

## DEFINITIONS

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 compa-

nies 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

Sec.	
20101.	Short title.
20102.	Congressional declaration of policy and purpose.
20103.	Definitions.

#### SUBCHAPTER II—COORDINATION OF AERONAUTICAL AND SPACE ACTIVITIES

20111.	National Aeronautics and Space Administration.
20112.	Functions of the Administration.
20113.	Powers of the Administration in performance of functions.
20114.	Administration and Department of Defense coordination.
20115.	International cooperation.
20116.	Reports to Congress.
20117.	Disposal of excess land.

#### SUBCHAPTER III—GENERAL ADMINISTRATIVE PROVISIONS

20131.	Public access to information.
20132.	Security requirements.
20133.	Permission to carry firearms.
20134.	Arrest authority.
20135.	Property rights in inventions.
20136.	Contributions awards.
20137.	Malpractice and negligence suits against United States.
20138.	Insurance and indemnification.
20139.	Insurance for experimental aerospace vehicles.
20140.	Appropriations.
20141.	Misuse of agency name and initials.
20142.	Contracts regarding expendable launch vehicles.
20143.	Full cost appropriations account structure.
20144.	Prize authority.
20145.	Lease of non-excess property.
20146.	Retrocession of jurisdiction.
20147.	Recovery and disposition authority.

#### SUBCHAPTER IV—UPPER ATMOSPHERE RESEARCH

20161.	Congressional declaration of purpose and policy.
20162.	Definition of upper atmosphere.
20163.	Program authorized.
20164.	International cooperation.

#### 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

thereof to the conduct of peaceful activities within and outside the atmosphere.

(6) The making available to agencies directly concerned with national defense of discoveries that have military value or significance, and the furnishing by such agencies, to the civilian agency established to direct and control nonmilitary aeronautical and space activities, of information as to discoveries which have value or significance to that agency.

(7) Cooperation by the United States with other nations and groups of nations in work done pursuant to this chapter and in the peaceful application of the results thereof.

(8) The most effective utilization of the scientific and engineering resources of the United States, with close cooperation among all interested agencies of the United States in order to avoid unnecessary duplication of effort, facilities, and equipment.

(9) The preservation of the United States preeminent position in aeronautics and space through research and technology development related to associated manufacturing processes.

(e) GROUND PROPULSION SYSTEMS RESEARCH AND DEVELOPMENT.—Congress declares that the general welfare of the United States requires that the unique competence in scientific and engineering systems of the Administration also be directed toward ground propulsion systems research and development. Such development shall be conducted so as to contribute to the objectives of developing energy and petroleum-conserving ground propulsion systems, and of minimizing the environmental degradation caused by such systems.

(f) BIOENGINEERING RESEARCH, DEVELOPMENT, AND DEMONSTRATION PROGRAMS.—Congress declares that the general welfare of the United States requires that the unique competence of the Administration in science and engineering systems be directed to assisting in bioengineering research, development, and demonstration programs designed to alleviate and minimize the effects of disability.

(g) WARNING AND MITIGATION OF POTENTIAL HAZARDS OF NEAR-EARTH OBJECTS.—Congress declares that the general welfare and security of the United States require that the unique competence of the Administration be directed to detecting, tracking, cataloguing, and characterizing near-Earth asteroids and comets in order to provide warning and mitigation of the potential hazard of such near-Earth objects to the Earth.

(h) PURPOSE OF CHAPTER.—It is the purpose of this chapter to carry out and effectuate the policies declared in subsections (a) to (g).

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