

“(B) future Administration research and development and testing needs;

“(C) a strategy for identifying facilities and infrastructure that are candidates for disposal, that is consistent with the national strategic direction set forth in—

“(i) the National Space Policy;

“(ii) the National Aeronautics Research, Development, Test, and Evaluation Infrastructure Plan;

“(iii) the National Aeronautics and Space Administration Authorization Act of 2005 (Public 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

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
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

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
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

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
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

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#### 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

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
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

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

### Statutory Notes and Related Subsidiaries

#### EXPERIMENTAL AIRCRAFT PROJECTS

Pub. L. 117–167, div. B, title VII, § 10831, Aug. 9, 2022, 136 Stat. 1746, provided that:

“(a) SENSE OF CONGRESS.—It is the sense of Congress that—

“(1) developing high-risk, precompetitive aerospace technologies for which there is not yet a profit rationale is a fundamental role of the [National Aeronautics and Space] Administration;

“(2) large-scale flight test experimentation and validation are necessary for—

“(A) transitioning new technologies and materials, including associated manufacturing processes, for aviation and aeronautics use; and

“(B) capturing the full extent of benefits from investments made by the Aeronautics Research Mission Directorate; and

“(3) a level of funding that adequately supports large-scale flight test experimentation and validation, including related infrastructure, should be ensured over a sustained period of time to restore the capacity of the Administration—

“(A) to see legacy priority programs through to completion; and

“(B) to achieve national economic and security objectives.

“(b) STATEMENT OF POLICY.—It is the policy of the United States—

“(1) to maintain world leadership in—

“(A) civilian aeronautical science and technology; and

“(B) aerospace industrialization; and

“(2) to maintain as a fundamental objective of the aeronautics research of the Administration the steady progression and expansion of flight research and capabilities, including the science and technology of critical underlying disciplines and competencies, such as—

“(A) computational-based analytical and predictive tools and methodologies;

“(B) aerothermodynamics;

“(C) propulsion;

“(D) advanced materials and manufacturing processes;

“(E) high-temperature structures and materials; and

“(F) guidance, navigation, and flight controls.

“(c) EXPERIMENTAL AIRCRAFT FLIGHT DEMONSTRATIONS.—

“(1) IN GENERAL.—In meeting the objectives described in subsection (b), the Administrator [of the National Aeronautics and Space Administration] shall carry out experimental aircraft demonstrations, including—

“(A) a subsonic demonstrator to demonstrate the performance and feasibility of advanced, ultra-efficient, and low emissions subsonic flight demonstrator configurations;

“(B) a low boom flight demonstrator to validate design tools and technologies that can be applied to low sonic boom commercial supersonic aircraft and support the development of a noise-based standard for supersonic overland flight; and

“(C) a flight research demonstrator to test the performance and feasibility of advanced, ultra-efficient and net-zero emissions aircraft concepts and configurations.

“(2) ELEMENTS.—For each demonstration under paragraph (1), the Administrator shall—

“(A) include the development of experimental aircraft and all necessary supporting flight test assets;

“(B) pursue a robust technology maturation and flight test validation effort;

“(C) improve necessary facilities, flight testing capabilities, and computational tools to support the demonstration;

“(D) award any primary contracts for design, procurement, and manufacturing to United States per-