§ 30303. Tracking and data relay satellite services

(a) CONTRACTS.—The Administration is authorized, when so provided in an appropriation Act, to enter into and to maintain a contract for tracking and data relay satellite services. Such services shall be furnished to the Administration in accordance with applicable authorization and appropriations Acts. The Government shall incur no costs under such contract prior to the furnishing of such services except that the contract may provide for the payment for contingent liability of the Government which may accrue in the event the Government should decide for its convenience to terminate the contract before the end of the period of the contract. Facilities which may be required in the performance of the contract may be constructed on Government-owned lands if there is included in the contract a provision under which the Government may acquire title to the facilities, under terms and conditions agreed upon in the contract, upon termination of the contract.

(b) REPORTS TO CONGRESS.—The Administrator shall in January of each year report to the Committee on Science and Technology and the Committee on Appropriations of the House of Representatives and the Committee on Commerce, Science, and Transportation and the Committee on Appropriations of the Senate the projected aggregate contingent liability of the Government under termination provisions of any contract authorized in this section through the next fiscal year. The authority of the Administration to enter into and to maintain the contract authorized hereunder shall remain in effect unless repealed by legislation enacted by Congress.

(Pub. L. 111–314, § 3, Dec. 18, 2010, 124 Stat. 3363.)

HISTORICAL AND REVISION NOTES

Revised Section	*Source (U.S. Code)*	*Source (Statutes at Large)*
30303(a)	42 U.S.C. 2463 (1st par.).	Pub. L. 95–76, § 6, July 30, 1977, 91 Stat. 315; Pub. L. 103–437, § 15(c)(3), Nov. 2, 1994, 108 Stat. 4592.
30303(b)	42 U.S.C. 2463 (last par.).	

In subsection (b), the words ''Committee on Science and Technology'' are substituted for ''Committee on Science, Space, and Technology'' on authority of section 1(a)(10) of Public Law 104–14 (2 U.S.C. note prec. 21), Rule X(1)(n) of the Rules of the House of Representatives, adopted by House Resolution No. 5 (106th Congress, January 6, 1999), and Rule X(1)(*o*) of the Rules of the House of Representatives, adopted by House Resolution No. 6 (110th Congress, January 5, 2007).

In subsection (b), the word ''hereafter'' is omitted as unnecessary.

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.

§ 30304. Award of contracts to small businesses and disadvantaged individuals

The Administrator shall annually establish a goal of at least 8 percent of the total value of prime and subcontracts awarded in support of authorized programs, including the space station by the time operational status is obtained, which funds will be made available to small business concerns or other organizations owned or controlled by socially and economically disadvantaged individuals (within the meaning of paragraphs (5) and (6) of section 8(a) of the Small Business Act (15 U.S.C. 637(a))), including Historically Black Colleges and Universities that are part B institutions (as defined in section 322(2) of the Higher Education Act of 1965 (20 U.S.C. 1061(2))), Hispanic-serving institutions (as defined in section 502(a)(5) of that Act (20 U.S.C. 1101a(a)(5))), Tribal Colleges or Universities (as defined in section 316(b)(3) of that Act (20 U.S.C. 1059c(b)(3))), Alaska Native-serving institutions (as defined in section 317(b)(2) of that Act (20 U.S.C. 1059d(b)(2))), Native Hawaiian-serving institutions (as defined in section 317(b)(4) of that Act (20 U.S.C. 1059d(b)(4))), and minority educational institutions (as defined by the Secretary of Education pursuant to the General Education Provisions Act (20 U.S.C. 1221 et seq.)).

(Pub. L. 111–314, § 3, Dec. 18, 2010, 124 Stat. 3364.)

HISTORICAL AND REVISION NOTES

Revised Section	*Source (U.S. Code)*	*Source (Statutes at Large)*
30304	42 U.S.C. 2473b (1st par.).	Pub. L. 101–144, title III, (1st par. under heading ''Small and Disadvantaged Business'', at 103 Stat. 863), Nov. 9, 1989, 103 Stat. 863; Pub. L. 109–155, title VI, § 611, Dec. 30, 2005, 119 Stat. 2932.

The word ''Alaska'' is substituted for ''Alaskan'' in the phrase ''Alaska Native-serving institutions (as defined in section 317(b)(2) of that Act (20 U.S.C. 1059d(b)(2)))'' for consistency with the term defined in section 317(b)(2) of the Higher Education Act of 1965 (20 U.S.C. 1059d(b)(2)).

REFERENCES IN TEXT

The General Education Provisions Act, referred to in text, is title IV of Pub. L. 90–247, Jan. 2, 1968, 81 Stat. 814, which is classified generally to chapter 31 (§ 1221 et seq.) of Title 20, Education. For complete classification of this Act to the Code, see section 1221 of Title 20 and Tables.

§ 30305. Outreach program

(a) ESTABLISHMENT.—The Administration shall competitively select an organization to partner with Administration centers, aerospace contractors, and academic institutions to carry out a program to help promote the competitiveness of small, minority-owned, and women-owned businesses in communities across the United States through enhanced insight into the technologies of the Administration's space and aeronautics programs. The program shall support the mission of the Administration's Innovative Partnerships Program with its emphasis on joint partnerships with industry, academia, government agencies, and national laboratories.

(b) PROGRAM STRUCTURE.—In carrying out the program described in subsection (a), the organization shall support the mission of the Administration's Innovative Partnerships Program by undertaking the following activities:

(1) FACILITATING ENHANCED INSIGHT.—Facilitating the enhanced insight of the private sec-

tor into the Administration's technologies in order to increase the competitiveness of the private sector in producing viable commercial products.

(2) CREATING NETWORK.—Creating a network of academic institutions, aerospace contractors, and Administration centers that will commit to donating appropriate technical assistance to small businesses, giving preference to socially and economically disadvantaged small business concerns, small business concerns owned and controlled by service-disabled veterans, and HUBZone small business concerns. This paragraph shall not apply to any contracting actions entered into or taken by the Administration.

(3) CREATING NETWORK OF ECONOMIC DEVELOPMENT ORGANIZATIONS.—Creating a network of economic development organizations to increase the awareness and enhance the effectiveness of the program nationwide.

(c) REPORT.—Not later than one year after October 15, 2008, and annually thereafter, the Administrator shall submit a report to the Committee on Science and Technology of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate describing the efforts and accomplishments of the program established under subsection (a) in support of the Administration's Innovative Partnerships Program. As part of the report, the Administrator shall provide—

(1) data on the number of small businesses receiving assistance, jobs created and retained, and volunteer hours donated by the Administration, contractors, and academic institutions nationwide;

(2) an estimate of the total dollar value of the economic impact made by small businesses that received technical assistance through the program; and

(3) an accounting of the use of funds appropriated for the program.

(Pub. L. 111–314, § 3, Dec. 18, 2010, 124 Stat. 3364.)

HISTORICAL AND REVISION NOTES

Revised Section	*Source (U.S. Code)*	*Source (Statutes at Large)*
30305	42 U.S.C. 17824.	Pub. L. 110–422, title XI, § 1107, Oct. 15, 2008, 122 Stat. 4810.

In subsection (c), in the matter before paragraph (1), the date "October 15, 2008" is substituted for "the date of enactment of this Act" to reflect the date of enactment of the National Aeronautics and Space Administration Authorization Act of 2008.

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.

§ 30306. Small business contracting

(a) PLAN.—In consultation with the Small Business Administration, the Administrator shall develop a plan to maximize the number and amount of contracts awarded to small business concerns (within the meaning given that term in section 3 of the Small Business Act (15 U.S.C. 632)) and to meet established contracting goals for such concerns.

(b) PRIORITY.—The Administrator shall establish as a priority meeting the contracting goals developed in conjunction with the Small Business Administration to maximize the amount of prime contracts, as measured in dollars, awarded in each fiscal year by the Administration to small business concerns (within the meaning given that term in section 3 of the Small Business Act (15 U.S.C. 632)).

(Pub. L. 111–314, § 3, Dec. 18, 2010, 124 Stat. 3365.)

HISTORICAL AND REVISION NOTES

Revised Section	*Source (U.S. Code)*	*Source (Statutes at Large)*
30306	42 U.S.C. 16821.	Pub. L. 109–155, title VII, § 707, Dec. 30, 2005, 119 Stat. 2937.

§ 30307. Requirement for independent cost analysis

(a) DEFINITION OF IMPLEMENTATION.—In this section, the term "implementation" means all activity in the life cycle of a project after preliminary design, independent assessment of the preliminary design, and approval to proceed into implementation, including critical design, development, certification, launch, operations, disposal of assets, and, for technology programs, development, testing, analysis, and communication of the results.

(b) REQUIREMENT.—Before any funds may be obligated for implementation of a project that is projected to cost more than $250,000,000 in total project costs, the Administrator shall conduct and consider an independent life-cycle cost analysis of the project and shall report the results to Congress. In developing cost accounting and reporting standards for carrying out this section, the Administrator shall, to the extent practicable and consistent with other laws, solicit the advice of experts outside of the Administration.

(Pub. L. 111–314, § 3, Dec. 18, 2010, 124 Stat. 3365.)

HISTORICAL AND REVISION NOTES

Revised Section	*Source (U.S. Code)*	*Source (Statutes at Large)*
30307	42 U.S.C. 2459g.	Pub. L. 106–391, title III, § 301, Oct. 30, 2000, 114 Stat. 1591; Pub. L. 109–155, title VII, § 704, Dec. 30, 2005, 119 Stat. 2936.

In subsection (b), in the first sentence, the words "the Administrator shall conduct" are substituted for "the Administrator for the National Aeronautics and Space Administration shall conduct" to eliminate unnecessary words.

In subsection (b), in the last sentence, the word "experts" is substituted for "expertise" for clarity.

§ 30308. Cost effectiveness calculations

(a) DEFINITIONS.—In this section:

(1) COMMERCIAL PROVIDER.—The term "commercial provider" means any person providing space transportation services or other space-related activities, the primary control of which is held by persons other than a Federal, State, local, or foreign government.

(2) STATE.—The term "State" means each of the several States of the United States, the