

ACQUISITION LAWS.—Acquisitions of space transportation services by the Federal Government shall be carried out in accordance with applicable acquisition laws and regulations (including chapters 137 and 140 of title 10). For purposes of such law and regulations, space transportation services shall be considered to be a commercial item.

(b) SAFETY STANDARDS.—Nothing in this section shall be construed to prohibit the Federal Government from requiring compliance with applicable safety standards.

(Pub. L. 111-314, §3, Dec. 18, 2010, 124 Stat. 3400; Pub. L. 115-232, div. A, title VIII, §836(g)(10)(C), Aug. 13, 2018, 132 Stat. 1874.)

AMENDMENT OF SUBSECTION (a)

Pub. L. 115-232, div. A, title VIII, §836(g)(10)(C), (h), Aug. 13, 2018, 132 Stat. 1874, provided that, effective Jan. 1, 2020, subject to a savings provision, subsection (a) of this section is amended as follows:

- (1) in heading, by striking “Commercial Item” and inserting “Commercial Service”; and
- (2) by striking “commercial item” in the second sentence and inserting “commercial service”.

See 2018 Amendment note below.

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
50132	42 U.S.C. 14732.	Pub. L. 105-303, title II, §202, Oct. 28, 1998, 112 Stat. 2855.

AMENDMENTS

2018—Subsec. (a). Pub. L. 115-232 substituted “Commercial Service” for “Commercial Item” in heading and “commercial service” for “commercial item” in text.

EFFECTIVE DATE OF 2018 AMENDMENT

Amendment by Pub. L. 115-232 effective Jan. 1, 2020, subject to a savings provision, see section 836(h) of Pub. L. 115-232, set out as an Effective Date of 2018 Amendment; Savings Provision note under section 453b of Title 6, Domestic Security.

[§50133. Repealed. Pub. L. 115-10, title IV, §416(c), Mar. 21, 2017, 131 Stat. 35]

Section, Pub. L. 111-314, §3, Dec. 18, 2010, 124 Stat. 3400, related to shuttle privatization.

§ 50134. Use of excess intercontinental ballistic missiles

(a) IN GENERAL.—The Federal Government shall not—

- (1) convert any missile described in subsection (c) to a space transportation vehicle configuration; or
- (2) transfer ownership of any such missile to another person, except as provided in subsection (b).

(b) AUTHORIZED FEDERAL USES.—

- (1) IN GENERAL.—A missile described in subsection (c) may be converted for use as a space transportation vehicle by the Federal Government if, except as provided in paragraph (2) and at least 30 days before such conversion, the agency seeking to use the missile as a

space transportation vehicle transmits to the Committee on Armed Services and the Committee on Science and Technology of the House of Representatives, and to the Committee on Armed Services and the Committee on Commerce, Science, and Transportation of the Senate, a certification that the use of such missile—

(A) would result in cost savings to the Federal Government when compared to the cost of acquiring space transportation services from United States commercial providers;

(B) meets all mission requirements of the agency, including performance, schedule, and risk requirements;

(C) is consistent with international obligations of the United States; and

(D) is approved by the Secretary of Defense or the designee of the Secretary of Defense.

(2) EXCEPTION TO REQUIREMENT THAT CERTIFICATION BE TRANSMITTED 30 DAYS BEFORE CONVERSION.—The requirement under paragraph (1) that the certification described in that paragraph must be transmitted at least 30 days before conversion of the missile shall not apply if the Secretary of Defense determines that compliance with that requirement would be inconsistent with meeting immediate national security requirements.

(c) MISSILES REFERRED TO.—The missiles referred to in this section are missiles owned by the United States that—

(1) were formerly used by the Department of Defense for national defense purposes as intercontinental ballistic missiles; and

(2) have been declared excess to United States national defense needs and are in compliance with international obligations of the United States.

(Pub. L. 111-314, §3, Dec. 18, 2010, 124 Stat. 3400.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
50134	42 U.S.C. 14734.	Pub. L. 105-303, title II, §205, Oct. 28, 1998, 112 Stat. 2857; Pub. L. 106-65, div. A, title X, §1067(21), Oct. 5, 1999, 113 Stat. 775.

In subsection (b)(1), in the matter before subparagraph (A), 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.

CHAPTER 503—COMMERCIAL REUSABLE IN-SPACE TRANSPORTATION

- Sec. 50301. Definitions.
- 50302. Loan guarantees for production of commercial reusable in-space transportation.

§ 50301. Definitions

In this chapter: