

Law 109-155; 119 Stat. 2895) [see Tables for classification], National Aeronautics and Space Administration Authorization Act of 2008 (Public Law 110-422; 122 Stat. 4779) [see Tables for classification], and National Aeronautics and Space Administration Authorization Act of 2010 (42 U.S.C. 18301 et seq.); and

“(iv) the human exploration roadmap under section 432 of this Act [set out in a note under section 20302 of this title];

“(D) a strategy for the maintenance, repair, upgrading, and modernization of Administration facilities and infrastructure, including laboratories and equipment;

“(E) criteria for—

“(i) prioritizing deferred maintenance tasks;

“(ii) maintaining, repairing, upgrading, or modernizing Administration facilities and infrastructure; and

“(iii) implementing processes, plans, and policies for guiding the Administration’s Centers on whether to maintain, repair, upgrade, or modernize a facility or infrastructure and for determining the type of instrument to be used;

“(F) an assessment of modifications needed to maximize usage of facilities that offer unique and highly specialized benefits to the aerospace industry and the American public; and

“(G) implementation steps, including a timeline, milestones, and an estimate of resources required for carrying out the plan.

“(d) REQUIREMENT TO ESTABLISH POLICY.—

“(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act [Mar. 21, 2017], the Administrator shall establish and make publicly available a policy that guides the Administration’s use of existing authorities to out-grant, lease, excess to the General Services Administration, sell, decommission, demolish, or otherwise transfer property, facilities, or infrastructure.

“(2) CRITERIA.—The policy shall include criteria for the use of authorities, best practices, standardized procedures, and guidelines for how to appropriately manage property, facilities, and infrastructure.

“(e) SUBMISSION TO CONGRESS.—Not later than 1 year after the date of enactment of this Act, the Administrator shall submit to the appropriate committees of Congress [Committee on Commerce, Science, and Transportation of the Senate and Committee on Science, Space, and Technology of the House of Representatives] the plan developed under subsection (c).”

§ 31503. Laboratory productivity

The Administration’s laboratories are a critical component of the Administration’s research capabilities, and the Administrator shall ensure that those laboratories remain productive.

(Pub. L. 111-314, §3, Dec. 18, 2010, 124 Stat. 3377.)

HISTORICAL AND REVISION NOTES

| Revised Section | Source (U.S. Code) | Source (Statutes at Large) |
|-----------------|---------------------|--|
| 31503 | 42 U.S.C. 17812(a). | Pub. L. 110-422, title X, §1003(a), Oct. 15, 2008, 122 Stat. 4807. |

§ 31504. Cooperative unmanned aerial vehicle activities

The Administrator, in cooperation with the Administrator of the National Oceanic and Atmospheric Administration and in coordination with other agencies that have existing civil capabilities, shall continue to utilize the capabilities of unmanned aerial vehicles as appropriate in support of Administration and interagency cooperative missions. The Administrator may

enter into cooperative agreements with universities with unmanned aerial vehicle programs and related assets to conduct collaborative research and development activities, including development of appropriate applications of small unmanned aerial vehicle technologies and systems in remote areas.

(Pub. L. 111-314, §3, Dec. 18, 2010, 124 Stat. 3377.)

HISTORICAL AND REVISION NOTES

| Revised Section | Source (U.S. Code) | Source (Statutes at Large) |
|-----------------|--------------------|--|
| 31504 | 42 U.S.C. 17828. | Pub. L. 110-422, title XI, §1116, Oct. 15, 2008, 122 Stat. 4813. |

§ 31505. Development of enhanced-use lease policy

(a) IN GENERAL.—The Administrator shall develop an agency-wide enhanced-use lease policy that—

(1) is based upon sound business practices and lessons learned from the demonstration centers; and

(2) establishes controls and procedures to ensure accountability and protect the interests of the Government.

(b) CONTENTS.—The policy required by subsection (a) shall include the following:

(1) CRITERIA FOR DETERMINING ECONOMIC VALUE.—Criteria for determining whether enhanced-use lease provides better economic value to the Government than other options, such as—

(A) Federal financing through appropriations; or

(B) sale of the property.

(2) SECURITY AND ACCESS.—Requirement for the identification of proposed physical and procedural changes needed to ensure security and restrict access to specified areas, coordination of proposed changes with existing site tenants, and development of estimated costs of such changes.

(3) MEASURES OF EFFECTIVENESS.—Measures of effectiveness for the enhanced-use lease program.

(4) ACCOUNTING CONTROLS.—Accounting controls and procedures to ensure accountability, such as an audit trail and documentation to readily support financial transactions.

(Pub. L. 111-314, §3, Dec. 18, 2010, 124 Stat. 3377.)

HISTORICAL AND REVISION NOTES

| Revised Section | Source (U.S. Code) | Source (Statutes at Large) |
|-----------------|--------------------|--|
| 31505 | 42 U.S.C. 17829. | Pub. L. 110-422, title XI, §1117, Oct. 15, 2008, 122 Stat. 4813. |

Subtitle IV—Aeronautics and Space Research and Education

CHAPTER 401—AERONAUTICS

SUBCHAPTER I—GENERAL

Sec. 40101.

Definition of institution of higher education. Governmental interest in aeronautics research and development.

- Sec.
40103. Cooperation with other agencies on aeronautics activities.
40104. Cooperation among Mission Directorates.
- SUBCHAPTER II—HIGH PRIORITY AERONAUTICS RESEARCH AND DEVELOPMENT PROGRAMS
40111. Fundamental research program.
40112. Research and technology programs.
40113. Airspace systems research.
40114. Aviation safety and security research.
40115. Aviation weather research.
40116. University-based Centers for Research on Aviation Training.
- SUBCHAPTER III—SCHOLARSHIPS
40131. Aeronautics scholarships.
- SUBCHAPTER IV—DATA REQUESTS
40141. Aviation data requests.

SUBCHAPTER I—GENERAL

§ 40101. Definition of institution of higher education

In this chapter, the term “institution of higher education” has the meaning given the term by section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001).

(Pub. L. 111-314, § 3, Dec. 18, 2010, 124 Stat. 3378.)

HISTORICAL AND REVISION NOTES

| Revised Section | Source (U.S. Code) | Source (Statutes at Large) |
|-----------------|--------------------|--|
| 40101 | 42 U.S.C. 16701. | Pub. L. 109-155, title IV, § 401, Dec. 30, 2005, 119 Stat. 2923. |

§ 40102. Governmental interest in aeronautics research and development

Congress reaffirms the national commitment to aeronautics research made in chapter 201 of this title. Aeronautics research and development remains a core mission of the Administration. The Administration is the lead agency for civil aeronautics research. Further, the government of the United States shall promote aeronautics research and development that will expand the capacity, ensure the safety, and increase the efficiency of the Nation’s air transportation system, promote the security of the Nation, protect the environment, and retain the leadership of the United States in global aviation.

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

HISTORICAL AND REVISION NOTES

| Revised Section | Source (U.S. Code) | Source (Statutes at Large) |
|-----------------|--------------------|--|
| 40102 | 42 U.S.C. 16711. | Pub. L. 109-155, title IV, § 411, Dec. 30, 2005, 119 Stat. 2923. |

EX. ORD. NO. 13419. NATIONAL AERONAUTICS RESEARCH AND DEVELOPMENT

Ex. Ord. No. 13419, Dec. 20, 2006, 71 F.R. 77565, provided:

By the authority vested in me as President by the Constitution and the laws of the United States of America, including section 204 of the National Science and Technology Policy, Organization, and Priorities Act of 1976, as amended (42 U.S.C. 6613), section 101(c) of the National Aeronautics and Space Administration

Authorization Act of 2005 (Public Law 109-155), and section 301 of title 3, United States Code, it is hereby ordered as follows:

SECTION 1. *National Aeronautics Research and Development Policy.* Continued progress in aeronautics, the science of flight, is essential to America’s economic success and the protection of America’s security interests at home and around the globe. Accordingly, it shall be the policy of the United States to facilitate progress in aeronautics research and development (R&D) through appropriate funding and activities of the Federal Government, in cooperation with State, territorial, tribal, local, and foreign governments, international organizations, academic and research institutions, private organizations, and other entities, as appropriate. The Federal Government shall only undertake roles in supporting aeronautics R&D that are not more appropriately performed by the private sector. The National Aeronautics Research and Development Policy prepared by the National Science and Technology Council should, to the extent consistent with this order and its implementation, guide the aeronautics R&D programs of the United States through 2020.

SEC. 2. *Functions of the Director of the Office of Science and Technology Policy.* To implement the policy set forth in section 1 of this order, the Director of the Office of Science and Technology Policy (the “Director”) shall:

- (a) review the funding and activities of the Federal Government relating to aeronautics R&D;
- (b) recommend to the President, the Director of the Office of Management and Budget, and the heads of executive departments and agencies, as appropriate, such actions with respect to funding and activities of the Federal Government relating to aeronautics R&D as may be necessary to
 - (i) advance United States technological leadership in aeronautics;
 - (ii) support innovative research leading to significant advances in aeronautical concepts, technologies, and capabilities;
 - (iii) pursue and develop advanced aeronautics concepts and technologies, including those for advanced aircraft systems and air transportation management systems, to benefit America’s security and effective and efficient national airspace management;
 - (iv) maintain and advance United States aeronautics research, development, test and evaluation infrastructure to provide effective experimental and computational capabilities in support of aeronautics R&D;
 - (v) facilitate the educational development of the future aeronautics workforce as needed to further Federal Government interests;
 - (vi) enhance coordination and communication among executive departments and agencies to maximize the effectiveness of Federal Government R&D resources; and
 - (vii) ensure appropriate Federal Government coordination with State, territorial, tribal, local, and foreign governments, international organizations, academic and research institutions, private organizations, and other entities.

SEC. 3. *Implementation of National Aeronautics Research and Development Policy.* To implement the policy set forth in section 1 of this order, the Director shall:

- (a) develop and, not later than 1 year after the date of this order, submit for approval by the President a plan for national aeronautics R&D and for related infrastructure, (the “plan”), and thereafter submit, not less often than biennially, to the President for approval any changes to the plan;
- (b) monitor and report to the President as appropriate on the implementation of the approved plan;
- (c) ensure that executive departments and agencies conducting aeronautics R&D:
 - (i) obtain and exchange information and advice, as appropriate, from organizations and individuals outside the Federal Government in support of Federal Government planning and performance of aeronautics R&D;