

(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 Science¹ 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 including 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, organized under the laws of the United States or of a State, that is more than 50 percent owned by United States nationals.

(3) Arrangements with foreign entities

Nothing in this subsection shall prevent the Administrator from negotiating or entering into human space flight transportation arrangements with foreign entities to ensure safety of flight and continued ISS operations.

(b) United States human space flight capabilities

Congress reaffirms the policy stated in section 70501(a) of title 51, that the United States shall maintain an uninterrupted capability for human space flight and operations in low-Earth orbit, and beyond, as an essential instrument of national security and of the capacity to ensure continued United States participation and leadership in the exploration and utilization of space.

(Pub. L. 111–267, title II, § 201, Oct. 11, 2010, 124 Stat. 2811; Pub. L. 115–10, title III, § 302(d), Mar. 21, 2017, 131 Stat. 25.)

CODIFICATION

In subsec. (b), “section 70501(a) of title 51” substituted for “section 501(a) of the National Aeronautics and Space Administration Authorization Act of 2005 (42 U.S.C. 16761(a))” on authority of Pub. L. 111–314, § 5(e), Dec. 18, 2010, 124 Stat. 3443, which Act enacted Title 51, National and Commercial Space Programs.

AMENDMENTS

2017—Subsec. (a). Pub. L. 115–10 amended subsec. (a) generally. Prior to amendment, text read as follows: “It is the policy of the United States that reliance upon and use of non-United States human space flight capabilities shall be undertaken only as a contingency in circumstances where no United States-owned and operated human space flight capability is available, operational, and certified for flight by appropriate Federal agencies.”

§ 18312. Goals and objectives**(a) Long-term goals**

The long-term goals of the human space flight and exploration efforts of NASA shall be—

- (1) to expand permanent human presence beyond low-Earth orbit and to do so, where practical, in a manner involving international, academic, and industry partners;
- (2) crewed missions and progress toward achieving the goal in paragraph (1) to enable the potential for subsequent human exploration and the extension of human presence throughout the solar system; and
- (3) to enable a capability to extend human presence, including potential human habi-

¹So in original. Probably should be followed by “and Technology”.