

Subsec. (g)(2)(B). Pub. L. 111-358, §904(6)(C)(iii)(I), substituted “program director” for “program manager” in introductory provisions.

Subsec. (g)(2)(B)(iv). Pub. L. 111-358, §904(6)(C)(iii)(II), struck out “, with advice under subsection (j) as appropriate,” after “basis of merit” in introductory provisions.

Subsec. (g)(2)(B)(v) to (viii). Pub. L. 111-358, §904(6)(C)(iii)(III)–(VI), added cls. (v) and (vii) and redesignated former cls. (v) and (vi) as (vi) and (viii), respectively.

Subsec. (g)(2)(C). Pub. L. 111-358, §904(6)(C)(iv), inserted “not more than” after “shall be”.

Subsec. (g)(3). Pub. L. 111-358, §904(6)(A), redesignated par. (2) as (3).

Subsec. (g)(3)(A)(ii), (iii). Pub. L. 111-358, §904(6)(D)(i), added cls. (ii) and (iii) and struck out former cl. (ii) which read as follows: “fix the compensation of such personnel at a rate to be determined by the Director.”

Subsec. (g)(3)(B). Pub. L. 111-358, §904(6)(D)(ii), substituted “not more than 120” for “not less than 70, and not more than 120.”

Subsec. (h). Pub. L. 111-358, §904(4), redesignated subsec. (g) as (h). Former subsec. (h) redesignated (i).

Subsec. (h)(2). Pub. L. 111-358, §904(7), substituted “2010” for “2008” and “2013” for “2011”.

Subsec. (i). Pub. L. 111-358, §904(4), redesignated subsec. (h) as (i). Former subsec. (i) redesignated (j).

Subsec. (j). Pub. L. 111-358, §904(8), added subsec. (j) and struck out former subsec. (j). Prior to amendment, text read as follows: “The Secretary shall make information available to purchasing and procurement programs of Federal agencies regarding the potential to demonstrate technologies resulting from activities funded through ARPA-E.”

Pub. L. 111-358, §904(4), redesignated subsec. (i) as (j). Former subsec. (j) redesignated (k).

Subsecs. (k), (l). Pub. L. 111-358, §904(4), redesignated subsecs. (j) and (k) as (k) and (l), respectively. Former subsec. (l) redesignated (m).

Subsec. (l)(1). Pub. L. 111-358, §904(9)(A), substituted “6 years” for “4 years”.

Subsec. (l)(2)(B). Pub. L. 111-358, §904(9)(B), inserted “, and the manner in which those lessons may apply to the operation of other programs of the Department” after “ARPA-E”.

Subsecs. (m), (n). Pub. L. 111-358, §904(4), redesignated subsecs. (l) and (m) as (m) and (n), respectively.

Subsec. (n)(2)(C) to (E). Pub. L. 111-358, §904(10)(A), added subpars. (C) to (E).

Subsec. (n)(4). Pub. L. 111-358, §904(10)(B), (C), redesignated par. (5) as (4) and struck out former par. (4). Prior to amendment, text read as follows: “No amounts may be appropriated for ARPA-E for fiscal year 2008 unless the amount appropriated for the activities of the Office of Science of the Department for fiscal year 2008 exceeds the amount appropriated for the Office for fiscal year 2007, as adjusted for inflation in accordance with the Consumer Price Index published by the Bureau of Labor Statistics of the Department of Labor.”

Subsec. (n)(4)(B). Pub. L. 111-358, §904(10)(D), substituted “5 percent” for “2.5 percent” and inserted “, consistent with the goal described in subsection (c)(2)(D) and within the responsibilities of program directors described in subsection (g)(2)(B)(vii)” after “outreach activities”.

Subsec. (n)(5). Pub. L. 111-358, §904(10)(C), redesignated par. (5) as (4).

## CHAPTER 150—NATIONAL AERONAUTICS AND SPACE PROGRAMS, 2005

### § 16601. Transferred

#### CODIFICATION

Section, Pub. L. 109-155, §2, Dec. 30, 2005, 119 Stat. 2897, which related to definitions, was transferred and is set out as a note under section 10101 of Title 51, National and Commercial Space Programs.

## SUBCHAPTER I—GENERAL PRINCIPLES AND REPORTS

### §§ 16611, 16611a. Repealed or Omitted

#### CODIFICATION

Section 16611, Pub. L. 109-155, title I, §101, Dec. 30, 2005, 119 Stat. 2897, which related to responsibilities, policies, and plans, was repealed in part and omitted in part. Subsecs. (a) and (b) were repealed and reenacted as sections 20301 and 20302, respectively, of Title 51, National and Commercial Space Programs, by Pub. L. 111-314, §§3, 6, Dec. 18, 2010, 124 Stat. 3328, 3444, which Act enacted Title 51. Subsecs. (c) to (g), requiring certain reports and studies by past dates, were omitted from the Code following the enactment of Title 51. Subsec. (h)(1) was repealed and reenacted as subsec. (a) of section 30103 of Title 51. Subsec. (h)(2), providing sense of Congress regarding budget evaluation, was omitted from the Code following the enactment of Title 51. Subsec. (i) was repealed and reenacted as subsec. (b) of section 30103 of Title 51. Subsec. (j), providing for independent review of strategic need for aeronautics test facilities, was omitted from the Code following the enactment of Title 51.

Section 16611a, Pub. L. 110-69, title II, §2001, Aug. 9, 2007, 121 Stat. 582, which related to NASA’s contribution to innovation, was repealed in part and omitted in part. Subsecs. (a), (b), (c), and (e) were repealed and reenacted as subsecs. (a), (b), (c), and (d), respectively, of section 20303 of Title 51 by Pub. L. 111-314, §§3, 6, Dec. 18, 2010, 124 Stat. 3328, 3444, which Act enacted Title 51. Subsec. (d), which provided sense of Congress regarding NASA funding, and subsec. (f), requiring report by Administrator regarding assessments of educational program effectiveness not later than one year after Aug. 9, 2007, were omitted from the Code following the enactment of Title 51.

### § 16611b. Repealed. Pub. L. 111-314, §6, Dec. 18, 2010, 124 Stat. 3444

Section, Pub. L. 110-161, div. B, title III, Dec. 26, 2007, 121 Stat. 1919, related to NASA annual budget justification. See subsec. (c) of section 30103 of Title 51, National and Commercial Space Programs.

#### ESTIMATES OF RECEIPTS AND COLLECTIONS AND PROPOSED USE OF FUNDS FROM LEASES OF NON-EXCESS PROPERTY

Pub. L. 111-8, div. B, title III, Mar. 11, 2009, 123 Stat. 589, which provided in part that each annual budget request shall include an annual estimate of gross receipts and collections and proposed use of all funds collected pursuant to section 315 of the National Aeronautics and Space Act of 1958 ([former] 42 U.S.C. 2459j), was repealed and reenacted as subsec. (d) of section 30103 of Title 51, National and Commercial Space Programs, by Pub. L. 111-314, §§3, 6, Dec. 18, 2010, 124 Stat. 3328, 3444, which Act enacted Title 51.

### § 16612. Transferred

#### CODIFICATION

Section, Pub. L. 109-155, title I, §102, Dec. 30, 2005, 119 Stat. 2905, which related to national awareness campaign to encourage young Americans to enter the fields of science, mathematics, and engineering, budget information, space communications plan, Joint Dark Energy Mission, and Office of Science and Technology Policy, and related reports, was transferred and is set out as a note preceding section 40901 of Title 51, National and Commercial Space Programs.

### §§ 16613 to 16615. Repealed. Pub. L. 111-314, §6, Dec. 18, 2010, 124 Stat. 3444

Section 16613, Pub. L. 109-155, title I, §103, Dec. 30, 2005, 119 Stat. 2907, related to baselines and cost con-

trols. See section 30104 of Title 51, National and Commercial Space Programs.

Section 16614, Pub. L. 109-155, title I, §105, Dec. 30, 2005, 119 Stat. 2912, related to foreign launch vehicles. See section 30703 of Title 51.

Section 16615, Pub. L. 109-155, title I, §107, Dec. 30, 2005, 119 Stat. 2912, related to implementation plan describing lessons learned and best practices for major programs and projects. See section 30501 of Title 51.

#### §§ 16616, 16617. Omitted

##### CODIFICATION

Section 16616, Pub. L. 109-155, title I, §108, Dec. 30, 2005, 119 Stat. 2913, which related to commercialization plan for missions to the Moon and Mars, and required plan submission to Congress not later than 180 days after Dec. 30, 2005, was omitted from the Code following the enactment of Title 51, National and Commercial Space Programs, by Pub. L. 111-314.

Section 16617, Pub. L. 109-155, title I, §109, Dec. 30, 2005, 119 Stat. 2913, which related to study on the feasibility of use of ground source heat pumps and required study transmission to Congress not later than one year after Dec. 30, 2005, was omitted from the Code following the enactment of Title 51.

#### § 16618. Repealed. Pub. L. 111-314, § 6, Dec. 18, 2010, 124 Stat. 3444

Section, Pub. L. 109-155, title I, §110, Dec. 30, 2005, 119 Stat. 2914, related to whistleblower protection. See section 30502 of Title 51, National and Commercial Space Programs.

#### SUBCHAPTER II—AUTHORIZATION OF APPROPRIATIONS

#### §§ 16631 to 16634. Repealed. Pub. L. 111-314, § 6, Dec. 18, 2010, 124 Stat. 3444

Section 16631, Pub. L. 109-155, title II, §202, Dec. 30, 2005, 119 Stat. 2915, related to appropriations for fiscal year 2007.

Section 16632, Pub. L. 109-155, title II, §203, Dec. 30, 2005, 119 Stat. 2915, related to appropriations for fiscal year 2008.

Section 16633, Pub. L. 109-155, title II, §204, Dec. 30, 2005, 119 Stat. 2916, related to ISS research. See section 70902 of Title 51, National and Commercial Space Programs.

Section 16634, Pub. L. 109-155, title II, §205, Dec. 30, 2005, 119 Stat. 2916, related to charges and funding account for test facilities. See section 50505 of Title 51.

#### §§ 16635, 16636. Omitted

Section 16635, Pub. L. 109-155, title II, §206, Dec. 30, 2005, 119 Stat. 2916, which related to limitation on use of appropriated funds for official representation, was omitted from the Code following the enactment of Title 51, National and Commercial Space Programs, by Pub. L. 111-314.

Section 16636, Pub. L. 109-155, title II, §207, Dec. 30, 2005, 119 Stat. 2916, which required Administrator to report ISS development costs and related matters to Congress and provided for repeal of section 202 of Pub. L. 106-391 thirty days after transmission of report, was omitted from the Code following the enactment of Title 51.

#### SUBCHAPTER III—SCIENCE

##### PART A—GENERAL PROVISIONS

#### § 16651. Repealed. Pub. L. 111-314, § 6, Dec. 18, 2010, 124 Stat. 3444

Section, Pub. L. 109-155, title III, §301, Dec. 30, 2005, 119 Stat. 2916, related to performance assessments. See

section 30503 of Title 51, National and Commercial Space Programs.

#### §§ 16652, 16653. Omitted

Section 16652, Pub. L. 109-155, title III, §302, Dec. 30, 2005, 119 Stat. 2917, which related to status of Hubble Space Telescope servicing mission and required Administrator's report to Congress not later than 60 days after second Space Shuttle mission, was omitted from the Code following the enactment of Title 51, National and Commercial Space Programs, by Pub. L. 111-314.

Section 16653, Pub. L. 109-155, title III, §303, Dec. 30, 2005, 119 Stat. 2917, which required independent assessment of Landsat-NPOESS integrated mission to be transmitted to Congress not later than 180 days after Dec. 30, 2005, was omitted from the Code following the enactment of Title 51.

#### §§ 16654, 16655. Repealed or Omitted

##### CODIFICATION

Section 16654, Pub. L. 109-155, title III, §304, Dec. 30, 2005, 119 Stat. 2918; Pub. L. 111-314, §4(e), Dec. 18, 2010, 124 Stat. 3443, which related to assessment of science mission extensions, was repealed in part and omitted in part. Introductory provisions of subsec. (a) were repealed and reenacted as subsec. (a) of section 30504 of Title 51, National and Commercial Space Programs, by Pub. L. 111-314, §§3, 6, Dec. 18, 2010, 124 Stat. 3328, 3444, which Act enacted Title 51. Subsec. (a)(1), requiring Administrator to carry out assessment for certain missions not later than 60 days after Dec. 30, 2005, was amended and redesignated subsec. (a) by Pub. L. 111-314, §4(e)(1), Dec. 18, 2010, 124 Stat. 3443, and was omitted from the Code following the enactment of Title 51. Subsec. (a)(2) was repealed and reenacted as subsec. (b) of section 30504 of Title 51. Subsec. (b), requiring Administrator to submit report on assessment to congressional committees not later than 30 days after completion of assessment, was amended by Pub. L. 111-314, §4(e)(2), Dec. 18, 2010, 124 Stat. 3443, and was omitted from the Code following the enactment of Title 51.

Section 16655, Pub. L. 109-155, title III, §305, Dec. 30, 2005, 119 Stat. 2918, which related to microgravity research, was repealed in part and omitted in part. Par. (1), which required Administrator to submit report to congressional committees not later than 90 days after Dec. 30, 2005, as required by former section 16766 of this title, was omitted from the Code following the enactment of Title 51. Pars. (2) and (3) were repealed and reenacted as section 40904 of Title 51 by Pub. L. 111-314, §§3, 6, Dec. 18, 2010, 124 Stat. 3328, 3444, which Act enacted Title 51.

#### § 16656. Repealed. Pub. L. 111-314, § 6, Dec. 18, 2010, 124 Stat. 3444

Section, Pub. L. 109-155, title III, §306, Dec. 30, 2005, 119 Stat. 2919, related to coordination with National Oceanic and Atmospheric Administration. See section 60505 of Title 51, National and Commercial Space Programs.

#### § 16657. Omitted

##### CODIFICATION

Section, Pub. L. 109-155, title III, §307, Dec. 30, 2005, 119 Stat. 2919; Pub. L. 110-234, title VII, §7511(c)(40), May 22, 2008, 122 Stat. 1271; Pub. L. 110-246, §4(a), title VII, §7511(c)(40), June 18, 2008, 122 Stat. 1664, 2032, which related to Administrator's review of Headquarters Earth-Sun System Applied Sciences Program research and development implemented in calendar years 2001 to 2005, and required report to be submitted to congressional committees not later than one year after Dec. 30, 2005, was omitted from the Code following the enactment of Title 51, National and Commercial Space Programs, by Pub. L. 111-314.