

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
70701 .....	42 U.S.C. 16841.	Pub. L. 109-155, title VIII, § 821, Dec. 30, 2005, 119 Stat. 2941.

§ 70702. Establishment of Commission

(a) ESTABLISHMENT.—The President shall establish an independent, nonpartisan Commission within the executive branch to investigate any incident that results in the loss of—

- (1) a space shuttle;
- (2) the International Space Station or its operational viability;
- (3) any other orbital or suborbital space vehicle carrying humans that is—
  - (A) owned by the Federal Government; or
  - (B) being used pursuant to a contract or Space Act Agreement with the Federal Government for carrying a government astronaut or a researcher funded by the Federal Government; or
- (4) a crew member or passenger of any space vehicle described in this subsection.

(b) DEADLINE FOR ESTABLISHMENT.—The President shall establish a Commission within 7 days after an incident specified in subsection (a).

(c) DEFINITIONS.—In this section:

- (1) GOVERNMENT ASTRONAUT.—The term “government astronaut” has the meaning given the term in section 50902.
- (2) SPACE ACT AGREEMENT.—The term “Space Act Agreement” means an agreement entered into by the Administration pursuant to its other transactions authority under section 20113(e).

(Pub. L. 111-314, § 3, Dec. 18, 2010, 124 Stat. 3432; Pub. L. 115-10, title VIII, § 838, Mar. 21, 2017, 131 Stat. 71.)

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Revised Section	Source (U.S. Code)	Source (Statutes at Large)
70702 .....	42 U.S.C. 16842.	Pub. L. 109-155, title VIII, § 822, Dec. 30, 2005, 119 Stat. 2941.

AMENDMENTS

2017—Subsec. (a)(3). Pub. L. 115-10, § 838(1), amended par. (3) generally. Prior to amendment, par. (3) read as follows: “any other United States space vehicle carrying humans that is owned by the Federal Government or that is being used pursuant to a contract with the Federal Government; or”.

Subsec. (c). Pub. L. 115-10, § 838(2), added subsec. (c).

§ 70703. Tasks of Commission

A Commission established pursuant to this chapter shall, to the extent possible, undertake the following tasks:

- (1) INVESTIGATION.—Investigate the incident.
- (2) CAUSE.—Determine the cause of the incident.
- (3) CONTRIBUTING FACTORS.—Identify all contributing factors to the cause of the incident.
- (4) RECOMMENDATIONS.—Make recommendations for corrective actions.
- (5) ADDITIONAL FINDINGS OR RECOMMENDATIONS.—Provide any additional findings or rec-

ommendations deemed by the Commission to be important, whether or not they are related to the specific incident under investigation.

(6) REPORT.—Prepare a report to Congress, the President, and the public.

(Pub. L. 111-314, § 3, Dec. 18, 2010, 124 Stat. 3432.)

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Revised Section	Source (U.S. Code)	Source (Statutes at Large)
70703 .....	42 U.S.C. 16843.	Pub. L. 109-155, title VIII, § 823, Dec. 30, 2005, 119 Stat. 2941.

§ 70704. Composition of Commission

(a) NUMBER OF COMMISSIONERS.—A Commission established pursuant to this chapter shall consist of 15 members.

(b) SELECTION.—The members of a Commission shall be chosen in the following manner:

(1) APPOINTMENT BY PRESIDENT.—The President shall appoint the members, and shall designate the Chairman and Vice Chairman of the Commission from among its members.

(2) LISTS PROVIDED BY LEADERS OF CONGRESS.—The majority leader of the Senate, the minority leader of the Senate, the Speaker of the House of Representatives, and the minority leader of the House of Representatives shall each provide to the President a list of candidates for membership on the Commission. The President may select one of the candidates from each of the 4 lists for membership on the Commission.

(3) PROHIBITION REGARDING FEDERAL OFFICERS AND EMPLOYEES AND MEMBERS OF CONGRESS.—No officer or employee of the Federal Government or Member of Congress shall serve as a member of the Commission.

(4) PROHIBITION REGARDING CONTRACTORS.—No member of the Commission shall have, or have pending, a contractual relationship with the Administration.

(5) PROHIBITION REGARDING CONFLICT OF INTEREST.—The President shall not appoint any individual as a member of a Commission under this section who has a current or former relationship with the Administrator that the President determines would constitute a conflict of interest.

(6) EXPERIENCE.—To the extent practicable, the President shall ensure that the members of the Commission include some individuals with experience relative to human carrying spacecraft, as well as some individuals with investigative experience and some individuals with legal experience.

(7) DIVERSITY.—To the extent practicable, the President shall seek diversity in the membership of the Commission.

(c) DEADLINE FOR APPOINTMENT.—All members of a Commission established under this chapter shall be appointed no later than 30 days after the incident.

(d) INITIAL MEETING.—A Commission shall meet and begin operations as soon as practicable.

(e) SUBSEQUENT MEETINGS.—After its initial meeting, a Commission shall meet upon the call of the Chairman or a majority of its members.