''(a) DEVELOPMENT OF PAYLOADS.—

''(1) IN GENERAL.—In order to conduct necessary research, the Administrator [of the National Aeronautics and Space Administration] shall continue and, as the Administrator considers appropriate, expand the development of technology payloads for—

''(A) scientific research; and

''(B) investigating new or improved capabilities.

''(2) FUNDS.—For the purpose of carrying out paragraph (1), the Administrator shall make funds available for—

''(A) flight testing;

''(B) payload development; and

''(C) hardware related to subparagraphs (A) and (B).

''(b) REAFFIRMATION OF POLICY.—Congress reaffirms that the Administrator should provide flight opportunities for payloads to microgravity environments and suborbital altitudes as authorized by section 907 of the National Aeronautics and Space Administration Authorization Act of 2010 (42 U.S.C. 18405).''

SECONDARY PAYLOAD CAPABILITY

Pub. L. 109–155, title VI, §602, Dec. 30, 2005, 119 Stat. 2931, provided that:

''(a) IN GENERAL.—In order to provide more routine and affordable access to space for a broad range of scientific payloads, the Administrator is encouraged to provide the capabilities to support secondary payload flight opportunities on United States launch vehicles, or free flyers, for satellites or scientific payloads weighing less than 500 kilograms.

''(b) FEASIBILITY STUDY.—The Administrator shall initiate a feasibility study for designating a National Free Flyer Launch Coordination Center as a means of coordinating, consolidating, and integrating secondary launch capabilities, launch opportunities, and payloads.

''(c) ASSESSMENT.—The feasibility study required by subsection (b) shall include an assessment of the feasibility of integrating a National Free Flyer Launch Coordination Center within the operations and facilities of an existing nonprofit organization such as the Inland Northwest Space Alliance in Missoula, Montana, or a similar entity, and shall include an assessment of the potential utilization of existing launch and launch support facilities and capabilities, including but not limited to those in the States of Montana and New Mexico and their respective contiguous States, and the State of Alaska, for the integration and launch of secondary payloads, including an assessment of the feasibility of establishing cooperative agreements among such facilities, existing or future commercial launch providers, payload developers, and the designated Coordination Center.''

§ 70103. Commercial payloads on space launch system

(a) DEFINITIONS.—In this section:

(1) LAUNCH VEHICLE.—The term ''launch vehicle'' means any vehicle constructed for the purpose of operating in, or placing a payload in, outer space.

(2) PAYLOAD.—The term ''payload'' means an object which a person undertakes to place in outer space by means of a launch vehicle, and includes subcomponents of the launch vehicle specifically designed or adapted for that object.

(b) IN GENERAL.—Commercial payloads may not be accepted for launch as primary payloads on the space launch system unless the Administrator determines that—

(1) the payload requires the unique capabilities of the space launch system; or

(2) launching of the payload on the space launch system is important for either national security or foreign policy purposes.

(Pub. L. 111–314, §3, Dec. 18, 2010, 124 Stat. 3428; Pub. L. 114–90, title I, §117(a)(4), Nov. 25, 2015, 129 Stat. 718.)

HISTORICAL AND REVISION NOTES

Revised Section	*Source (U.S. Code)*	*Source (Statutes at Large)*
70103(a)	42 U.S.C. 2465c.	Pub. L. 101–611, title II, §203, Nov. 16, 1990, 104 Stat. 3206; Pub. L. 105–303, title II, §203(2), Oct. 28, 1998, 112 Stat. 2855.
70103(b)	42 U.S.C. 2465f.	Pub. L. 101–611, title II, §206, Nov. 16, 1990, 104 Stat. 3207; Pub. L. 105–303, title II, §203(4), Oct. 28, 1998, 112 Stat. 2855.

In subsection (a), the words ''this section'' are substituted for ''this title'', meaning title II of Public Law 101–611, because title II of Public Law 101–611 was previously repealed except for section 201 (a short title provision, classified to 42 U.S.C. 2451 note, in which neither defined term appears) and sections 203 (42 U.S.C. 2465c) and 206 (42 U.S.C. 2465f) of Public Law 101–611, which are restated in this section.

Editorial Notes

AMENDMENTS

2015—Pub. L. 114–90 substituted ''space launch system'' for ''space shuttle'' in section catchline and wherever appearing in text.

§ 70104. Definition of Space Launch System

In this chapter, the term ''Space Launch System'' means the Space Launch System authorized under section 302 of the National Aeronautics and Space Administration Authorization Act of 2010 (42 U.S.C. 18322).

(Added Pub. L. 114–90, title I, §117(a)(5), Nov. 25, 2015, 129 Stat. 718.)

[CHAPTER 703—REPEALED]

[§§ 70301 to 70304. Repealed. Pub. L. 115–10, title IV, § 416(b), Mar. 21, 2017, 131 Stat. 35]

Section 70301, Pub. L. 111–314, §3, Dec. 18, 2010, 124 Stat. 3428, set out Congressional findings.

Section 70302, Pub. L. 111–314, §3, Dec. 18, 2010, 124 Stat. 3429, related to purpose, policy, and goals of chapter.

Section 70303, Pub. L. 111–314, §3, Dec. 18, 2010, 124 Stat. 3429, defined ''additive cost''.

Section 70304, Pub. L. 111–314, §3, Dec. 18, 2010, 124 Stat. 3429, related to duties of Administrator.

CHAPTER 705—EXPLORATION INITIATIVES

§ 70501. Space shuttle follow-on

(a) POLICY STATEMENT.—In order to ensure continuous United States participation and leadership in the exploration and utilization of space and as an essential instrument of national security, it is the policy of the United States to maintain an uninterrupted capability for human space flight and operations—