

(d) RECORDS.—Each person receiving a grant under this section shall maintain records that the Administrator requires as being necessary to facilitate an effective audit and evaluation of the use of money provided under the grant.

(e) ANNUAL REPORT.—The Administrator shall submit an annual report to the Committee on Science of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate on carrying out this section.

(f) AIRPORT COOPERATIVE RESEARCH PROGRAM.—

(1) ESTABLISHMENT.—The Secretary of Transportation shall maintain an airport cooperative research program to—

(A) identify problems that are shared by airport operating agencies and can be solved through applied research but that are not being adequately addressed by existing Federal research programs; and

(B) fund research to address those problems.

(2) GOVERNANCE.—The Secretary of Transportation shall appoint an independent governing board for the research program established under this subsection. The governing board shall be appointed from candidates nominated by national associations representing public airport operating agencies, airport executives, State aviation officials, and the scheduled airlines, and shall include representatives of appropriate Federal agencies. Section 14 of the Federal Advisory Committee Act shall not apply to the governing board.

(3) IMPLEMENTATION.—The Secretary of Transportation shall enter into an arrangement with the National Academy of Sciences to provide staff support to the governing board established under paragraph (2) and to carry out projects proposed by the governing board that the Secretary considers appropriate.

(4) REPORT.—Not later than September 30, 2012, the Secretary shall transmit to the Congress a report on the program.

(Pub. L. 103–272, §1(e), July 5, 1994, 108 Stat. 1181; Pub. L. 104–287, §5(74), Oct. 11, 1996, 110 Stat. 3396; Pub. L. 108–176, title VII, §712, Dec. 12, 2003, 117 Stat. 2586; Pub. L. 112–95, title IX, §906, Feb. 14, 2012, 126 Stat. 139.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
44511	49 App.:1353(g).	Aug. 23, 1958, Pub. L. 85–726, 72 Stat. 731, §312(g); added Nov. 5, 1990, Pub. L. 101–508, §9205(a), 104 Stat. 1388–373.

In this section, the words “institutions of higher education” and “institution of higher education” are substituted for “colleges, universities”, “university, college”, and “colleges and universities” for consistency in the revised title.

In subsection (c), the words “providing grants” are substituted for “the funding”, the word “grants” is substituted for “grant funds”, and the words “grant consideration” are substituted for “funding consideration”, for consistency in the revised title.

In subsection (d), the words “money provided under the grant” are substituted for “grant funds” for consistency.

REFERENCES IN TEXT

Section 14 of the Federal Advisory Committee Act, referred to in subsec. (f)(2), is section 14 of Pub. L. 92–463, which is set out in the Appendix to Title 5, Government Organization and Employees.

AMENDMENTS

2012—Subsec. (f)(1). Pub. L. 112–95, §906(1), substituted “maintain an” for “establish a 4-year pilot” in introductory provisions.

Subsec. (f)(4). Pub. L. 112–95, §906(2), substituted “Not later than September 30, 2012,” for “Not later than 6 months after the expiration of the program under this subsection,” and “program” for “program, including recommendations as to the need for establishing a permanent airport cooperative research program”.

2003—Subsec. (f). Pub. L. 108–176 added subsec. (f).

1996—Subsec. (e). Pub. L. 104–287 substituted “Committee on Science” for “Committee on Science, Space, and Technology”.

CHANGE OF NAME

Committee on Science of House of Representatives changed to Committee on Science and Technology of House of Representatives by House Resolution No. 6, One Hundred Tenth Congress, Jan. 5, 2007. Committee on Science and Technology of House of Representatives changed to Committee on Science, Space, and Technology of House of Representatives by House Resolution No. 5, One Hundred Twelfth Congress, Jan. 5, 2011.

EFFECTIVE DATE OF 2003 AMENDMENT

Amendment by Pub. L. 108–176 applicable only to fiscal years beginning after Sept. 30, 2003, except as otherwise specifically provided, see section 3 of Pub. L. 108–176, set out as a note under section 106 of this title.

§ 44512. Catastrophic failure prevention research grants

(a) GENERAL AUTHORITY.—The Administrator of the Federal Aviation Administration may make grants to institutions of higher education and nonprofit research organizations—

(1) to conduct aviation research related to the development of technologies and methods to assess the risk of, and prevent, defects, failures, and malfunctions of products, parts, processes, and articles manufactured for use in aircraft, aircraft engines, propellers, and appliances that could result in a catastrophic failure of an aircraft; and

(2) to establish centers of excellence for continuing the research.

(b) SOLICITATION, APPLICATION, REVIEW, AND EVALUATION PROCESS.—The Administrator shall establish a solicitation, application, review, and evaluation process that ensures providing grants under this section for proposals having adequate merit and relevancy to the research described in subsection (a) of this section.

(Pub. L. 103–272, §1(e), July 5, 1994, 108 Stat. 1182.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
44512	49 App.:1353(h).	Aug. 23, 1958, Pub. L. 85–726, 72 Stat. 731, §312(h); added Nov. 5, 1990, Pub. L. 101–508, §9208(b), 104 Stat. 1388–376.

In this section, the words “institutions of higher education” are substituted for “colleges, universities” for consistency in the revised title.

In subsection (b), the words “providing grants” are substituted for “the funding” for consistency in the revised title.

§ 44513. Regional centers of air transportation excellence

(a) GENERAL AUTHORITY.—The Administrator of the Federal Aviation Administration may make grants to institutions of higher education to establish and operate regional centers of air transportation excellence. The locations shall be distributed in a geographically fair way.

(b) RESPONSIBILITIES.—(1) The responsibilities of each center established under this section shall include—

- (A) conducting research on—
 - (i) airspace and airport planning and design;
 - (ii) airport capacity enhancement techniques;
 - (iii) human performance in the air transportation environment;
 - (iv) aviation safety and security;
 - (v) the supply of trained air transportation personnel, including pilots and mechanics; and
 - (vi) other aviation issues related to developing and maintaining a safe and efficient air transportation system; and

(B) interpreting, publishing, and disseminating the results of the research.

(2) In conducting research described in paragraph (1)(A) of this subsection, each center may make contracts with nonprofit research organizations and other appropriate persons.

(c) APPLICATIONS.—An institution of higher education interested in receiving a grant under this section may submit an application to the Administrator. The application must be in the form and contain the information that the Administrator requires by regulation.

(d) SELECTION CRITERIA.—The Administrator shall select recipients of grants under this section on the basis of the following criteria:

- (1) the extent to which the needs of the State in which the applicant is located are representative of the needs of the region for improved air transportation services and facilities.
- (2) the demonstrated research and extension resources available to the applicant to carry out this section.
- (3) the ability of the applicant to provide leadership in making national and regional contributions to the solution of both long-range and immediate air transportation problems.
- (4) the extent to which the applicant has an established air transportation program.
- (5) the demonstrated ability of the applicant to disseminate results of air transportation research and educational programs through a statewide or regionwide continuing education program.
- (6) the projects the applicant proposes to carry out under the grant.

(e) EXPENDITURE AGREEMENTS.—A grant may be made under this section in a fiscal year only if the recipient makes an agreement with the Administrator that the Administrator requires

to ensure that the recipient will maintain its total expenditures from all other sources for establishing and operating the center and related research activities at a level at least equal to the average level of those expenditures in the 2 fiscal years of the recipient occurring immediately before November 5, 1990.

(f) GOVERNMENT’S SHARE OF COSTS.—The United States Government’s share of establishing and operating a center and all related research activities that grant recipients carry out shall not exceed 50 percent of the costs, except that the Administrator may increase such share to a maximum of 75 percent of the costs for a fiscal year if the Administrator determines that a center would be unable to carry out the authorized activities described in this section without additional funds.

(g) ALLOCATING AMOUNTS.—The Administrator shall allocate amounts made available to carry out this section in a geographically fair way.

(h) ANNUAL REPORT.—The Administrator shall transmit annually to the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate at the time of the President’s budget request a report that lists—

- (1) the research projects that have been initiated by each center in the preceding year;
- (2) the amount of funding for each research project and the funding source;
- (3) the institutions participating in each research project and their shares of the overall funding for each research project; and
- (4) the level of cost-sharing for each research project.

(Pub. L. 103–272, §1(e), July 5, 1994, 108 Stat. 1182; Pub. L. 112–95, title IX, §907, Feb. 14, 2012, 126 Stat. 140.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
44513	49 App.:1353(i).	Aug. 23, 1958, Pub. L. 85-726, 72 Stat. 731, §312(i); added Nov. 5, 1990, Pub. L. 101-508, §9209(a), 104 Stat. 1388-376.

In this section, the words “institutions of higher education” and “institution of higher education” are substituted for “colleges or universities” and “college or university” for consistency in the revised title.

In subsection (a), the words “one or more” are omitted as surplus.

AMENDMENTS

2012—Subsec. (f). Pub. L. 112–95, §907(a), amended subsec. (f) generally. Prior to amendment, text read as follows: “The United States Government’s share of a grant under this section is 50 percent of the costs of establishing and operating the center and related research activities that the grant recipient carries out.” Subsec. (h). Pub. L. 112–95, §907(b), added subsec. (h).

CENTER OF EXCELLENCE FOR AVIATION HUMAN RESOURCE RESEARCH

Pub. L. 112–95, title IX, §908, Feb. 14, 2012, 126 Stat. 140, provided that:

“(a) ESTABLISHMENT.—Using amounts made available under section 48102(a) of title 49, United States Code, the Administrator [of the Federal Aviation Administration] may establish a center of excellence to conduct research on—