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

(b) IN GENERAL.—Except as otherwise required by law, in calculating the cost effectiveness of the cost of the Administration engaging in an activity as compared to a commercial provider, the Administrator shall compare the cost of the Administration engaging in the activity using full cost accounting principles with the price the commercial provider will charge for such activity.

(Pub. L. 111–314, § 3, Dec. 18, 2010, 124 Stat. 3366.)

HISTORICAL AND REVISION NOTES

| *Revised Section* | *Source (U.S. Code)* | *Source (Statutes at Large)* |
|---|---|---|
| 30308(a) ..... | (no source) | |
| 30308(b) ..... | 42 U.S.C. 2459h. | Pub. L. 106–391, title III, § 304, Oct. 30, 2000, 114 Stat. 1592. |

In subsection (a), definitions of ''commercial provider'' and ''State'' are added to carry forward the appropriate definitions from section 3 of the National Aeronautics and Space Administration Authorization Act of 2000 (Public Law 106–391, 114 Stat. 1579, 1580).

## § 30309. Use of abandoned and underutilized buildings, grounds, and facilities

(a) DEFINITION OF DEPRESSED COMMUNITIES.—In this section, the term ''depressed communities'' means rural and urban communities that are relatively depressed, in terms of age of housing, extent of poverty, growth of per capita income, extent of unemployment, job lag, or surplus labor.

(b) IN GENERAL.—In any case in which the Administrator considers the purchase, lease, or expansion of a facility to meet requirements of the Administration, the Administrator shall consider whether those requirements could be met by the use of one of the following:

(1) Abandoned or underutilized buildings, grounds, and facilities in depressed communities that can be converted to Administration usage at a reasonable cost, as determined by the Administrator.

(2) Any military installation that is closed or being closed, or any facility at such an installation.

(3) Any other facility or part of a facility that the Administrator determines to be—

(A) owned or leased by the United States for the use of another agency of the Federal Government; and

(B) considered by the head of the agency involved to be—

(i) excess to the needs of that agency; or

(ii) underutilized by that agency.

(Pub. L. 111–314, § 3, Dec. 18, 2010, 124 Stat. 3366.)

HISTORICAL AND REVISION NOTES

| *Revised Section* | *Source (U.S. Code)* | *Source (Statutes at Large)* |
|---|---|---|
| 30309 ..... | 42 U.S.C. 2473d. | Pub. L. 106–391, title III, § 325, Oct. 30, 2000, 114 Stat. 1600. |

PRIOR PROVISIONS

Provisions similar to those in this section were contained in the following prior appropriation authorization act:

Pub. L. 102–588, title II, § 220, Nov. 4, 1992, 106 Stat. 5118.

## § 30310. Exception to alternative fuel procurement requirement

Section 526(a)[1] of the Energy Independence and Security Act of 2007 (42 U.S.C. 17142(a)) does not prohibit the Administration from entering into a contract to purchase a generally available fuel that is not an alternative or synthetic fuel or predominantly produced from a nonconventional petroleum source, if—

(1) the contract does not specifically require the contractor to provide an alternative or synthetic fuel or fuel from a nonconventional petroleum source;

(2) the purpose of the contract is not to obtain an alternative or synthetic fuel or fuel from a nonconventional petroleum source; and

(3) the contract does not provide incentives for a refinery upgrade or expansion to allow a refinery to use or increase its use of fuel from a nonconventional petroleum source.

(Pub. L. 111–314, § 3, Dec. 18, 2010, 124 Stat. 3366.)

HISTORICAL AND REVISION NOTES

| *Revised Section* | *Source (U.S. Code)* | *Source (Statutes at Large)* |
|---|---|---|
| 30310 ..... | 42 U.S.C. 17827. | Pub. L. 110–422, title XI, § 1112, Oct. 15, 2008, 122 Stat. 4811. |

REFERENCES IN TEXT

Section 526(a) of the Energy Independence and Security Act of 2007, referred to in text, probably means section 526 of Pub. L. 110–140, which is classified to section 17142 of Title 42, The Public Health and Welfare, but does not contain subsecs.

# CHAPTER 305—MANAGEMENT AND REVIEW

Sec.
30501. Lessons learned and best practices.
30502. Whistleblower protection.
30503. Performance assessments.
30504. Assessment of science mission extensions.

ASSESSMENT OF IMPEDIMENTS TO SPACE SCIENCE AND ENGINEERING WORKFORCE DEVELOPMENT FOR MINORITY AND UNDERREPRESENTED GROUPS AT NASA

Pub. L. 111–358, title II, § 203, Jan. 4, 2011, 124 Stat. 3994, provided that:

''(a) ASSESSMENT.—The Administrator [of NASA] shall enter into an arrangement for an independent assessment of any impediments to space science and engineering workforce development for minority and underrepresented groups at NASA [National Aeronautics and Space Administration], including recommendations on—

''(1) measures to address such impediments;

''(2) opportunities for augmenting the impact of space science and engineering workforce development activities and for expanding proven, effective programs; and

''(3) best practices and lessons learned, as identified through the assessment, to help maximize the effectiveness of existing and future programs to increase the participation of minority and underrepresented

[1] See References in Text note below.