

tive agreement with the People's Republic of China, or any company owned by the People's Republic of China or incorporated under the laws of the People's Republic of China, involving spacecraft, spacecraft systems, launch systems, or scientific or technical information that—

(A) the agreement is not detrimental to the United States space launch industry; and

(B) the agreement, including any indirect technical benefit that could be derived from the agreement, will not improve the missile or space launch capabilities of the People's Republic of China.

(3) The Inspector General of the National Aeronautics and Space Administration, in consultation with appropriate agencies, shall conduct an annual audit of the policies and procedures of the National Aeronautics and Space Administration with respect to the export of technologies and the transfer of scientific and technical information, to assess the extent to which the National Aeronautics and Space Administration is carrying out its activities in compliance with Federal export control laws and with paragraph (2).

(b) National interests

Before entering into an obligation described in subsection (a) of this section, the Administrator shall consider the national interests of the United States described in section 2(6).

(Pub. L. 106–391, title I, §126, Oct. 30, 2000, 114 Stat. 1585.)

REFERENCES IN TEXT

Section 2(6), referred to in subsec. (b), is section 2(6) of Pub. L. 106–391, Oct. 30, 2000, 114 Stat. 1578, which is not classified to the Code.

CODIFICATION

Section was enacted as part of the National Aeronautics and Space Administration Authorization Act of 2000, and not as part of the National Aeronautics and Space Act of 1958 which is classified principally to this chapter.

DEFINITIONS

For definition of the term “Administrator” used in text of this section, see section 3 of Pub. L. 106–391, set out as a note under section 2452 of this title.

§ 2475b. Foreign contract limitation

The National Aeronautics and Space Administration shall not enter into any agreement or contract with a foreign government that grants the foreign government the right to recover profit in the event that the agreement or contract is terminated.

(Pub. L. 106–391, title III, §305, Oct. 30, 2000, 114 Stat. 1592.)

CODIFICATION

Section was enacted as part of the National Aeronautics and Space Administration Authorization Act of 2000, and not as part of the National Aeronautics and Space Act of 1958 which is classified principally to this chapter.

§ 2476. Reports to Congress

(a) Presidential report; transmittal

The President shall transmit to the Congress in May of each year a report, which shall in-

clude (1) a comprehensive description of the programmed activities and the accomplishments of all agencies of the United States in the field of aeronautics and space activities during the preceding fiscal year, and (2) an evaluation of such activities and accomplishments in terms of the attainment of, or the failure to attain, the objectives described in section 2451(c)¹ of this title.

(b) Recommendations for additional legislation

Any report made under this section shall contain such recommendations for additional legislation as the Administrator or the President may consider necessary or desirable for the attainment of the objectives described in section 2451(c)¹ of this title.

(c) Classified information

No information which has been classified for reasons of national security shall be included in any report made under this section, unless such information has been declassified by, or pursuant to authorization given by, the President.

(Pub. L. 85–568, title II, §206, July 29, 1958, 72 Stat. 432; Pub. L. 92–68, §7, Aug. 6, 1971, 85 Stat. 177; Pub. L. 106–391, title III, §302(b), Oct. 30, 2000, 114 Stat. 1591.)

REFERENCES IN TEXT

Section 2451(c) of this title, referred to in subsecs. (a) and (b), was redesignated section 2451(d) of this title by Pub. L. 98–361, title I, §110(a)(2), July 16, 1984, 98 Stat. 426.

AMENDMENTS

2000—Subsec. (a). Pub. L. 106–391 substituted “May” for “January” and “fiscal” for “calendar”.

1971—Subsec. (a). Pub. L. 92–68, §7(1), (2), repealed provisions for submission of Administration reports to the President semiannually and at other times, and redesignated subsec. (b) as (a).

Subsecs. (b) to (d). Pub. L. 92–68, §7(2), redesignated subsecs. (b), (c), and (d) as (a), (b), and (c), respectively.

DELEGATION OF CERTAIN REPORTING AUTHORITY

Memorandum of President of the United States, Mar. 5, 2004, 69 F.R. 11489, provided:

Memorandum for the Administrator of the National Aeronautics and Space Administration

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 conferred upon the President by section 206 of the National Aeronautics and Space Act of 1958, as amended (42 U.S.C. 2476), to provide the specified report to the Congress. Nothing in this delegation shall be construed to impair or otherwise affect the authority of the Director of the Office of Management and Budget with respect to budget, administrative, and legislative proposals.

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

GEORGE W. BUSH.

§ 2476a. Disposal of excess land; approval by Congressional committees

Notwithstanding the provisions of this or any other law, the Administration may not report to a disposal agency as excess to the needs of the Administration any land having an estimated value in excess of \$50,000 which is owned by the United States and under the jurisdiction and

¹ See References in Text note below.

control of the Administration, unless (A) a period of thirty days has passed after the receipt by the Speaker and the Committee on Science, Space, and Technology of the House of Representatives and the President and the Committee on Commerce, Science, and Transportation of the Senate of a report by the Administrator or his designee containing a full and complete statement of the action proposed to be taken and the facts and circumstances relied upon in support of such action, or (B) each such committee before the expiration of such period has transmitted to the Administrator written notice to the effect that such committee has no objection to the proposed action.

(Pub. L. 85-568, title II, §207, as added Pub. L. 93-74, §7, July 23, 1973, 87 Stat. 175; amended Pub. L. 103-437, §15(j), Nov. 2, 1994, 108 Stat. 4593.)

AMENDMENTS

1994—Pub. L. 103-437 substituted “Committee on Science, Space, and Technology” for “Committee on Science and Astronautics” and “Committee on Commerce, Science, and Transportation” for “Committee on Aeronautical and Space Sciences”.

CHANGE OF NAME

Committee on Science, Space, and Technology of House of Representatives treated as referring to Committee on Science of House of Representatives by section 1(a) of Pub. L. 104-14, set out as a note preceding section 21 of Title 2, The Congress. 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.

§ 2476b. Donations for space shuttle orbiter

(a) Acceptance by Administrator and use

The Administrator may accept gifts and donations of services, money, and real, personal, tangible, and intangible property, and use such gifts and donations for the construction of a space shuttle orbiter.

(b) Termination of authority to accept; use of unneeded gifts and donations

(1) The authority of the Administrator to accept gifts or donations pursuant to subsection (a) of this section shall terminate five years after October 30, 1987.

(2) All gifts and donations accepted by the Administrator pursuant to subsection (a) of this section which are not needed for construction of a space shuttle orbiter shall be used by the Administrator for an appropriate purpose—

(A) in tribute to the dedicated crew of the space shuttle Challenger; and

(B) in furtherance of the exploration of space.

(c) Name of space shuttle orbiter

The name of a space shuttle orbiter constructed in whole or in part with gifts or donations whose acceptance and use are authorized by subsection (a) of this section shall be selected by the Administrator from among suggestions submitted by students in elementary and secondary schools.

(Pub. L. 85-568, title II, §208, as added Pub. L. 100-147, title I, §115, Oct. 30, 1987, 101 Stat. 866.)

§ 2477. Aerospace Safety Advisory Panel; membership; appointment; term; powers and duties of Panel; Chairman; compensation, travel and other necessary expenses; NASA membership restriction

(a) In general

There is hereby established an Aerospace Safety Advisory Panel consisting of a maximum of nine members who shall be appointed by the Administrator for terms of six years each. The Panel shall review safety studies and operations plans referred to it, including evaluating NASA's compliance with the return-to-flight and continue-to-fly recommendations of the Columbia Accident Investigation Board, and shall make reports thereon, shall advise the Administrator and the Congress with respect to the hazards of proposed or existing facilities and proposed operations with respect to the adequacy of proposed or existing safety standards, and with respect to management and culture related to safety. The Panel shall also perform such other duties as the Administrator may request. One member shall be designated by the Panel as its Chairman. Members of the Panel who are officers or employees of the Federal Government shall receive no compensation for their services as such, but shall be allowed necessary travel expenses (or in the alternative, mileage for use of privately owned vehicles and a per diem in lieu of subsistence not to exceed the rates and amounts prescribed in sections 5702, 5704 of title 5), and other necessary expenses incurred by them in the performance of duties vested in the Panel, without regard to the provisions of subchapter I, chapter 57 of title 5, the Standardized Government Travel Regulations, or section 5731 of title 5. Members of the Panel appointed from outside the Federal Government shall each receive compensation at a rate not to exceed the per diem rate equivalent to the rate for GS-18 for each day such member is engaged in the actual performance of duties vested in the Panel in addition to reimbursement for travel, subsistence, and other necessary expenses in accordance with the provisions of the foregoing sentence. Not more than four such members shall be chosen from among the officers and employees of the National Aeronautics and Space Administration.

(b) Annual report

The Panel shall submit an annual report to the Administrator and to the Congress. In the first annual report submitted after December 30, 2005, the Panel shall include an evaluation of NASA's management and culture related to safety. Each annual report shall include an evaluation of the Administration's compliance with the recommendations of the Columbia Accident Investigation Board through retirement of the Space Shuttle.

(Pub. L. 90-67, §6, Aug. 21, 1967, 81 Stat. 170; Pub. L. 94-307, §8, June 4, 1976, 90 Stat. 681; Pub. L. 99-234, title I, §107(f), Jan. 2, 1986, 99 Stat. 1759; Pub. L. 109-155, title I, §106, Dec. 30, 2005, 119 Stat. 2912.)

CODIFICATION

Section was enacted as part of the National Aeronautics and Space Administration Authorization Act,