

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

| <i>Revised Section</i> | <i>Source (U.S. Code)</i> | <i>Source (Statutes at Large)</i> |
|------------------------|---------------------------|--------------------------------------------------------------------------------------------------------------------------------------|
| 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for “this title”, meaning title II of Public Law 101–611, because title II of Public Law 101–611 was previously repealed except for section 201 (a short title provision, classified to 42 U.S.C. 2451 note, in which neither defined term appears) and sections 203 (42 U.S.C. 2465c)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

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|-------------|------------------------------------------|
| 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

| <i>Revised Section</i> | <i>Source (U.S. Code)</i> | <i>Source (Statutes at Large)</i> |
|------------------------|---------------------------|---------------------------------------------------------------|
| 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

| <i>Revised Section</i> | <i>Source (U.S. Code)</i> | <i>Source (Statutes at Large)</i> |
|------------------------|---------------------------|---------------------------------------------------------------|
| 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

| <i>Revised Section</i> | <i>Source (U.S. Code)</i> | <i>Source (Statutes at Large)</i> |
|------------------------|---------------------------|---------------------------------------------------------------|
| 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