevant National Academies reports, to enhance and facilitate their availability and widest possible use to ensure public access to accurate and current data on global warming.

(Pub. L. 111–314, § 3, Dec. 18, 2010, 124 Stat. 3426.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
60506	42 U.S.C. 17825(c).	Pub. L. 110–422, title XI, §1109(c), Oct. 15, 2008, 122 Stat. 4811.

Subtitle VII—Access to Space

CHAPTER 701—USE OF SPACE SHUTTLE OR ALTERNATIVES

Sec.

- 70101. Recovery of fair value of placing Department of Defense payloads in orbit with space shuttle.
- 70102. Space shuttle use policy.
- 70103. Commercial payloads on space shuttle.

§ 70101. Recovery of fair value of placing Department of Defense payloads in orbit with space shuttle

Notwithstanding any other provision of law, or any interagency agreement, the Administrator shall charge such prices as are necessary to recover the fair value of placing Department of Defense payloads into orbit by means of the space shuttle.

(Pub. L. 111–314, § 3, Dec. 18, 2010, 124 Stat. 3427.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
70101	42 U.S.C. 2464.	Pub. L. 97–324, title I, §106(a), Oct. 15, 1982, 96 Stat. 1600.

§ 70102. Space shuttle use policy

- (a) USE POLICY.—
 - (1) IN GENERAL.—
 - (A) POLICY.—It shall be the policy of the United States to use the space shuttle—

- (i) for purposes that require a human presence;
- (ii) for purposes that require the unique capabilities of the space shuttle; or
- (iii) when other compelling circumstances exist.

(B) DEFINITION OF COMPELLING CIRCUMSTANCES.—In this paragraph, the term “compelling circumstances” includes, but is not limited to, occasions when the Administrator determines, in consultation with the Secretary of Defense and the Secretary of State, that important national security or foreign policy interests would be served by a shuttle launch.

(2) USING AVAILABLE CARGO SPACE FOR SECONDARY PAYLOADS.—The policy stated in paragraph (1) shall not preclude the use of available cargo space, on a space shuttle mission otherwise consistent with the policy described in paragraph (1), for the purpose of carrying secondary payloads (as defined by the Administrator) that do not require a human presence if such payloads are consistent with the requirements of research, development, demonstration, scientific, commercial, and educational programs authorized by the Administrator.

(b) ANNUAL REPORT.—At least annually, the Administrator shall submit to Congress a report certifying that the payloads scheduled to be launched on the space shuttle for the next 4 years are consistent with the policy set forth in subsection (a)(1). For each payload scheduled to be launched from the space shuttle that does not require a human presence, the Administrator shall, in the certified report to Congress, state the specific circumstances that justified the use of the space shuttle. If, during the period between scheduled reports to Congress, any additions are made to the list of certified payloads intended to be launched from the shuttle, the Administrator shall inform Congress of the additions and the reasons therefor within 45 days of the change.

(c) ADMINISTRATION PAYLOADS.—The report described in subsection (b) shall also include those Administration payloads designed solely to fly on the space shuttle which have begun the phase C/D of its development cycle.

(Pub. L. 111–314, § 3, Dec. 18, 2010, 124 Stat. 3427.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
70102(a)	42 U.S.C. 2465a(a).	Pub. L. 101–611, title I, §112(a), (c), (d), Nov. 16, 1990, 104 Stat. 3198, 3199.
70102(b)	42 U.S.C. 2465a(c).	
70102(c)	42 U.S.C. 2465a(d).	

§ 70103. Commercial payloads on space shuttle

- (a) DEFINITIONS.—In this section:
 - (1) LAUNCH VEHICLE.—The term “launch vehicle” means any vehicle constructed for the purpose of operating in, or placing a payload in, outer space.
 - (2) PAYLOAD.—The term “payload” means an object which a person undertakes to place in outer space by means of a launch vehicle, and

includes subcomponents of the launch vehicle specifically designed or adapted for that object.

(b) IN GENERAL.—Commercial payloads may not be accepted for launch as primary payloads on the space shuttle unless the Administrator determines that—

- (1) the payload requires the unique capabilities of the space shuttle; or
- (2) launching of the payload on the space shuttle is important for either national security or foreign policy purposes.

(Pub. L. 111–314, § 3, Dec. 18, 2010, 124 Stat. 3428.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
70103(a)	42 U.S.C. 2465c.	Pub. L. 101–611, title II, § 203, Nov. 16, 1990, 104 Stat. 3206; Pub. L. 105–303, title II, § 203(2), Oct. 28, 1998, 112 Stat. 2855.
70103(b)	42 U.S.C. 2465f.	Pub. L. 101–611, title II, § 206, Nov. 16, 1990, 104 Stat. 3207; Pub. L. 105–303, title II, § 203(4), Oct. 28, 1998, 112 Stat. 2855.

In subsection (a), the words “this section” are substituted for “this title”, meaning title II of Public Law 101–611, because title II of Public Law 101–611 was previously repealed except for section 201 (a short title provision, classified to 42 U.S.C. 2451 note, in which neither defined term appears) and sections 203 (42 U.S.C. 2465c) and 206 (42 U.S.C. 2465f) of Public Law 101–611, which are restated in this section.

CHAPTER 703—SHUTTLE PRICING POLICY FOR COMMERCIAL AND FOREIGN USERS

- Sec. 70301. Congressional findings and declarations.
- 70302. Purpose, policy, and goals.
- 70303. Definition of additive cost.
- 70304. Duties of Administrator.

§ 70301. Congressional findings and declarations

Congress finds and declares that—

- (1) the Space Transportation System is a vital element of the United States space program, contributing to the United States leadership in space research, technology, and development;
- (2) the Space Transportation System is the primary space launch system for both United States national security and civil government missions;
- (3) the Space Transportation System contributes to the expansion of United States private sector investment and involvement in space and therefore should serve commercial users;
- (4) the availability of the Space Transportation System to foreign users for peaceful purposes is an important means of promoting international cooperative activities in the national interest and in maintaining access to space for activities which enhance the security and welfare of humankind;
- (5) the United States is committed to maintaining world leadership in space transportation;
- (6) making the Space Transportation System fully operational and cost effective in providing routine access to space will maximize the national economic benefits of the system; and

(7) national goals and the objectives for the Space Transportation System can be furthered by a stable and fair pricing policy for the Space Transportation System.

(Pub. L. 111–314, § 3, Dec. 18, 2010, 124 Stat. 3428.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
70301	42 U.S.C. 2466.	Pub. L. 99–170, title II, § 201, Dec. 5, 1985, 99 Stat. 1017.

§ 70302. Purpose, policy, and goals

The purpose of this chapter is to set, for commercial and foreign users, the reimbursement pricing policy for the Space Transportation System that is consistent with the findings included in section 70301 of this title, encourages the full and effective use of space, and is designed to achieve the following goals:

- (1) The preservation of the role of the United States as a leader in space research, technology, and development.
- (2) The efficient and cost effective use of the Space Transportation System.
- (3) The achievement of greatly increased commercial space activity.
- (4) The enhancement of the international competitive position of the United States.

(Pub. L. 111–314, § 3, Dec. 18, 2010, 124 Stat. 3429.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
70302	42 U.S.C. 2466a.	Pub. L. 99–170, title II, § 202, Dec. 5, 1985, 99 Stat. 1017.

§ 70303. Definition of additive cost

In this chapter, the term “additive cost” means the average direct and indirect costs to the Administration of providing additional flights of the Space Transportation System beyond the costs associated with those flights necessary to meet the space transportation needs of the United States Government.

(Pub. L. 111–314, § 3, Dec. 18, 2010, 124 Stat. 3429.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
70303	42 U.S.C. 2466b.	Pub. L. 99–170, title II, § 203, Dec. 5, 1985, 99 Stat. 1017.

The definition of “Administrator” in section 203(1) of the National Aeronautics and Space Administration Authorization Act of 1986 (Public Law 99–170, 99 Stat. 1017) is omitted as unnecessary because of the definition added by section 10101 of title 51.

§ 70304. Duties of Administrator

(a) ESTABLISHMENT AND IMPLEMENTATION OF REIMBURSEMENT RECOVERY SYSTEM.—The Administrator shall establish and implement a pricing system to recover reimbursement in accordance with the pricing policy under section 70302 of this title from each commercial or foreign user of the Space Transportation System, which, except as provided in subsections (c), (d), and (e), shall include a base price of not less