

(m) CLAIMS AGAINST THE UNITED STATES.—In the performance of its functions, the Administration is authorized—

(1) to consider, ascertain, adjust, determine, settle, and pay, on behalf of the United States, in full satisfaction thereof, any claim for \$25,000 or less against the United States for bodily injury, death, or damage to or loss of real or personal property resulting from the conduct of the Administration's functions as specified in section 20112(a) of this title, where such claim is presented to the Administration in writing within 2 years after the accident or incident out of which the claim arises; and

(2) if the Administration considers that a claim in excess of \$25,000 is meritorious and would otherwise be covered by this subsection, to report the facts and circumstances to Congress for its consideration.

(Pub. L. 111–314, § 3, Dec. 18, 2010, 124 Stat. 3333.)

HISTORICAL AND REVISION NOTES

| Revised Section | Source (U.S. Code) | Source (Statutes at Large) |
|-----------------|--------------------|--|
| 20113 | 42 U.S.C. 2473(c). | Pub. L. 85-568, title II, § 203(c), formerly § 203(b), July 29, 1958, 72 Stat. 429; Pub. L. 86-20, May 13, 1959, 73 Stat. 21; Pub. L. 86-481, § 5, June 1, 1960, 74 Stat. 153; Pub. L. 87-367, title II, § 206(a), Oct. 4, 1961, 75 Stat. 791; Pub. L. 87-584, § 6, Aug. 14, 1962, 76 Stat. 384; Pub. L. 87-793, § 1001(f), Oct. 11, 1962, 76 Stat. 864; Pub. L. 88-426, title III, § 306(d), Aug. 14, 1964, 78 Stat. 429; Pub. L. 88-448, title IV, § 402(a)(34), Aug. 10, 1964, 78 Stat. 495; Pub. L. 91-646, title II, § 220(a)(2), Jan. 2, 1971, 84 Stat. 1903; Pub. L. 93-74, § 6, July 23, 1973, 87 Stat. 174; Pub. L. 93-316, § 6, June 22, 1974, 88 Stat. 243; renumbered § 203(c), Pub. L. 93-409, § 4, Sept. 3, 1974, 88 Stat. 1070; Pub. L. 96-48, § 6(a), Aug. 8, 1979, 93 Stat. 348; Pub. L. 108-201, § 2(a), Feb. 24, 2004, 118 Stat. 461. |

In subsection (b), in the matter before paragraph (1), the words “chapter 51 and subchapter III of chapter 53 of title 5” are substituted for “the Classification Act of 1949, as amended” on authority of section 7(b) of Public Law 89-554 (80 Stat. 631), the first section of which enacted Title 5, Government Organization and Employees.

In subsection (c)(2), the words “section 8141 of title 40” are substituted for “the Act of March 3, 1877 (40 U.S.C. 34)” on authority of section 5(c) of Public Law 107-217 (116 Stat. 1303), the first section of which enacted Title 40, Public Buildings, Property, and Works.

In subsection (c)(4), the words “in accordance with the provisions of chapters 1 to 11 of title 40 and in accordance with title III of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 251 et seq.)” are substituted for “in accordance with the provisions of the Federal Property and Administrative Services Act of 1949, as amended (40 U.S.C. 471 et seq.)” on authority of section 5(c) of Public Law 107-217 (116 Stat. 1303), the first section of which enacted Title 40, Public Buildings, Property, and Works.

In subsection (e), the words “subsections (a) and (b) of section 3324 of title 31” are substituted for “section 3648 of the Revised Statutes, as amended (31 U.S.C. 529)” on authority of section 4(b) of Public Law 97-258 (96 Stat. 1067), the first section of which enacted Title 31, Money and Finance.

In subsection (i), the words “maximum rate payable under section 5376 of title 5” are substituted for “rate

for GS-18” because of section 101(c) of the Federal Employees Pay Comparability Act of 1990 (enacted by § 529 of Public Law 101-509, 5 U.S.C. 5376 note).

In subsection (k)(1), the words “section 1302 of title 40” are substituted for “section 321 of the Act of June 30, 1932 (47 Stat. 412; 40 U.S.C. 303b)” on authority of section 5(c) of Public Law 107-217 (116 Stat. 1303), the first section of which enacted Title 40, Public Buildings, Property, and Works.

REFERENCES IN TEXT

Level III of the Executive Schedule, referred to in subsec. (b)(1), is set out in section 5314 of Title 5, Government Organization and Employees.

The Federal Property and Administrative Services Act of 1949, referred to in subsec. (c)(4), is act June 30, 1949, ch. 288, 63 Stat. 377. Title III of the Act was classified generally to subchapter IV (§ 251 et seq.) of chapter 4 of former Title 41, Public Contracts, and was substantially repealed and restated in division C (§ 3101 et seq.) of subtitle I of Title 41, Public Contracts, by Pub. L. 111-350, §§ 3, 7(b), Jan. 4, 2011, 124 Stat. 3677, 3855. For complete classification of this Act to the Code, see Short Title of 1949 Act note set out under section 101 of Title 41 and Tables. For disposition of sections of former Title 41, see Disposition Table preceding section 101 of Title 41.

PURCHASE OF AMERICAN-MADE EQUIPMENT AND PRODUCTS

Pub. L. 106-391, title III, § 319, Oct. 30, 2000, 114 Stat. 1597, provided that:

“(a) PURCHASE OF AMERICAN-MADE EQUIPMENT AND PRODUCTS.—In the case of any equipment or products that may be authorized to be purchased with financial assistance provided under this Act [see Tables for classification], it is the sense of the Congress that entities receiving such assistance should, in expending the assistance, purchase only American-made equipment and products.

“(b) NOTICE TO RECIPIENTS OF ASSISTANCE.—In providing financial assistance under this Act, the Administrator [of the National Aeronautics and Space Administration] shall provide to each recipient of the assistance a notice describing the statement made in subsection (a) by the Congress.”

ENHANCEMENT OF SCIENCE AND MATHEMATICS PROGRAMS

Pub. L. 106-391, title III, § 321, Oct. 30, 2000, 114 Stat. 1597, provided that:

“(a) DEFINITIONS.—In this section:

“(1) EDUCATIONALLY USEFUL FEDERAL EQUIPMENT.—The term ‘educationally useful Federal equipment’ means computers and related peripheral tools and research equipment that is appropriate for use in schools.

“(2) SCHOOL.—The term ‘school’ means a public or private educational institution that serves any of the grades of kindergarten through grade 12.

“(b) SENSE OF THE CONGRESS.—

“(1) IN GENERAL.—It is the sense of the Congress that the Administrator [of the National Aeronautics and Space Administration] should, to the greatest extent practicable and in a manner consistent with applicable Federal law (including Executive Order No. 12999 [40 U.S.C. 549 note]), donate educationally useful Federal equipment to schools in order to enhance the science and mathematics programs of those schools.

“(2) REPORTS.—Not later than 1 year after the date of the enactment of this Act [Oct. 30, 2000], and annually thereafter, the Administrator shall prepare and submit to Congress a report describing any donations of educationally useful Federal equipment to schools made during the period covered by the report.”

§ 20114. Administration and Department of Defense coordination

(a) ADVISE AND CONSULT.—The Administration and the Department of Defense, through the

President, shall advise and consult with each other on all matters within their respective jurisdictions related to aeronautical and space activities and shall keep each other fully and currently informed with respect to such activities.

(b) REFERRAL TO THE PRESIDENT.—If the Secretary of Defense concludes that any request, action, proposed action, or failure to act on the part of the Administrator is adverse to the responsibilities of the Department of Defense, or the Administrator concludes that any request, action, proposed action, or failure to act on the part of the Department of Defense is adverse to the responsibilities of the Administration, and the Administrator and the Secretary of Defense are unable to reach an agreement with respect to the matter, either the Administrator or the Secretary of Defense may refer the matter to the President for a decision (which shall be final).

(Pub. L. 111-314, § 3, Dec. 18, 2010, 124 Stat. 3336.)

HISTORICAL AND REVISION NOTES

| Revised Section | Source (U.S. Code) | Source (Statutes at Large) |
|-----------------|--------------------|---|
| 20114(a) | 42 U.S.C. 2474(b). | Pub. L. 85-568, title II, § 204(b), (c), July 29, 1958, 72 Stat. 431. |
| 20114(b) | 42 U.S.C. 2474(c). | |

In subsection (a), the words “through the President” are substituted for “through the Liaison Committee” because the Civilian-Military Liaison Committee, which was established by section 204(a) of the National Aeronautics and Space Act of 1958 (42 U.S.C. 2474(a)), was abolished and its functions, together with the functions of its chairman and other officers, were transferred to the President by sections 1(e) and 3(a) of Reorganization Plan No. 4 of 1965 (5 App. U.S.C.).

In subsection (b), the words “as provided in section 201 (e)”, which appeared at the end of the subsection, are omitted as obsolete. Section 201 of Public Law 85-568, which was classified to former section 2471 of title 42 (last appearing in the 1970 edition of the United States Code), established the National Aeronautics and Space Council, with the functions of the Council specified in section 201(e). Those functions included advising the President “as he may request” with respect to promoting cooperation and resolving differences among agencies of the United States engaged in aeronautical and space activities. The words are obsolete because section 3(a)(4) of Reorganization Plan No. 1 of 1973 (5 App. U.S.C.), abolished the National Aeronautics and Space Council, including the office of Executive Secretary of the Council, together with its functions.

§ 20115. International cooperation

The Administration, under the foreign policy guidance of the President, may engage in a program of international cooperation in work done pursuant to this chapter, and in the peaceful application of the results thereof, pursuant to agreements made by the President with the advice and consent of the Senate.

(Pub. L. 111-314, § 3, Dec. 18, 2010, 124 Stat. 3337.)

HISTORICAL AND REVISION NOTES

| Revised Section | Source (U.S. Code) | Source (Statutes at Large) |
|-----------------|--------------------|---|
| 20115 | 42 U.S.C. 2475. | Pub. L. 85-568, title II, § 205, July 29, 1958, 72 Stat. 432. |

DELEGATION OF AUTHORITY

Memorandum of President of the United States, Oct. 10, 1995, 60 F.R. 53251, provided:

Memorandum for the Administrator of the National and Aeronautics and Space Administration

By the authority vested in me as President by the Constitution and the laws of the United States of America, and in order to facilitate the efficient operations of the aeronautical and space programs of the National Aeronautics and Space Administration (NASA), it is hereby ordered as follows:

The authority conferred upon the President by the Constitution and the laws of the United States of America to executive mutual waivers of claims of liability on behalf of the United States for damages arising out of cooperative activities is hereby delegated to the Administrator of NASA for agreements with foreign governments and their agents regarding aeronautical, science, and space activities that are executed pursuant to the authority granted NASA by the National Aeronautics and Space Act of 1958, Public Law 85-568, as amended [see 51 U.S.C. 20101 et seq.]. All such agreements shall be subject to coordination with and the concurrence of the Department of State to the extent provided by applicable law, regulations, and procedures. All such waivers of liability entered into prior to the date of this memorandum are hereby ratified.

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

WILLIAM J. CLINTON.

§ 20116. Reports to Congress

(a) PRESIDENTIAL REPORT.—The President shall transmit to Congress in May of each year a report, which shall include—

(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 20102(d) 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 20102(d) of this title.

(c) CLASSIFIED INFORMATION.—No information that has been classified for reasons of national security shall be included in any report made under this section, unless the information has been declassified by, or pursuant to authorization given by, the President.

(Pub. L. 111-314, § 3, Dec. 18, 2010, 124 Stat. 3337.)

HISTORICAL AND REVISION NOTES

| Revised Section | Source (U.S. Code) | Source (Statutes at Large) |
|-----------------|--------------------|--|
| 20116 | 42 U.S.C. 2476. | 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. |

In subsections (a)(2) and (b), the words “section 102(c) of this Act”, which appear in section 206 of Public Law 85-568 (72 Stat. 432), are treated as referring to section 102(d), rather than section 102(c), of Public Law 85-568 because of the redesignation done by section 110(a)(2) of the National Aeronautics and Space Administration Authorization Act, 1985 (Public Law 98-361, 98 Stat. 426). Section 102(d) of Public Law 85-568 is restated as section 20102(d) of title 51.