

Memorandum for the Director of the National Science Foundation

By the authority vested in me as President by the Constitution and the laws of the United States, including section 301 of title 3, United States Code, I hereby delegate to you the functions and authority conferred upon the President by Public Law 98-373 (15 U.S.C. 4107(b) and 4108(a)), to provide the specified report and plan to the Congress.

You are authorized and directed to publish this memorandum in the Federal Register.

GEORGE W. BUSH.

§ 4108. Arctic research plan

(a) The Interagency Committee, in consultation with the Commission, the Governor of the State of Alaska, the residents of the Arctic, the private sector, and public interest groups, shall prepare a comprehensive 5-year program plan (hereinafter referred to as the "Plan") for the overall Federal effort in Arctic research. The Plan shall be prepared and submitted to the President for transmittal to the Congress within one year after July 31, 1984, and shall be revised biennially thereafter.

(b) The Plan shall contain but need not be limited to the following elements:

(1) an assessment of national needs and problems regarding the Arctic and the research necessary to address those needs or problems;

(2) a statement of the goals and objectives of the Interagency Committee for national Arctic research;

(3) a detailed listing of all existing Federal programs relating to Arctic research, including the existing goals, funding levels for each of the 5 following fiscal years, and the funds currently being expended to conduct the programs;

(4) recommendations for necessary program changes and other proposals to meet the requirements of the policy and goals as set forth by the Commission and in the Plan as currently in effect; and

(5) a description of the actions taken by the Interagency Committee to coordinate the budget review process in order to ensure interagency coordination and cooperation in (A) carrying out Federal Arctic research programs, and (B) eliminating unnecessary duplication of effort among these programs.

(Pub. L. 98-373, title I, § 109, July 31, 1984, 98 Stat. 1247.)

Statutory Notes and Related Subsidiaries

TERMINATION OF REPORTING REQUIREMENTS

For termination, effective May 15, 2000, of provisions of law requiring submittal to Congress of any annual, semiannual, or other regular periodic report listed in House Document No. 103-7 (in which the biennial revision required under subsec. (a) of this section is listed on page 174), see section 3003 of Pub. L. 104-66, as amended, and section 1(a)(4) [div. A, § 1402] of Pub. L. 106-554, set out as notes under section 1113 of Title 31, Money and Finance.

Executive Documents

DELEGATION OF FUNCTIONS

Functions of President under subsec. (a) delegated to Director of the National Science Foundation, see Memorandum of President of the United States, Feb.

17, 2005, 70 F.R. 9841, set out as a note under section 4107 of this title.

§ 4109. Coordination and review of budget requests; Office of Science and Technology Policy; Office of Management and Budget

(a) The Office of Science and Technology Policy shall—

(1) review all agency and department budget requests related to the Arctic transmitted pursuant to section 4107(a)(5) of this title, in accordance with the national Arctic research policy and the 5-year program under section 4107(a)(2) and section 4108 of this title, respectively; and

(2) consult closely with the Interagency Committee and the Commission to guide the Office of Science and Technology Policy's efforts.

(b)(1) The Office of Management and Budget shall consider all Federal agency requests for research related to the Arctic as one integrated, coherent, and multiagency request which shall be reviewed by the Office of Management and Budget prior to submission of the President's annual budget request for its adherence to the Plan. The Commission shall, after submission of the President's annual budget request, review the request and report to Congress on adherence to the Plan.

(2) The Office of Management and Budget shall seek to facilitate planning for the design, procurement, maintenance, deployment, and operations of icebreakers needed to provide a platform for Arctic research by allocating all funds necessary to support icebreaking operations, except for recurring incremental costs associated with specific projects, to the Coast Guard.

(Pub. L. 98-373, title I, § 110, July 31, 1984, 98 Stat. 1248.)

Statutory Notes and Related Subsidiaries

TERMINATION OF REPORTING REQUIREMENTS

For termination, effective May 15, 2000, of provisions of law requiring submittal to Congress of any annual, semiannual, or other regular periodic report listed in House Document No. 103-7 (in which the review of the President's annual budget request and report to Congress under subsec. (b)(1) of this section is listed on page 155), see section 3003 of Pub. L. 104-66, as amended, set out as a note under section 1113 of Title 31, Money and Finance.

TRANSFER OF FUNCTIONS

For transfer of authorities, functions, personnel, and assets of the Coast Guard, including the authorities and functions of the Secretary of Transportation relating thereto, to the Department of Homeland Security, and for treatment of related references, see sections 468(b), 551(d), 552(d), and 557 of Title 6, Domestic Security, and the Department of Homeland Security Reorganization Plan of November 25, 2002, as modified, set out as a note under section 542 of Title 6.

§ 4110. Authorization of appropriations; new spending authority

(a) There are authorized to be appropriated such sums as may be necessary for carrying out this chapter.

(b) Any new spending authority (within the meaning of section 651 of title 2) which is pro-

vided under this chapter shall be effective for any fiscal year only to such extent or in such amounts as may be provided in appropriation Acts.

(Pub. L. 98-373, title I, § 111, July 31, 1984, 98 Stat. 1248.)

§ 4111. “Arctic” defined

As used in this chapter, the term “Arctic” means all United States and foreign territory north of the Arctic Circle and all United States territory north and west of the boundary formed by the Porcupine, Yukon, and Kuskokwim Rivers; all contiguous seas, including the Arctic Ocean and the Beaufort, Bering, and Chukchi Seas; and the Aleutian chain.

(Pub. L. 98-373, title I, § 112, July 31, 1984, 98 Stat. 1248.)

CHAPTER 68—LAND REMOTE-SENSING COMMERCIALIZATION

SUBCHAPTER I—DECLARATION OF FINDINGS, PURPOSES, AND POLICIES

§§ 4201 to 4204. Repealed. Pub. L. 102-555, § 4, Oct. 28, 1992, 106 Stat. 4166

Section 4201, Pub. L. 98-365, title I, § 101, July 17, 1984, 98 Stat. 451, related to Congressional findings for chapter.

Section 4202, Pub. L. 98-365, title I, § 102, July 17, 1984, 98 Stat. 452, related to Congressional declaration of purpose of chapter.

Section 4203, Pub. L. 98-365, title I, § 103, July 17, 1984, 98 Stat. 452, related to Federal policy concerning acquisition and dissemination of remote-sensing data, availability of civilian unenhanced remote-sensing data, and commercialization of remote-sensing space systems with governmental retention of essentially public service functions.

Section 4204, Pub. L. 98-365, title I, § 104, July 17, 1984, 98 Stat. 452, related to definitions for chapter.

Statutory Notes and Related Subsidiaries

SHORT TITLE

Pub. L. 98-365, § 1, July 17, 1984, 98 Stat. 451, which provided that such Act was to be cited as the “Land Remote-Sensing Commercialization Act of 1984”, was repealed by Pub. L. 102-555, § 4, Oct. 28, 1992, 106 Stat. 4166.

SUBCHAPTER II—OPERATION AND DATA MARKETING OF LANDSAT SYSTEM

§§ 4211 to 4215. Repealed. Pub. L. 102-555, § 4, Oct. 28, 1992, 106 Stat. 4166

Section 4211, Pub. L. 98-365, title II, § 201, July 17, 1984, 98 Stat. 453, related to operation and data marketing of Landsat system by Secretary of Commerce and provided for Secretary’s authority to contract.

Section 4212, Pub. L. 98-365, title II, § 202, July 17, 1984, 98 Stat. 454; Pub. L. 100-147, title III, § 304, Oct. 30, 1987, 101 Stat. 876, related to Secretary’s authority to contract for marketing of unenhanced data.

Section 4213, Pub. L. 98-365, title II, § 203, July 17, 1984, 98 Stat. 454, related to conditions of competition for contract to market unenhanced data.

Section 4214, Pub. L. 98-365, title II, § 204, July 17, 1984, 98 Stat. 455, related to sale of unenhanced data, entitlement to revenues from such sales, and the permissibility of marketing such data after end of Landsat system space segment.

Section 4215, Pub. L. 98-365, title II, § 205, July 17, 1984, 98 Stat. 455, related to supply of unenhanced data to

foreign ground stations and contract provisions relating thereto.

SUBCHAPTER III—PROVISION OF DATA CONTINUITY AFTER THE LANDSAT SYSTEM

§§ 4221 to 4228. Repealed. Pub. L. 102-555, § 4, Oct. 28, 1992, 106 Stat. 4166

Section 4221, Pub. L. 98-365, title III, § 301, July 17, 1984, 98 Stat. 456, related to purposes and definition for subchapter.

Section 4222, Pub. L. 98-365, title III, § 302, July 17, 1984, 98 Stat. 456, related to data continuity and availability.

Section 4223, Pub. L. 98-365, title III, § 303, July 17, 1984, 98 Stat. 456, related to awarding of contract for provision of data continuity.

Section 4224, Pub. L. 98-365, title III, § 304, July 17, 1984, 98 Stat. 458, related to terms of data continuity contract and determination by Secretary of Commerce as to whether contract meets purposes of subchapter.

Section 4225, Pub. L. 98-365, title III, § 305, July 17, 1984, 98 Stat. 458, related to marketing of land remote-sensing data, incentive provisions for such activity, and continuation by contractor of data sales or operation of civil remote-sensing systems.

Section 4226, Pub. L. 98-365, title III, § 306, July 17, 1984, 98 Stat. 459, related to Secretary’s report on progress towards privatization of remote-sensing space systems.

Section 4227, Pub. L. 98-365, title III, § 307, July 17, 1984, 98 Stat. 459, related to termination of chapter.

Section 4228, Pub. L. 98-365, title III, § 308, as added Pub. L. 100-147, title III, § 305, Oct. 30, 1987, 101 Stat. 876, related to disposition of government assets following completion of contract made pursuant to subchapter.

SUBCHAPTER IV—LICENSING OF PRIVATE REMOTE-SENSING SPACE SYSTEMS

§§ 4241 to 4246. Repealed. Pub. L. 102-555, § 4, Oct. 28, 1992, 106 Stat. 4166

Section 4241, Pub. L. 98-365, title IV, § 401, July 17, 1984, 98 Stat. 459, related to authority of Secretary of Commerce to license private sector parties, conditions for grant of license, review of applications by Secretary, and provisions relating to denial of licenses.

Section 4242, Pub. L. 98-365, title IV, § 402, July 17, 1984, 98 Stat. 459; Pub. L. 102-567, title I, § 114(b), Oct. 29, 1992, 106 Stat. 4279, provided licensing requirements for operation of private remote-sensing space system.

Section 4243, Pub. L. 98-365, title IV, § 403, July 17, 1984, 98 Stat. 460, related to administrative authority of Secretary of Commerce, review of adverse action on license application, and judicial review of final actions.

Section 4244, Pub. L. 98-365, title IV, § 404, July 17, 1984, 98 Stat. 461, related to regulatory authority of Secretary of Commerce.

Section 4245, Pub. L. 98-365, title IV, § 405, July 17, 1984, 98 Stat. 461, related to licensing of private remote-sensing space systems which utilize civilian government satellites or vehicles, assistance by Secretary of Commerce in finding opportunities for such utilization, utilization agreements by Federal agencies, research and development, and subchapter’s effect on authority of Federal Communications Commission.

Section 4246, Pub. L. 98-365, title IV, § 406, July 17, 1984, 98 Stat. 461, related to termination of subchapter.

SUBCHAPTER V—RESEARCH AND DEVELOPMENT

§§ 4261 to 4264. Repealed. Pub. L. 102-555, § 4, Oct. 28, 1992, 106 Stat. 4166

Section 4261, Pub. L. 98-365, title V, § 501, July 17, 1984, 98 Stat. 461, related to continued Federal remote-sensing research and development.