

options, and accompanied by an independent analysis of projected availability of such capabilities.

(14) The United States must develop, as rapidly as possible, replacement vehicles capable of providing both human and cargo launch capability to low-Earth orbit and to destinations beyond low-Earth orbit.

(15) There is a need for national space and export control policies that protect the national security of the United States while also enabling the United States and its aerospace industry to undertake cooperative programs in science and human space flight in an effective and efficient manner and to compete effectively in the global market place.

(Pub. L. 111-267, § 2, Oct. 11, 2010, 124 Stat. 2807.)

#### REFERENCES IN TEXT

The National Aeronautics and Space Administration Authorization Act of 2005, referred to in pars. (10) and (12), is Pub. L. 109-155, Dec. 30, 2005, 119 Stat. 2895, which was classified principally to chapter 150 (§16601 et seq.) of this title, and was substantially repealed and restated in chapters 305 (§30501 et seq.), 401 (§40101 et seq.), 603 (§60301 et seq.) and 707 (§70701 et seq.) and sections 20301, 20302, 30103(a), (b), 30104, 30306, 30703, 30704, 30902, 31301, 31501, 40701, 40904 to 40909, 50505, 50116, 60505, 70501 to 70503, and 70902 to 70905 of Title 51, National and Commercial Space Programs, by Pub. L. 111-314, §§ 3, 6, Dec. 18, 2010, 124 Stat. 3328, 3444. For complete classification of this Act to the Code, see Short Title of 2005 Act note set out under section 10101 of Title 51 and Tables.

The National Aeronautics and Space Administration Authorization Act of 2008, referred to in pars. (10) and (12), is Pub. L. 110-422, Oct. 15, 2008, 122 Stat. 4779, which was classified principally to chapter 155 (§17701 et seq.) of this title, and was substantially repealed and restated as chapters 711 (§71101 et seq.) and 713 (§71301 et seq.) and sections 20305, 30305, 30310, 31302, 31502 to 31505, 40104, 40311, 40702 to 40704, 40903(d), 50111(b), 60501 to 60504, 60506, 70504 to 70508, 70906, and 70907 of Title 51, National and Commercial Space Programs, by Pub. L. 111-314, §§ 3, 6, Dec. 18, 2010, 124 Stat. 3328, 3444. For complete classification of this Act to the Code, see Short Title of 2008 Act note set out under section 10101 of Title 51 and Tables.

#### SHORT TITLE

Pub. L. 111-267, §1(a), Oct. 11, 2010, 124 Stat. 2805, provided that: “This Act [enacting this chapter] may be cited as the ‘National Aeronautics and Space Administration Authorization Act of 2010.’”

### § 18302. Definitions

In this chapter:

#### (1) Administrator

The term “Administrator” means the Administrator of the National Aeronautics and Space Administration.

#### (2) Appropriate committees of Congress

The term “appropriate committees of Congress” means—

(A) the Committee on Commerce, Science, and Transportation of the Senate; and

(B) the Committee on Science<sup>1</sup> of the House of Representatives.

#### (3) Cis-lunar space

The term “cis-lunar space” means the region of space from the Earth out to and in-

<sup>1</sup> So in original. Probably should be followed by “and Technology”.

cluding the region around the surface of the Moon.

#### (4) Deep space

The term “deep space” means the region of space beyond cis-lunar space.

#### (5) ISS

The term “ISS” means the International Space Station.

#### (6) NASA

The term “NASA” means the National Aeronautics and Space Administration.

#### (7) Near-Earth space

The term “near-Earth space” means the region of space that includes low-Earth orbit and extends out to and includes geo-synchronous orbit.

#### (8) NOAA

The term “NOAA” means the National Oceanic and Atmospheric Administration.

#### (9) OSTP

The term “OSTP” means the Office of Science and Technology Policy.

#### (10) Space Launch System

The term “Space Launch System” means the follow-on government-owned civil launch system developed, managed, and operated by NASA to serve as a key component to expand human presence beyond low-Earth orbit.

(Pub. L. 111-267, § 3, Oct. 11, 2010, 124 Stat. 2808.)

### SUBCHAPTER I—POLICY, GOALS, AND OBJECTIVES FOR HUMAN SPACE FLIGHT AND EXPLORATION

### § 18311. United States human space flight policy

#### (a) Use of non-United States human space flight transportation services

##### (1) In general

The Federal Government may not acquire human space flight transportation services from a foreign entity unless—

(A) no United States Government-operated human space flight capability is available;

(B) no United States commercial provider is available; and

(C) it is a qualified foreign entity.

##### (2) Definitions

In this subsection:

##### (A) Commercial provider

The term “commercial provider” means any person providing human space flight transportation services, primary control of which is held by persons other than the Federal Government, a State or local government, or a foreign government.

##### (B) Qualified foreign entity

The term “qualified foreign entity” means a foreign entity that is in compliance with all applicable safety standards and is not prohibited from providing space transportation services under other law.

##### (C) United States commercial provider

The term “United States commercial provider” means a commercial provider, orga-