IISL COLLOQUIUM ON THE LAW OF OUTER SPACE (E7) Young Scholars Session with Keynote Lecture (1)

Author: Mr. Howard Chang Georgetown University, United States

SPACE RACE 2031: THE HISTORY OF THE WOLF AMENDMENT AND THE FUTURE OF THE ISS AND TIANGONG SPACE STATION

Abstract

The International Space Station (ISS) has been the crown jewel of American soft power throughout the 21st century. The past two decades of research aboard the ISS produced incalculable value with respect to scientists' understanding of the universe. At the same time, the ISS is entering its twilight years, with an official decommissioning date in 2031. Meanwhile, China's Tiangong space station is in its infancy and already hosting similar experiments to those conducted on the ISS, with plans for Chinese and foreign astronauts to work together in orbit.

The Tiangong was a natural product of the Wolf Amendment, a 2011 law prohibiting the United States National Aeronautics and Space Administration (NASA) from using funds to work with the Chinese government—and thus the Chinese Manned Space Program (CMSA)—without explicit authorization from the U.S. government. But the primary purpose of the Wolf Amendment was to try to isolate the Chinese government into more closely abiding with U.S. norms in human rights. While much is written about the aftereffects of the Wolf Amendment, there is a lack of focus on the historical, illuminating events leading up to the law's enactment—events that were intended to evaluate CMSA's capabilities and whether NASA and CMSA could cooperate on the ISS. One purpose of these events was to avoid a space race. Indeed, prior to the Wolf Amendment, China's aerospace program gave U.S. leaders pause regarding China's ability to poach NASA partners or surpass the ISS.

And with the ISS's decommissioning date, a first "milestone" stemming from the Wolf Amendment is appearing: Tiangong has an opportunity to be the world's leading space station—one that would potentially attract the other space agencies collaborating on the ISS.

This paper will show the history and present reality of the Wolf Amendment through primary sources, including recorded forms of floor speeches, committee reports and hearings, official letters and interviews, panel discussions, etc. This will include the amendment's current legal application as well as its application as envisioned by Congressman Frank Wolf, the framer of the Wolf Amendment. Specifically, this paper will, inter alia, present legislative history preceding the Wolf Amendment as well as first-hand accounts from key players—including former NASA and CMSA officials. Because the events preceding the Wolf Amendment centered around the ISS and possible Sino-U.S. collaboration, the paper will also discuss current U.S. and Chinese policies and plans, both public and private sector, regarding existing and future space stations.