

heads of executive departments and agencies as appropriate. The Director also shall ensure that all actions taken in the performance of such functions are consistent with the authority set forth in subsections (a) through (d) of section 6 of Executive Order 13346 of July 8, 2004.

(c) This order shall be implemented in a manner consistent with:

(i) applicable law, including section 102A(i) of the National Security Act of 1947, as amended ([former] 50 U.S.C. 403-1(i)) [now 50 U.S.C. 3024(i)], and subject to the availability of appropriations; and

(ii) statutory authority of the principal officers of executive departments and agencies as the heads of their respective departments and agencies.

(d) This order shall not be construed to impair or otherwise affect the functions of the Director of the Office of Management and Budget relating to budget, administrative, and legislative proposals.

(e) This order is not intended to, and does not, create any rights or benefits, substantive or procedural, enforceable at law or in equity by a party against the United States, its departments, agencies, instrumentalities, or entities, its officers, employees, or agents, or any other person.

GEORGE W. BUSH.

§ 40103. Cooperation with other agencies on aeronautics activities

The Administrator shall coordinate, as appropriate, the Administration's aeronautics activities with relevant programs in the Department of Transportation, the Department of Defense, the Department of Commerce, and the Department of Homeland Security, including the activities of the Next Generation Air Transportation System Joint Planning and Development Office established under section 709 of the Vision 100—Century of Aviation Reauthorization Act (Public Law 108–176, 49 U.S.C. 40101 note).

(Pub. L. 111–314, § 3, Dec. 18, 2010, 124 Stat. 3379.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
40103	42 U.S.C. 16712(b).	Pub. L. 110-69, title II, § 2002(b), Aug. 9, 2007, 121 Stat. 583.

The words “Next Generation Air Transportation System” are inserted before “Joint Planning and Development Office” for consistency with section 709 of the Vision 100—Century of Aviation Reauthorization Act (Public Law 108–176, 49 U.S.C. 40101 note).

§ 40104. Cooperation among Mission Directorates

Research and development activities performed by the Aeronautics Research Mission Directorate with the primary objective of assisting in the development of a flight project in another Mission Directorate shall be funded by the Mission Directorate seeking assistance.

(Pub. L. 111–314, § 3, Dec. 18, 2010, 124 Stat. 3379.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
40104	42 U.S.C. 17724.	Pub. L. 110-422, title III, § 307, Oct. 15, 2008, 122 Stat. 4788.

SUBCHAPTER II—HIGH PRIORITY AERONAUTICS RESEARCH AND DEVELOPMENT PROGRAMS

§ 40111. Fundamental research program

(a) OBJECTIVE.—In order to ensure that the Nation maintains needed capabilities in fundamental areas of aeronautics research, the Administrator shall establish a program of long-term fundamental research in aeronautical sciences and technologies that is not tied to specific development projects.

(b) OPERATION.—The Administrator shall conduct the program under this section, in part by awarding grants to institutions of higher education. The Administrator shall encourage the participation of institutions of higher education located in States that participate in the Experimental Program to Stimulate Competitive Research. All grants to institutions of higher education under this section shall be awarded through merit review.

(Pub. L. 111–314, § 3, Dec. 18, 2010, 124 Stat. 3379.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
40111	42 U.S.C. 16721(a), (b).	Pub. L. 109-155, title IV, § 421(a), (b), Dec. 30, 2005, 119 Stat. 2924.

§ 40112. Research and technology programs

(a) SUPERSONIC TRANSPORT RESEARCH AND DEVELOPMENT.—The Administrator may establish an initiative with the objective of developing and demonstrating, in a relevant environment, airframe and propulsion technologies to enable efficient, economical overland flight of supersonic civil transport aircraft with no significant impact on the environment.

(b) ROTORCRAFT AND OTHER RUNWAY-INDEPENDENT AIR VEHICLES.—The Administrator may establish a rotorcraft and other runway-independent air vehicles initiative with the objective of developing and demonstrating improved safety, noise, and environmental impact in a relevant environment.

(c) HYPERSONICS RESEARCH.—The Administrator may establish a hypersonics research program with the objective of exploring the science and technology of hypersonic flight using air-breathing propulsion concepts, through a mix of theoretical work, basic and applied research, and development of flight research demonstration vehicles. The program may also include the transition to the hypersonic range of Mach 3 to Mach 5.

(d) REVOLUTIONARY AERONAUTICAL CONCEPTS.—The Administrator may establish a research program which covers a unique range of subsonic, fixed wing vehicles and propulsion concepts. This research is intended to push technology barriers beyond current subsonic technology. Propulsion concepts include advanced materials, morphing engines, hybrid engines, and fuel cells.

(e) FUEL CELL-POWERED AIRCRAFT RESEARCH.—

(1) OBJECTIVE.—The Administrator may establish a fuel cell-powered aircraft research program whose objective shall be to develop