

Administration, shall each pursue multidisciplinary research in subjects that further the understanding of solar physics, space physics, and space weather.

(c) **SCIENCE MISSIONS.**—The Administrator of the National Aeronautics and Space Administration should implement missions that meet the science objectives identified in solar and space physics decadal surveys conducted by the National Academies of Sciences, Engineering, and Medicine.

(d) **RESEARCH TO OPERATIONS; OPERATIONS TO RESEARCH.**—The interagency working group shall, upon consideration of the advice of the advisory group, develop formal mechanisms to—

(1) transition the space weather research findings, models, and capabilities of the National Aeronautics and Space Administration, the National Science Foundation, the United States Geological Survey, and other relevant Federal agencies, as appropriate, to the National Oceanic and Atmospheric Administration and the Department of Defense;

(2) enhance coordination between research modeling centers and forecasting centers; and

(3) communicate the operational needs of space weather forecasters of the National Oceanic and Atmospheric Administration and Department of Defense, as appropriate, to the National Aeronautics and Space Administration, the National Science Foundation, and the United States Geological Survey.

(Pub. L. 116–181, §2(b), Oct. 21, 2020, 134 Stat. 889.)

§ 60605. Space weather data

(a) **IN GENERAL.**—The Administrator of the National Aeronautics and Space Administration and the Director of the National Science Foundation shall continue to—

(1) make space weather-related data obtained for scientific research purposes available to space weather forecasters and operations centers; and

(2) support model development and model applications to space weather forecasting.

(b) **RESEARCH.**—The Administrator of the National Oceanic and Atmospheric Administration shall make space weather-related data obtained from operational forecasting available for research.

(Pub. L. 116–181, §2(b), Oct. 21, 2020, 134 Stat. 890.)

§ 60606. Space weather knowledge transfer and information exchange

Not later than 180 days after the date of enactment of the PROSWIFT Act, the Administrator of the National Oceanic and Atmospheric Administration, in collaboration with the Administrator of the National Aeronautics and Space Administration and the Director of the National Science Foundation, shall enter into an arrangement with the National Academies of Sciences, Engineering, and Medicine to establish a Space Weather Government-Academic-Commercial Roundtable to facilitate communication and knowledge transfer among Government participants in the space weather interagency working group established under section 60601(c), the academic community, and the commercial space weather sector to—

(1) facilitate advances in space weather prediction and forecasting;

(2) increase coordination of space weather research to operations and operations to research; and

(3) improve preparedness for potential space weather phenomena.

(Pub. L. 116–181, §2(b), Oct. 21, 2020, 134 Stat. 891.)

Editorial Notes

REFERENCES IN TEXT

The date of enactment of the PROSWIFT Act, referred to in text, is the date of enactment of Pub. L. 116–181, which was approved Oct. 21, 2020.

§ 60607. Pilot program for obtaining commercial sector space weather data

(a) **ESTABLISHMENT.**—Not later than 12 months after the date of enactment of the PROSWIFT Act, the Administrator of the National Oceanic and Atmospheric Administration may establish a pilot program under which the Administrator will offer to enter into contracts with one or more entities in the commercial space weather sector for the provision to the Administrator of space weather data generated by such an entity that meets the standards and specifications published under subsection (b).

(b) **DATA STANDARD AND SPECIFICATIONS.**—Not later than 18 months after the date of enactment of the PROSWIFT Act, the Administrator of the National Oceanic and Atmospheric Administration, in consultation with the Secretary of Defense, may publish standards and specifications for ground-based, ocean-based, air-based, and space-based commercial space weather data and metadata.

(c) **CONTRACTS.**—

(1) **IN GENERAL.**—Within 12 months after the date of transmission of the review of the integrated strategy to Congress under section 60602(c)(3) and taking into account the results of the review, the Administrator of the National Oceanic and Atmospheric Administration may offer to enter, through an open competition, into at least one contract with one or more commercial space weather sector entities capable of providing space weather data that—

(A) meets the standards and specifications established for providing such data under subsection (b); and

(B) is provided in a manner that allows the Administrator of the National Oceanic and Atmospheric Administration to calibrate and evaluate the data for use in space weather research and forecasting models of the National Oceanic and Atmospheric Administration, the Department of Defense, or both.

(2) **ASSESSMENT.**—If one or more contract is entered into under paragraph (1), not later than 4 years after the date of enactment of the PROSWIFT Act, the Administrator of the National Oceanic and Atmospheric Administration shall assess, and submit to the Committees on Science, Space, and Technology and Armed Services of the House of Representatives and the Committees on Commerce, Science, and Transportation and Armed Serv-

ices of the Senate, a report on the extent to which the pilot program has demonstrated data provided under contracts described in paragraph (1) meet the standards and specifications established under subsection (b) and the extent to which the pilot program has demonstrated—

(A) the viability of assimilating the commercially provided data into National Oceanic and Atmospheric Administration space weather research and forecasting models;

(B) whether, and by how much, the data so provided add value to space weather forecasts of the National Oceanic and Atmospheric Administration and the Department of Defense; and

(C) the accuracy, quality, timeliness, validity, reliability, usability, information technology security, and cost-effectiveness of obtaining commercial space weather data from commercial sector providers.

(Pub. L. 116–181, §2(b), Oct. 21, 2020, 134 Stat. 891.)

Editorial Notes

REFERENCES IN TEXT

The date of enactment of the PROSWIFT Act, referred to in subsecs. (a), (b), and (c)(2), is the date of enactment of Pub. L. 116–181, which was approved Oct. 21, 2020.

§ 60608. Space weather benchmarks

The interagency working group established under section 60601(c) shall periodically review and update the benchmarks described in the report of the National Science and Technology Council entitled “Space Weather Phase 1 Benchmarks” and dated June 2018, as necessary, based on—

- (1) any significant new data or advances in scientific understanding that become available; or
- (2) the evolving needs of entities impacted by space weather phenomena.

(Pub. L. 116–181, §2(b), Oct. 21, 2020, 134 Stat. 892.)

Subtitle VII—Access to Space

CHAPTER 701—USE OF SPACE LAUNCH SYSTEM OR ALTERNATIVES

Sec.	
70101.	Recovery of fair value of placing Department of Defense payloads in orbit with space launch system.
70102.	Space launch system use policy.
70103.	Commercial payloads on space launch system.
70104.	Definition of Space Launch System.

Editorial Notes

AMENDMENTS

2015—Pub. L. 114–90, title I, §117(a)(1), (b)(2), Nov. 25, 2015, 129 Stat. 717, 718, added item 70104, substituted “SPACE LAUNCH SYSTEM” for “SPACE SHUTTLE” in chapter heading, “space launch system” for “space shuttle” in items 70101 and 70103, and “Space launch system” for “Space shuttle” in item 70102.

§ 70101. Recovery of fair value of placing Department of Defense payloads in orbit with space launch system

Notwithstanding any other provision of law, or any interagency agreement, the Adminis-

trator shall charge such prices as are necessary to recover the fair value of placing Department of Defense payloads into orbit by means of the space launch system.

(Pub. L. 111–314, §3, Dec. 18, 2010, 124 Stat. 3427; Pub. L. 114–90, title I, §117(a)(2), Nov. 25, 2015, 129 Stat. 717.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
70101	42 U.S.C. 2464.	Pub. L. 97–324, title I, §106(a), Oct. 15, 1982, 96 Stat. 1600.

Editorial Notes

AMENDMENTS

2015—Pub. L. 114–90 substituted “space launch system” for “space shuttle” in section catchline and text.

§ 70102. Space launch system use policy

(a) IN GENERAL.—The Space Launch System may be used for the following circumstances:

- (1) Payloads and missions that contribute to extending human presence beyond low-Earth orbit and substantially benefit from the unique capabilities of the Space Launch System.
- (2) Other payloads and missions that substantially benefit from the unique capabilities of the Space Launch System.
- (3) On a space available basis, Federal Government or educational payloads that are consistent with NASA’s mission for exploration beyond low-Earth orbit.
- (4) Compelling circumstances, as determined by the Administrator.

(b) AGREEMENTS WITH FOREIGN ENTITIES.—The Administrator may plan, negotiate, or implement agreements with foreign entities for the launch of payloads for international collaborative efforts relating to science and technology using the Space Launch System.

(c) COMPELLING CIRCUMSTANCES.—Not later than 30 days after the date the Administrator makes a determination under subsection (a)(4), the Administrator shall transmit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science of the House of Representatives written notification of the Administrator’s intent to select the Space Launch System for a specific mission under that subsection, including justification for the determination.

(Pub. L. 111–314, §3, Dec. 18, 2010, 124 Stat. 3427; Pub. L. 114–90, title I, §117(a)(3), Nov. 25, 2015, 129 Stat. 717.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
70102(a)	42 U.S.C. 2465a(a).	Pub. L. 101–611, title I, §112(a), (c), (d), Nov. 16, 1990, 104 Stat. 3198, 3199.
70102(b)	42 U.S.C. 2465a(c).	
70102(c)	42 U.S.C. 2465a(d).	