

appropriated or committed in writing by a private source.

(4) NOTICE TO COMMITTEES FOR PRIZE GREATER THAN \$50,000,000.—No prize competition under this section may offer a prize in an amount greater than \$50,000,000 unless 30 days have elapsed after written notice has been transmitted to the Committee on Science and Technology of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate.

(5) APPROVAL OF ADMINISTRATOR FOR PRIZE GREATER THAN \$1,000,000.—No prize competition under this section may result in the award of more than \$1,000,000 in cash prizes without the approval of the Administrator.

(j) USE OF ADMINISTRATION NAME OR INSIGNIA.—A registered participant in a competition under this section may use the Administration's name, initials, or insignia only after prior review and written approval by the Administration.

(k) COMPLIANCE WITH EXISTING LAW.—The Federal Government shall not, by virtue of offering or providing a prize under this section, be responsible for compliance by registered participants in a prize competition with Federal law, including licensing, export control, and non-proliferation laws, and related regulations.

(Pub. L. 111-314, § 3, Dec. 18, 2010, 124 Stat. 3350; Pub. L. 111-358, title I, § 105(b), Jan. 4, 2011, 124 Stat. 3993.)

AMENDMENT NOT SHOWN IN TEXT

This section was derived from section 2459f-1 of Title 42, The Public Health and Welfare, which was amended by Pub. L. 111-358, title I, § 105(b), Jan. 4, 2011, 124 Stat. 3993. For applicability of this amendment to this section, see section 5(b) of Pub. L. 111-314, set out as a Transitional and Savings Provisions note preceding section 10101 of this title. Former section 2459f-1 of Title 42 was amended by striking out “The Administration may carry out a program to award prizes only in conformity with this section.”

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
20144	42 U.S.C. 2459f-1.	Pub. L. 85-568, title III, § 314, as added Pub. L. 109-155, title I, § 104, Dec. 30, 2005, 119 Stat. 2910; Pub. L. 110-422, title XI, § 1105(b), Oct. 15, 2008, 122 Stat. 4809.

In subsection (i)(2), subparagraph (A) is added, and the words “provisions known as the Anti-Deficiency Act” are substituted for “the Anti-Deficiency Act (31 U.S.C. 1341)”, for clarity.

In subsection (i)(4), the words “Committee on Science and Technology” are substituted for “Committee on Science” on authority of Rule X(1)(o) of the Rules of the House of Representatives, adopted by House Resolution No. 6 (110th Congress, January 5, 2007).

Statutory Notes and Related Subsidiaries

CHANGE OF NAME

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.

AVAILABILITY OF FUNDS

Pub. L. 117-328, div. B, title III, Dec. 29, 2022, 136 Stat. 4548, provided that: “Funds for any announced prize otherwise authorized shall remain available, without fiscal year limitation, until a prize is claimed or the offer is withdrawn.”

Similar provisions were contained in the following prior appropriation acts:

Pub. L. 117-103, div. B, title III, Mar. 15, 2022, 136 Stat. 138.

Pub. L. 116-260, div. B, title III, Dec. 27, 2020, 134 Stat. 1270.

Pub. L. 116-93, div. B, title III, Dec. 20, 2019, 133 Stat. 2419.

Pub. L. 116-6, div. C, title III, Feb. 15, 2019, 133 Stat. 123.

Pub. L. 115-141, div. B, title III, Mar. 23, 2018, 132 Stat. 431.

PURPOSE

Pub. L. 110-422, title XI, § 1105(a), Oct. 15, 2008, 122 Stat. 4809, provided that: “Prizes can play a useful role in encouraging innovation in the development of technologies and products that can assist NASA [National Aeronautics and Space Administration] in its aeronautics and space activities, and the use of such prizes by NASA should be encouraged.”

§ 20145. Lease of non-excess property

(a) IN GENERAL.—The Administrator may enter into a lease under this section with any person or entity (including another department or agency of the Federal Government or an entity of a State or local government) with regard to any non-excess real property and related personal property under the jurisdiction of the Administrator.

(b) CASH CONSIDERATION.—

(1) FAIR MARKET VALUE.—(A) A person or entity entering into a lease under this section shall provide cash consideration for the lease at fair market value as determined by the Administrator.

(B) Notwithstanding subparagraph (A), the Administrator may accept in-kind consideration for leases entered into for the purpose of developing renewable energy production facilities.

(2) UTILIZATION.—

(A) IN GENERAL.—The Administrator may utilize amounts of cash consideration received under this subsection for a lease entered into under this section to cover the full costs to the Administration in connection with the lease. These funds shall remain available until expended.

(B) CAPITAL REVITALIZATION AND IMPROVEMENTS.—Of any amounts of cash consideration received under this subsection that are not utilized in accordance with subparagraph (A)—

(i) 35 percent shall be deposited in a capital asset account to be established by the Administrator, shall be available for maintenance, capital revitalization, and improvements of the real property assets and related personal property under the jurisdiction of the Administrator, and shall remain available until expended; and

(ii) the remaining 65 percent shall be available to the respective center or facil-

ity of the Administration engaged in the lease of nonexcess real property, and shall remain available until expended for maintenance, capital revitalization, and improvements of the real property assets and related personal property at the respective center or facility subject to the concurrence of the Administrator.

(C) NO UTILIZATION FOR DAILY OPERATING COSTS.—Amounts utilized under subparagraph (B) may not be utilized for daily operating costs.

(c) ADDITIONAL TERMS AND CONDITIONS.—The Administrator may require such terms and conditions in connection with a lease under this section as the Administrator considers appropriate to protect the interests of the United States.

(d) RELATIONSHIP TO OTHER LEASE AUTHORITY.—The authority under this section to lease property of the Administration is in addition to any other authority to lease property of the Administration under law.

(e) LEASE RESTRICTIONS.—

(1) NO LEASE BACK OR OTHER CONTRACT.—The Administration is not authorized to lease back property under this section during the term of the out-lease or enter into other contracts with the lessee respecting the property.

(2) CERTIFICATION THAT OUT-LEASE WILL NOT HAVE NEGATIVE IMPACT ON MISSION.—The Administration is not authorized to enter into an out-lease under this section unless the Administrator certifies that the out-lease will not have a negative impact on the mission of the Administration.

(f) REPORTING REQUIREMENTS.—The Administrator shall submit an annual report by January 31st of each year. The report shall include the following:

(1) VALUE OF ARRANGEMENTS AND EXPENDITURES OF REVENUES.—Information that identifies and quantifies the value of the arrangements and expenditures of revenues received under this section.

(2) AVAILABILITY AND USE OF FUNDS FOR OPERATING PLAN.—The availability and use of funds received under this section for the Administration's operating plan.

(3) ANNUAL AND CUMULATIVE NUMBER OF LEASES.—The annual and cumulative number of leases entered into under this section, by National Aeronautics and Space Administration center and facility.

(4) ESTIMATED COST SAVINGS.—For each active lease agreement under this section, the estimated cost savings to the Administration resulting from reduced maintenance, operating, and associated costs in the previous fiscal year.

(5) OTHER QUANTIFIABLE BENEFITS.—Other quantifiable benefits, including additional cost savings not included under paragraph (4), to the Administration resulting from the use of leases under this section.

(g) REPORT ON ENHANCED-USE LEASING REQUIREMENTS.—Not later than 270 days after the date of the enactment of the National Aeronautics and Space Administration Authoriza-

tion Act of 2022, the Administrator shall prepare and submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science, Space, and Technology of the House of Representatives a report on existing requirements for applicants seeking a lease under this section, including—

(1) any requirement related to the involvement of foreign entities, foreign entity ownership, and foreign entity investment; and

(2) at the discretion of the Administrator, any other requirement related to the protection and security of Administration missions and facilities.

(h) SUNSET.—The authority to enter into leases under this section shall expire December 31, 2032. The expiration under this subsection of authority to enter into leases under this section shall not affect the validity or term of leases or the Administration's retention of proceeds from leases entered into under this section before the expiration of the authority.

(Pub. L. 111-314, §3, Dec. 18, 2010, 124 Stat. 3352; Pub. L. 112-55, div. B, title III, Nov. 18, 2011, 125 Stat. 626; Pub. L. 115-10, title VIII, §832, Mar. 21, 2017, 131 Stat. 67; Pub. L. 115-403, §2, Dec. 31, 2018, 132 Stat. 5348; Pub. L. 116-94, div. I, title VI, §602, Dec. 20, 2019, 133 Stat. 3028; Pub. L. 117-103, div. HH, title II, §203, Mar. 15, 2022, 136 Stat. 1113; Pub. L. 117-167, div. B, title VII, §10862, Aug. 9, 2022, 136 Stat. 1756.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
20145	42 U.S.C. 2459j.	Pub. L. 85-568, title III, §315, as added Pub. L. 108-7, div. K, title IV, §418, Feb. 20, 2003, 117 Stat. 525; Pub. L. 110-161, div. B, title V, §533(a)-(e), Dec. 26, 2007, 121 Stat. 1931; Pub. L. 110-422, title XI, §1117(c), (d), Oct. 15, 2008, 122 Stat. 4814.

In subsection (f)(2), the word “Administration’s” is substituted for “Agency’s” for clarity.

In subsection (g), the words “10 years after December 26, 2007” are substituted for “on the date that is ten years after the date of the enactment of the Commerce, Justice, Science, and Related Agencies Appropriations Act of 2008” for consistency and to reflect the date of enactment of the Commerce, Justice, Science, and Related Agencies Appropriations Act, 2008 (Public Law 110-161, div. B, 121 Stat. 1884).

Editorial Notes

REFERENCES IN TEXT

The date of the enactment of the National Aeronautics and Space Administration Authorization Act of 2022, referred to in subsec. (g), is the date of enactment of title VII of div. B of Pub. L. 117-167, which was approved Aug. 9, 2022.

AMENDMENTS

2022—Subsec. (f)(3) to (5). Pub. L. 117-167, §10862(b), added pars. (3) to (5).

Subsec. (g). Pub. L. 117-167, §10862(c)(2), added subsec. (g). Former subsec. (g) redesignated (h).

Pub. L. 117-167, §10862(a), substituted “December 31, 2032” for “December 31, 2022”.

Pub. L. 117-103 substituted “December 31, 2022” for “December 31, 2021”.

Subsec. (h). Pub. L. 117-167, §10862(c)(1), redesignated subsec. (g) as (h).

2019—Subsec. (g). Pub. L. 116-94 substituted “December 31, 2021” for “December 31, 2019”.

2018—Subsec. (g). Pub. L. 115-403 substituted “December 31, 2019” for “December 31, 2018”.

2017—Subsec. (g). Pub. L. 115-10 substituted “December 31, 2018” for “10 years after December 26, 2007”.

2011—Subsec. (b)(1). Pub. L. 112-55 designated existing provisions as subpar. (A) and added subpar. (B).

Statutory Notes and Related Subsidiaries

FINDINGS

Pub. L. 117-103, div. HH, title II, § 202, Mar. 15, 2022, 136 Stat. 1113, provided that: “Congress finds the following:

“(1) NASA uses enhanced-use leasing to enter into agreements with private sector entities, State and local governments, academic institutions, and other Federal agencies for lease of non-excess, underutilized NASA properties and facilities.

“(2) NASA uses enhanced-use leasing authority to support responsible management of its real property, including to improve the use of underutilized property for activities that are compatible with NASA’s mission and to reduce facility operating and maintenance costs.

“(3) In fiscal year 2019, under its enhanced-use lease authority, NASA leased 65 real properties.

“(4) In fiscal year 2019, NASA’s use of enhanced-use leasing resulted in the collection of \$10,843,025.77 in net revenue.

“(5) In fiscal year 2019, NASA used a portion of its enhanced-use leasing revenues for repairs of facility control systems such as lighting and heating, ventilation, and air conditioning.

“(6) NASA’s use of enhanced-use leasing authority can contribute to reducing the rate of increase of the Agency’s overall deferred maintenance cost.”

DEPOSIT OF PROCEEDS

Pub. L. 113-6, div. B, title III, Mar. 26, 2013, 127 Stat. 263, provided in part: “That hereafter, notwithstanding section 315 of the National Aeronautics and Space Act of 1958 (see 51 U.S.C. 20145), all proceeds from leases entered into under that section shall be deposited into this account [funds appropriated under the headings ‘NATIONAL AERONAUTICS AND SPACE ADMINISTRATION’ and ‘CONSTRUCTION AND ENVIRONMENTAL COMPLIANCE AND RESTORATION’ of title III of div. B of Pub. L. 113-6]: *Provided further*, That such proceeds shall be available for a period of 5 years to the extent and in amounts as provided in annual appropriations Acts”.

Similar provisions were contained in the following appropriation acts:

Pub. L. 117-328, div. B, title III, Dec. 29, 2022, 136 Stat. 4548.

Pub. L. 117-103, div. B, title III, Mar. 15, 2022, 136 Stat. 137.

Pub. L. 116-260, div. B, title III, Dec. 27, 2020, 134 Stat. 1270.

Pub. L. 116-93, div. B, title III, Dec. 20, 2019, 133 Stat. 2418.

Pub. L. 116-6, div. C, title III, Feb. 15, 2019, 133 Stat. 123.

Pub. L. 115-141, div. B, title III, Mar. 23, 2018, 132 Stat. 431.

Pub. L. 115-31, div. B, title III, May 5, 2017, 131 Stat. 214.

Pub. L. 114-113, div. B, title III, Dec. 18, 2015, 129 Stat. 2317.

Pub. L. 113-235, div. B, title III, Dec. 16, 2014, 128 Stat. 2203.

Pub. L. 113-76, div. B, title III, Jan. 17, 2014, 128 Stat. 72.

Pub. L. 112-55, div. B, title III, Nov. 18, 2011, 125 Stat. 625.

Pub. L. 111-117, div. B, title III, Dec. 16, 2009, 123 Stat. 3144.

§ 20146. Retrocession of jurisdiction

(a) DEFINITION OF STATE.—In this section, the term “State” means any of the several States,

the District of Columbia, the Commonwealth of Puerto Rico, the United States Virgin Islands, Guam, American Samoa, the Northern Mariana Islands, and any other commonwealth, territory, or possession of the United States.

(b) RELINQUISHING LEGISLATIVE JURISDICTION.—Notwithstanding any other provision of law, the Administrator may relinquish to a State all or part of the legislative jurisdiction of the United States over lands or interests under the control of the Administrator in that State.

(Pub. L. 111-314, § 3, Dec. 18, 2010, 124 Stat. 3353.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
20146	42 U.S.C. 2459k.	Pub. L. 85-568, title III, § 316, as added Pub. L. 109-155, title VII, § 701, Dec. 30, 2005, 119 Stat. 2935.

§ 20147. Recovery and disposition authority

(a) DEFINITIONS.—In this section:

(1) ADMINISTRATION HUMAN SPACE FLIGHT VEHICLE.—The term “Administration human space flight vehicle” means a space vehicle, as defined in section 20138(a) of this title, that—

(A) is intended to transport one or more persons;

(B) is designed to operate in outer space; and

(C) is either—

(i) owned by the Administration; or

(ii) owned by an Administration contractor or cooperating party and operated as part of an Administration mission or a joint mission with the Administration.

(2) CREWMEMBER.—The term “crewmember” means an astronaut or other person assigned to an Administration human space flight vehicle.

(b) CONTROL OF REMAINS.—

(1) IN GENERAL.—Subject to paragraphs (2) and (3), when there is an accident or mishap resulting in the death of a crewmember of an Administration human space flight vehicle, the Administrator may take control over the remains of the crewmember and order autopsies and other scientific or medical tests.

(2) TREATMENT.—Each crewmember shall provide the Administrator with the crewmember’s preferences regarding the treatment accorded to the crewmember’s remains and the Administrator shall, to the extent possible, respect those stated preferences.

(3) CONSTRUCTION.—This section shall not be construed to permit the Administrator to interfere with any Federal investigation of a mishap or accident.

(Pub. L. 111-314, § 3, Dec. 18, 2010, 124 Stat. 3353.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
20147	42 U.S.C. 2459l.	Pub. L. 85-568, title III, § 317, as added Pub. L. 109-155, title VII, § 705, Dec. 30, 2005, 119 Stat. 2936.