

TABLE II—CONTINUED

<i>Title 42 Former Sections</i>	<i>Title 51 New Sections</i>
17734	71301
17741	70507
17742	70508
17751(a)	70907
17751(b)	Elim.
17752	70906
17753	Elim.
17761	70501 note
17771	50903 note
17781(a)	Elim.
17781(b)	40903(d)
17781(c)	40311
17791(a)	71101
17791(b)	Elim.
17792	71101 note
17793 to 17795	71102 to 71104
17801	50111(b)
17811(a)	31502
17811(b), (c)	Elim.
17812(a)	31503
17812(b)	Elim.
17821(a)	71302 note
17821(b)	71302
17822	31302
17823	20305
17824	30305
17825(a), (b)	Elim.
17825(c)	60506
17826	Elim.
17827	30310
17828	31504
17829	31505

Statutory Notes and Related Subsidiaries

ENACTMENT OF TITLE

Pub. L. 111–314, § 3, Dec. 18, 2010, 124 Stat. 3328, provided in part that: “Title 51, United States Code, ‘National and Commercial Space Programs’, is enacted as follows”.

PURPOSE; CONFORMITY WITH ORIGINAL INTENT

Pub. L. 111–314, § 2, Dec. 18, 2010, 124 Stat. 3328, provided that:

“(a) PURPOSE.—The purpose of this Act [see Tables for classification] is to codify certain existing laws related to national and commercial space programs as a positive law title of the United States Code.

“(b) CONFORMITY WITH ORIGINAL INTENT.—In the codification of laws by this Act, the intent is to conform to the understood policy, intent, and purpose of Congress in the original enactments, with such amendments and corrections as will remove ambiguities, contradictions, and other imperfections, in accordance with section 205(c)(1) of House Resolution No. 988, 93d Congress, as enacted into law by Public Law 93–554 (2 U.S.C. 285b(1)).”

TRANSITIONAL AND SAVINGS PROVISIONS

Pub. L. 111–314, § 5, Dec. 18, 2010, 124 Stat. 3443, provided that:

“(a) DEFINITIONS.—In this section:

“(1) SOURCE PROVISION.—The term ‘source provision’ means a provision of law that is replaced by a title 51 provision.

“(2) TITLE 51 PROVISION.—The term ‘title 51 provision’ means a provision of title 51, United States Code, that is enacted by section 3.

“(b) CUTOFF DATE.—The title 51 provisions replace certain provisions of law enacted on or before July 1, 2009. If a law enacted after that date amends or repeals a source provision, that law is deemed to amend or repeal, as the case may be, the corresponding title 51 provision. If a law enacted after that date is otherwise inconsistent with a title 51 provision or a provision of this Act [see Tables for classification], that law supersedes the title 51 provision or provision of this Act to the extent of the inconsistency.

“(c) ORIGINAL DATE OF ENACTMENT UNCHANGED.—For purposes of determining whether one provision of law supersedes another based on enactment later in time, a title 51 provision is deemed to have been enacted on the

date of enactment of the corresponding source provision.

“(d) REFERENCES TO TITLE 51 PROVISIONS.—A reference to a title 51 provision is deemed to refer to the corresponding source provision.

“(e) REFERENCES TO SOURCE PROVISIONS.—A reference to a source provision, including a reference in a regulation, order, or other law, is deemed to refer to the corresponding title 51 provision.

“(f) REGULATIONS, ORDERS, AND OTHER ADMINISTRATIVE ACTIONS.—A regulation, order, or other administrative action in effect under a source provision continues in effect under the corresponding title 51 provision.

“(g) ACTIONS TAKEN AND OFFENSES COMMITTED.—An action taken or an offense committed under a source provision is deemed to have been taken or committed under the corresponding title 51 provision.”

REPEALS

Pub. L. 111–314, § 6, Dec. 18, 2010, 124 Stat. 3444, repealed specified laws relating to national and commercial space programs, except with respect to rights and duties that matured, penalties that were incurred, or proceedings that were begun before Dec. 18, 2010.

Subtitle I—General**CHAPTER 101—DEFINITIONS**

Sec.

10101. Definitions.

§ 10101. Definitions

In this title:

(1) ADMINISTRATION.—The term “Administration” means the National Aeronautics and Space Administration.

(2) ADMINISTRATOR.—The term “Administrator” means the Administrator of the National Aeronautics and Space Administration.

(Pub. L. 111–314, § 3, Dec. 18, 2010, 124 Stat. 3329.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
10101	(no source)	

Title-wide definitions for the terms “Administration” and “Administrator” are added for clarity and convenience.

Statutory Notes and Related Subsidiaries

SHORT TITLE OF 2022 AMENDMENT

Pub. L. 117–167, div. B, title VII, § 10801, Aug. 9, 2022, 136 Stat. 1730, provided that: “This title [amending sections 20145, 40112, 40903, 50111, and 70907 of this title and sections 18351, 18353, and 18354 of Title 42, The Public Health and Welfare, enacting provisions set out as notes under this section, sections 20102, 20113, 20301, 20302, 40102, 40112, 40113, 60501, 70901 of this title, and preceding section 71101 of this title, amending provisions set out as notes under sections 20301 and 20302 of this title and preceding section 71101 of this title] may be cited as the ‘National Aeronautics and Space Administration Authorization Act of 2022.’”

Pub. L. 117–103, div. HH, title II, § 201, Mar. 15, 2022, 136 Stat. 1112, provided that: “This title [amending section 20145 of this title and enacting provisions set out as a note under section 20145 of this title] may be cited as the ‘NASA Enhanced-Use Leasing Extension Act of 2022.’”

SHORT TITLE OF 2020 AMENDMENT

Pub. L. 116–181, § 1, Oct. 21, 2020, 134 Stat. 882, provided that: “This Act [enacting chapter 606 of this title, re-

pealing section 18388 of Title 42, The Public Health and Welfare, and enacting provisions set out as a note under section 60601 of this title] may be cited as the ‘Promoting Research and Observations of Space Weather to Improve the Forecasting of Tomorrow Act’ or the ‘PROSWIFT Act’.”

SHORT TITLE OF 2019 AMENDMENT

Pub. L. 116-94, div. I, title VI, §601, Dec. 20, 2019, 133 Stat. 3027, provided that: “This title [amending section 20145 of this title] may be cited as the ‘NASA Enhanced Use Leasing Extension Act of 2019’.”

SHORT TITLE OF 2018 AMENDMENT

Pub. L. 115-403, §1, Dec. 31, 2018, 132 Stat. 5348, provided that: “This Act [amending section 20145 of this title] may be cited as the ‘NASA Enhanced Use Leasing Extension Act of 2018’.”

SHORT TITLE OF 2017 AMENDMENT

Pub. L. 115-10, §1(a), Mar. 21, 2017, 131 Stat. 18, provided that: “This Act [see Tables for classification] may be cited as the ‘National Aeronautics and Space Administration Transition Authorization Act of 2017’.”

Pub. L. 115-10, title IV, §441, Mar. 21, 2017, 131 Stat. 44, provided that: “This subtitle [subtitle D (§§441-443) of title IV of Pub. L. 115-10, enacting section 20149 of this title and provisions set out as notes under section 20149 of this title] may be cited as the ‘To Research, Evaluate, Assess, and Treat Astronauts Act’ or the ‘TREAT Astronauts Act’.”

SHORT TITLE OF 2015 AMENDMENT

Pub. L. 114-90, §1(a), Nov. 25, 2015, 129 Stat. 704, provided that: “This Act [enacting chapter 513 and sections 60126 and 70104 of this title, amending sections 20113, 50131, 50701, 50702, 50901, 50902, 50904 to 50908, 50914, 50915, 50919, 70101 to 70103, and 70907 of this title and sections 18351, 18353, and 18354 of Title 42, The Public Health and Welfare, and enacting provisions set out as notes under this section and sections 20113 and 50918 of this title] may be cited as the ‘U.S. Commercial Space Launch Competitiveness Act’.”

Pub. L. 114-90, title I, §101, Nov. 25, 2015, 129 Stat. 705, provided that: “This title [enacting section 70104 of this title, amending sections 20113, 50131, 50901, 50902, 50904 to 50908, 50914, 50915, 50919, 70101 to 70103, and 70907 of this title and sections 18351, 18353, and 18354 of Title 42, The Public Health and Welfare, and enacting provisions set out as notes under sections 20113 and 50918 of this title] may be cited as the ‘Spurring Private Aerospace Competitiveness and Entrepreneurship Act of 2015’ or ‘SPACE Act of 2015’.”

Pub. L. 114-90, title IV, §401, Nov. 25, 2015, 129 Stat. 720, provided that: “This title [enacting chapter 513 of this title] may be cited as the ‘Space Resource Exploration and Utilization Act of 2015’.”

SHORT TITLE OF 2013 AMENDMENT

Pub. L. 112-273, §1, Jan. 14, 2013, 126 Stat. 2454, provided that: “This Act [amending section 50915 of this title, section 18313 of Title 42, The Public Health and Welfare, and provisions set out as a note under section 1701 of Title 50, War and National Defense] may be cited as the ‘Space Exploration Sustainability Act’.”

SHORT TITLE OF 2008 ACT

Pub. L. 110-422, §1(a), Oct. 15, 2008, 122 Stat. 4779, provided that: “This Act [see Tables for classification] may be cited as the ‘National Aeronautics and Space Administration Authorization Act of 2008’.”

SHORT TITLE OF 2005 ACT

Pub. L. 109-155, §1(a), Dec. 30, 2005, 119 Stat. 2895, provided that: “This Act [see Tables for classification] may be cited as the ‘National Aeronautics and Space Administration Authorization Act of 2005’.”

SHORT TITLE OF 2004 ACT

Pub. L. 108-492, §1, Dec. 23, 2004, 118 Stat. 3974, provided that: “This Act [see Tables for classification]

may be cited as the ‘Commercial Space Launch Amendments Act of 2004’.”

SHORT TITLE OF 2002 ACT

Pub. L. 107-248, title IX, §901, Oct. 23, 2002, 116 Stat. 1573, provided that: “This title [see Tables for classification] may be cited as the ‘Commercial Reusable In-Space Transportation Act of 2002’.”

SHORT TITLE OF 2000 ACT

Pub. L. 106-405, §1, Nov. 1, 2000, 114 Stat. 1751, provided that: “This Act [see Tables for classification] may be cited as the ‘Commercial Space Transportation Competitiveness Act of 2000’.”

SHORT TITLE OF 1998 ACT

Pub. L. 105-303, §1(a), Oct. 28, 1998, 112 Stat. 2843, provided that: “This Act [see Tables for classification] may be cited as the ‘Commercial Space Act of 1998’.”

SHORT TITLE OF 1992 ACT

Pub. L. 102-555, §1, Oct. 28, 1992, 106 Stat. 4163, provided that: “This Act [see Tables for classification] may be cited as the ‘Land Remote Sensing Policy Act of 1992’.”

SHORT TITLE OF 1990 ACT

Pub. L. 101-611, title II, §201, Nov. 16, 1990, 104 Stat. 3205, provided that: “This title [see Tables for classification] may be cited as the ‘Launch Services Purchase Act of 1990’.”

SHORT TITLE OF 1987 ACT

Pub. L. 100-147, title II, §201, Oct. 30, 1987, 101 Stat. 869, provided that: “This title [see Tables for classification] may be cited as the ‘National Space Grant College and Fellowship Act’.”

SHORT TITLE OF 1958 ACT

Pub. L. 85-568, title I, §101, July 29, 1958, 72 Stat. 426, provided that: “This Act [see Tables for classification] may be cited as the ‘National Aeronautics and Space Act of 1958’.”

DEFINITIONS

Pub. L. 117-167, div. B, title VII, §10802, Aug. 9, 2022, 136 Stat. 1730, provided that: “In this title [see Short Title of 2022 Amendment note above]:

“(1) ADMINISTRATION.—The term ‘Administration’ means the National Aeronautics and Space Administration.

“(2) ADMINISTRATOR.—The term ‘Administrator’ means the Administrator of the National Aeronautics and Space Administration.

“(3) APPROPRIATE COMMITTEES OF CONGRESS.—Except as otherwise expressly provided, the term ‘appropriate committees of Congress’ means—

“(A) the Committee on Commerce, Science, and Transportation of the Senate; and

“(B) the Committee on Science, Space, and Technology of the House of Representatives.

“(4) CISLUNAR SPACE.—The term ‘cislunar space’ means the region of space beyond low-Earth orbit out to and including the region around the surface of the Moon.

“(5) DEEP SPACE.—The term ‘deep space’ means the region of space beyond low-Earth orbit, including cislunar space.

“(6) DEVELOPMENT COST.—The term ‘development cost’ has the meaning given the term in section 30104 of title 51, United States Code.

“(7) GOVERNMENT ASTRONAUT.—The term ‘government astronaut’ has the meaning given the term in section 50902 of title 51, United States Code.

“(8) ISS.—The term ‘ISS’ means the International Space Station.

“(9) LOW-ENRICHED URANIUM.—The term ‘low-enriched uranium’ means uranium having an assay

greater than the assay for natural uranium but less than 20 percent of the uranium-235 isotope.

“(10) NASA.—The term ‘NASA’ means the National Aeronautics and Space Administration.

“(11) ORION.—The term ‘Orion’ means the multipurpose crew vehicle described in section 303 of the National Aeronautics and Space Administration Authorization Act of 2010 (42 U.S.C. 18323).

“(12) OSTP.—The term ‘OSTP’ means the Office of Science and Technology Policy.

“(13) SPACE FLIGHT PARTICIPANT.—The term ‘space flight participant’ has the meaning given the term in section 50902 of title 51, United States Code.

“(14) SPACE LAUNCH SYSTEM.—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).

“(15) UNMANNED AIRCRAFT; UNMANNED AIRCRAFT SYSTEM.—The terms ‘unmanned aircraft’ and ‘unmanned aircraft system’ have the meanings given those terms in section 44801 of title 49, United States Code.”

Pub. L. 115–10, § 2, Mar. 21, 2017, 131 Stat. 19, provided that: “In this Act [see Tables for classification]:

“(1) ADMINISTRATION.—The term ‘Administration’ means the National Aeronautics and Space Administration.

“(2) ADMINISTRATOR.—The term ‘Administrator’ means the Administrator of the National Aeronautics and Space Administration.

“(3) 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 Science, Space, and Technology of the House of Representatives.

“(4) 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.

“(5) DEEP SPACE.—The term ‘deep space’ means the region of space beyond low-Earth orbit, to include cis-lunar space.

“(6) GOVERNMENT ASTRONAUT.—The term ‘government astronaut’ has the meaning given the term in section 50902 of title 51, United States Code.

“(7) ISS.—The term ‘ISS’ means the International Space Station.

“(8) ISS MANAGEMENT ENTITY.—The term ‘ISS management entity’ means the organization with which the Administrator has a cooperative agreement under section 504(a) of the National Aeronautics and Space Administration Authorization Act of 2010 (42 U.S.C. 18354(a)).

“(9) NASA.—The term ‘NASA’ means the National Aeronautics and Space Administration.

“(10) ORION.—The term ‘Orion’ means the multipurpose crew vehicle described under section 303 of the National Aeronautics and Space Administration Authorization Act of 2010 (42 U.S.C. 18323).

“(11) SPACE LAUNCH SYSTEM.—The term ‘Space Launch System’ has the meaning given the term in section 3 of the National Aeronautics and Space Administration Authorization Act of 2010 (42 U.S.C. 18302).

“(12) UNITED STATES GOVERNMENT ASTRONAUT.—The term ‘United States government astronaut’ has the meaning given the term ‘government astronaut’ in section 50902 of title 51, United States Code, except it does not include an individual who is an international partner astronaut.”

Pub. L. 111–358, title II, § 206, Jan. 4, 2011, 124 Stat. 3996, provided that: “In this title [amending section 18421 of Title 42, The Public Health and Welfare, and enacting provisions set out as notes under section 20303 of this title, preceding sections 30501 and 40901 of this title, and under section 18421 of Title 42]:

“(1) ADMINISTRATOR.—The term ‘Administrator’ means the Administrator of NASA.

“(2) NASA.—The term ‘NASA’ means the National Aeronautics and Space Administration.”

Pub. L. 110–422, § 3, Oct. 15, 2008, 122 Stat. 4782, provided that: “In this Act [see Short Title of 2008 Act note above]:

“(1) ADMINISTRATOR.—The term ‘Administrator’ means the Administrator of NASA.

“(2) NASA.—The term ‘NASA’ means the National Aeronautics and Space Administration.

“(3) NOAA.—The term ‘NOAA’ means the National Oceanic and Atmospheric Administration.

“(4) OSTP.—The term ‘OSTP’ means the Office of Science and Technology Policy.”

Pub. L. 109–155, § 2, Dec. 30, 2005, 119 Stat. 2897, provided that: “In this Act [see Short Title of 2005 Act note above]:

“(1) ADMINISTRATOR.—The term ‘Administrator’ means the Administrator of the National Aeronautics and Space Administration.

“(2) ISS.—The term ‘ISS’ means the International Space Station.

“(3) NASA.—The term ‘NASA’ means the National Aeronautics and Space Administration.”

Pub. L. 106–391, § 3, Oct. 30, 2000, 114 Stat. 1579, provided that: “For purposes of this Act [see Tables for classification]—

“(1) the term ‘Administrator’ means the Administrator of the National Aeronautics and Space Administration;

“(2) the term ‘commercial provider’ means any person providing space transportation services or other space-related activities, the primary control of which is held by persons other than a Federal, State, local, or foreign government;

“(3) the term ‘critical path’ means the sequence of events of a schedule of events under which a delay in any event causes a delay in the overall schedule;

“(4) the term ‘grant agreement’ has the meaning given that term in section 6302(2) of title 31, United States Code;

“(5) the term ‘institution of higher education’ has the meaning given such term in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001);

“(6) the term ‘State’ means each of the several States of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, and any other commonwealth, territory, or possession of the United States; and

“(7) the term ‘United States commercial provider’ means a commercial provider, organized under the laws of the United States or of a State, which is—

“(A) more than 50 percent owned by United States nationals; or

“(B) a subsidiary of a foreign company and the Secretary of Commerce finds that—

“(i) such subsidiary has in the past evidenced a substantial commitment to the United States market through—

“(I) investments in the United States in long-term research, development, and manufacturing (including the manufacture of major components and subassemblies); and

“(II) significant contributions to employment in the United States; and

“(ii) the country or countries in which such foreign company is incorporated or organized, and, if appropriate, in which it principally conducts its business, affords reciprocal treatment to companies described in subparagraph (A) comparable to that afforded to such foreign company’s subsidiary in the United States, as evidenced by—

“(I) providing comparable opportunities for companies described in subparagraph (A) to participate in Government sponsored research and development similar to that authorized under this Act;

“(II) providing no barriers to companies described in subparagraph (A) with respect to local investment opportunities that are not provided to foreign companies in the United States; and

“(III) providing adequate and effective protection for the intellectual property rights of companies described in subparagraph (A).”

Subtitle II—General Program and Policy Provisions

CHAPTER 201—NATIONAL AERONAUTICS AND SPACE PROGRAM

SUBCHAPTER I—SHORT TITLE, DECLARATION OF POLICY, AND DEFINITIONS

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Editorial Notes

AMENDMENTS

2017—Pub. L. 115–10, title III, § 305(b), title IV, § 443(b), Mar. 21, 2017, 131 Stat. 32, 47, added items 20148 and 20149.

SUBCHAPTER I—SHORT TITLE, DECLARATION OF POLICY, AND DEFINITIONS

§ 20101. Short title

This chapter may be cited as the “National Aeronautics and Space Act”.

(Pub. L. 111–314, § 3, Dec. 18, 2010, 124 Stat. 3330.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
20101	(no source)	

Chapter 201 of title 51 restates the National Aeronautics and Space Act of 1958. Although short titles are generally eliminated as unnecessary in positive law titles of the United States Code, in this case it was suggested that the short title “National Aeronautics and Space Act” be provided for convenience.

§ 20102. Congressional declaration of policy and purpose

(a) DEVOTION OF SPACE ACTIVITIES TO PEACEFUL PURPOSES FOR BENEFIT OF ALL HUMAN-KIND.—Congress declares that it is the policy of the United States that activities in space should be devoted to peaceful purposes for the benefit of all humankind.

(b) AERONAUTICAL AND SPACE ACTIVITIES FOR WELFARE AND SECURITY OF UNITED STATES.—Congress declares that the general welfare and security of the United States require that adequate provision be made for aeronautical and space activities. Congress further declares that such activities shall be the responsibility of, and shall be directed by, a civilian agency exercising control over aeronautical and space activities sponsored by the United States, except that activities peculiar to or primarily associated with the development of weapons systems, military operations, or the defense of the United States (including the research and development necessary to make effective provision for the defense of the United States) shall be the responsibility of, and shall be directed by, the Department of Defense; and that determination as to which agency has responsibility for and direction of any such activity shall be made by the President.

(c) COMMERCIAL USE OF SPACE.—Congress declares that the general welfare of the United States requires that the Administration seek and encourage, to the maximum extent possible, the fullest commercial use of space.

(d) OBJECTIVES OF AERONAUTICAL AND SPACE ACTIVITIES.—The aeronautical and space activities of the United States shall be conducted so as to contribute materially to one or more of the following objectives:

(1) The expansion of human knowledge of the Earth and of phenomena in the atmosphere and space.

(2) The improvement of the usefulness, performance, speed, safety, and efficiency of aeronautical and space vehicles.

(3) The development and operation of vehicles capable of carrying instruments, equipment, supplies, and living organisms through space.

(4) The establishment of long-range studies of the potential benefits to be gained from, the opportunities for, and the problems involved in the utilization of aeronautical and space activities for peaceful and scientific purposes.

(5) The preservation of the role of the United States as a leader in aeronautical and space science and technology and in the application