

- (C) \$300,000,000 for fiscal year 2011;
- (D) \$306,000,000 for fiscal year 2012; and
- (E) \$312,000,000 for fiscal year 2013.

(3) Separate budget and appropriation

(A) Budget request

The budget request for ARPA-E shall be separate from the rest of the budget of the Department.

(B) Appropriations

Appropriations to the Fund shall be separate and distinct from the rest of the budget for the Department.

(4) Allocation

Of the amounts appropriated for a fiscal year under paragraph (2)—

(A) not more than 50 percent of the amount shall be used to carry out subsection (e)(3)(D);

(B) at least 5 percent of the amount shall be used for technology transfer and outreach activities, consistent with the goal described in subsection (c)(2)(D) and within the responsibilities of program directors described in subsection (g)(2)(B)(vii); and

(C) no funds may be used for construction of new buildings or facilities during the 5-year period beginning on August 9, 2007.

(Pub. L. 110-69, title V, § 5012, Aug. 9, 2007, 121 Stat. 621; Pub. L. 111-358, title IX, § 904, Jan. 4, 2011, 124 Stat. 4045; Pub. L. 115-246, title II, § 202, Sept. 28, 2018, 132 Stat. 3134.)

REFERENCES IN TEXT

Level II of the Executive Schedule, referred to in subsec. (g)(3)(A)(ii), is set out in section 5313 of Title 5, Government Organization and Employees.

Par. (5), referred to in subsec. (o)(2), was redesignated par. (4) of this section and former par. (4) was struck out by Pub. L. 111-358, title IX, § 904(10)(B), (C), Jan. 4, 2011, 124 Stat. 4048.

AMENDMENTS

2018—Subsec. (a)(3). Pub. L. 115-246, § 202(1), substituted “subsection (o)(1)” for “subsection (n)(1)”.

Subsecs. (n), (o). Pub. L. 115-246, § 202(2), (3), added subsec. (n) and redesignated former subsec. (n) as (o).

2011—Subsec. (a)(3). Pub. L. 111-358, § 904(1), substituted “subsection (n)(1)” for “subsection (m)(1)”.

Subsec. (c)(2)(A). Pub. L. 111-358, § 904(2), inserted “and applied” after “advances in fundamental”.

Subsec. (e)(3)(C). Pub. L. 111-358, § 904(3)(A)(i), added subpar. (C) and struck out former subpar. (C) which read as follows: “research and development of manufacturing processes for novel energy technologies; and”.

Subsec. (e)(5). Pub. L. 111-358, § 904(3)(A)(ii)-(C), added par. (5).

Subsec. (f). Pub. L. 111-358, § 904(5), added subsec. (f). Former subsec. (f) redesignated (g).

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

Subsec. (g)(1). Pub. L. 111-358, § 904(6)(B), added par. (1). Former par. (1) redesignated (2).

Subsec. (g)(2). Pub. L. 111-358, § 904(6)(A),(C)(i), redesignated par. (1) as (2) and substituted “Program directors” for “Program managers” in heading.

Subsec. (g)(2)(A). Pub. L. 111-358, § 904(6)(C)(ii), substituted “program directors for” for “program managers for each of”.

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 appro-

priate,” 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,