

906, §2, 70 Stat. 959; Sept. 2, 1958, Pub. L. 85-890, §2, 72 Stat. 1712, provided for acceptance of gifts and bequests. See sections 1522 and 1523 of this title.

### § 278b. Working Capital Fund

#### (a) Utilization

The Institute is authorized to utilize in the performance of its functions the Working Capital Fund established by the Act of June 29, 1950 (64 Stat. 275).

#### (b) Availability of Fund

The working capital of the fund shall be available for obligation and payment for any activities authorized by this chapter, and for any activities for which provision is made in the appropriations which reimburse the fund.

#### (c) Reimbursements

In the performance of authorized activities, the Working Capital Fund shall be available and may be reimbursed for expenses of hire of automobile, hire of consultants, and travel to meetings, to the extent that such expenses are authorized for the appropriations of the Department of Commerce.

#### (d) Credits

The fund may be credited with advances and reimbursements, including receipts from non-Federal sources, for services performed under the authority of section 273 of this title.

#### (e) "Cost" defined

As used in this chapter, the term "cost" shall be construed to include directly related expenses and appropriate charges for indirect and administrative expenses.

#### (f) Distribution of earnings; restoration of prior impairment

The amount of any earned net income resulting from the operation of the fund at the close of each fiscal year shall be paid into the general fund of the Treasury: *Provided*, That such earned net income may be applied to restore any prior impairment of the fund, and to ensure the availability of working capital necessary to replace equipment and inventories.

(Mar. 3, 1901, ch. 872, §12, as added Aug. 3, 1956, ch. 906, §2, 70 Stat. 959; amended Pub. L. 95-322, §2(a), July 21, 1978, 92 Stat. 395; Pub. L. 99-73, §5(a), July 29, 1985, 99 Stat. 172; Pub. L. 100-418, title V, §5115(a)(1), Aug. 23, 1988, 102 Stat. 1433.)

#### REFERENCES IN TEXT

Act of June 29, 1950 (64 Stat. 275), referred to in subsec. (a), was the Deficiency Appropriation Act, 1950. Provisions thereof relating to Working Capital Fund are not classified to the Code.

#### PRIOR PROVISIONS

A prior section 12 of act Mar. 3, 1901, ch. 872, as added by act July 22, 1950, ch. 486, §2, 64 Stat. 373, related to equipment purchased by Department of Commerce to carry out investigations, prior to repeal by act Aug. 3, 1956.

#### AMENDMENTS

1988—Subsec. (a). Pub. L. 100-418 substituted "Institute" for "National Bureau of Standards".

1985—Subsec. (f). Pub. L. 99-73 struck out "first" after "may be applied", and inserted provisions relating to

working capital for replacement of equipment and inventories.

1978—Subsec. (a). Pub. L. 95-322 struck out ", and additional amounts as from time to time may be required for the purposes of said fund are authorized to be appropriated" after "(64 Stat. 275)".

#### EFFECTIVE DATE OF 1985 AMENDMENT

Amendment by Pub. L. 99-73 effective Oct. 1, 1984, see section 5(c) of Pub. L. 99-73, set out as an Effective Date note under section 275c of this title.

### § 278c. Acquisition of land for field sites

To the extent that funds are specifically appropriated therefor, the Secretary of Commerce is authorized to acquire land for such field sites as are necessary for the proper and efficient conduct of the activities authorized herein.

(Mar. 3, 1901, ch. 872, §13, as added Pub. L. 85-890, §1, Sept. 2, 1958, 72 Stat. 1711.)

#### REFERENCES IN TEXT

"Herein", referred to in text, refers to act Mar. 3, 1901, ch. 872, which is classified generally to this chapter.

#### PRIOR PROVISIONS

A prior section 13 of act Mar. 3, 1901, ch. 872, as added July 22, 1950, ch. 486, §2, 64 Stat. 373, related to acceptance of gifts and bequests, prior to repeal by act Aug. 3, 1956. See sections 1522 and 1523 of this title.

### § 278d. Construction and improvement of buildings and facilities

#### (a) In general

Within the limits of funds which are appropriated for the Institute, the Secretary of Commerce is authorized to undertake such construction of buildings and other facilities and to make such improvements to existing buildings, grounds, and other facilities occupied or used by the Institute as are necessary for the proper and efficient conduct of the activities authorized herein.

#### (b) Retention of fees

The Director is authorized to retain all building use and depreciation surcharge fees collected pursuant to OMB Circular A-25. Such fees shall be collected and credited to the Construction of Research Facilities Appropriation Account for use in maintenance and repair of the Institute's existing facilities.

(Mar. 3, 1901, ch. 872, §14, as added Pub. L. 85-890, §1, Sept. 2, 1958, 72 Stat. 1711; amended Pub. L. 92-317, §3(d), June 22, 1972, 86 Stat. 235; Pub. L. 96-461, §8, Oct. 15, 1980, 94 Stat. 2051; Pub. L. 100-418, title V, §5115(a)(1), Aug. 23, 1988, 102 Stat. 1433; Pub. L. 102-245, title I, §104(f), Feb. 14, 1992, 106 Stat. 11; Pub. L. 110-69, title III, §3014, Aug. 9, 2007, 121 Stat. 599.)

#### REFERENCES IN TEXT

"Herein", referred to in subsec. (a), refers to act Mar. 3, 1901, ch. 872, which is classified generally to this chapter.

#### AMENDMENTS

2007—Pub. L. 110-69 designated existing provisions as subsec. (a), inserted heading, and added subsec. (b).

1992—Pub. L. 102-245 substituted "herein" for "herein: *Provided*, That no improvement shall be made nor