

tank of the Space Shuttle, designated as ET-94, and take all actions necessary to enable its readiness for use in the Space Launch System development as a critical skills and capability retention effort or for test purposes, while preserving the ability to use this tank if needed for an ISS contingency if deemed necessary under paragraph (1).

**(c) Sense of Congress regarding human space flight capability assurance**

It is the sense of Congress that the Administrator shall proceed with the utilization of the ISS, technology development, and follow-on transportation systems (including the Space Launch System, multi-purpose crew vehicle, and commercial crew and cargo transportation capabilities) under subchapters II and III of this chapter in a manner that ensures—

- (1) that these capabilities remain inherently complementary and interrelated;
- (2) a balance of the development, sustainment, and use of each of these capabilities, which are of critical importance to the viability and sustainability of the U.S. space program; and
- (3) that resources required to support the timely and sustainable development of these capabilities authorized in either subchapter II or subchapter III of this chapter are not derived from a reduction in resources for the capabilities authorized in the other subchapter.

**(d) Limitation**

Nothing in subsection (c) shall apply to or affect any capability authorized by any other subchapter of this chapter<sup>1</sup>

(Pub. L. 111-267, title II, §203, Oct. 11, 2010, 124 Stat. 2812; Pub. L. 112-273, §2, Jan. 14, 2013, 126 Stat. 2454.)

AMENDMENTS

2013—Subsecs. (c), (d). Pub. L. 112-273 added subsecs. (c) and (d).

REFERENCES IN TEXT

Any other subchapter of this chapter, referred to in subsec. (d), was in the original “any other title of this Act”, meaning any other title of Pub.L. 111-267, Oct. 11, 2010, 124 Stat. 2805. In addition to title II which is classified generally to this subchapter, Pub. L. 111-267 contains titles III to XII which are classified generally to subchapters II to XI, respectively, of this chapter and titles I and XIII, 126 Stat. 2809, 2846, which are not classified to the Code.

SUBCHAPTER II—EXPANSION OF HUMAN SPACE FLIGHT BEYOND THE INTERNATIONAL SPACE STATION AND LOW-EARTH ORBIT

**§ 18321. Human space flight beyond low-Earth orbit**

**(a) Findings**

Congress makes the following findings:

- (1) The extension of the human presence from low-Earth orbit to other regions of space beyond low-Earth orbit will enable missions to the surface of the Moon and missions to deep space destinations such as near-Earth asteroids and Mars.

(2) The regions of cis-lunar space are accessible to other national and commercial launch capabilities, and such access raises a host of national security concerns and economic implications that international human space endeavors can help to address.

(3) The ability to support human missions in regions beyond low-Earth orbit and on the surface of the Moon can also drive developments in emerging areas of space infrastructure and technology.

(4) Developments in space infrastructure and technology can stimulate and enable increased space applications, such as in-space servicing, propellant resupply and transfer, and in situ resource utilization, and open opportunities for additional users of space, whether national, commercial, or international.

(5) A long term objective for human exploration of space should be the eventual international exploration of Mars.

(6) Future international missions beyond low-Earth orbit should be designed to incorporate capability development and availability, affordability, and international contributions.

(7) Human space flight and future exploration beyond low-Earth orbit should be based around a pay-as-you-go approach. Requirements in new launch and crew systems authorized in this chapter should be scaled to the minimum necessary to meet the core national mission capability needed to conduct cis-lunar missions. These initial missions, along with the development of new technologies and in-space capabilities can form the foundation for missions to other destinations. These initial missions also should provide operational experience prior to the further human expansion into space.

**(b) Report on international collaboration**

**(1) Report required**

Not later than 120 days after October 11, 2010, the Administrator shall submit to the appropriate committees of Congress a report on the following assets and capabilities:

- (A) Any effort by NASA to expand and ensure effective international collaboration on the ISS.
- (B) The efforts of NASA, including its approach and progress, in defining near-term, cis-lunar space human missions.

**(2) NASA contributions**

In preparing the report required by paragraph (1), the Administrator shall assume that NASA will contribute to the efforts described in that paragraph the following:

- (A) A Space Launch System.
- (B) A multi-purpose crew vehicle.
- (C) Such other technology elements the Administrator may consider appropriate, and which the Administrator shall specifically identify in the report.

(Pub. L. 111-267, title III, §301, Oct. 11, 2010, 124 Stat. 2813.)

**§ 18322. Space Launch System as follow-on launch vehicle to the Space Shuttle**

**(a) United States policy**

It is the policy of the United States that NASA develop a Space Launch System as a fol-

<sup>1</sup> So in original. Probably should be followed by a period.