

expedient to employ, and to give such instructions for regulating their conduct as he deems proper in order to carry out the provisions of this subchapter.

(Aug. 6, 1947, ch. 504, § 8, 61 Stat. 788.)

#### DELEGATION OF FUNCTIONS

Functions of President under this section delegated to Secretary of Commerce, see section 1(l) of Ex. Ord. No. 11023, May 28, 1962, 27 F.R. 5131, as amended, set out as a note under section 301 of Title 3, The President.

#### § 883i. Authorization of appropriations

There are authorized to be appropriated such funds as may be necessary to acquire, construct, maintain, and operate ships, stations, equipment, and facilities and for such other expenditures, including personal services at the seat of government and elsewhere and including the erection of temporary observatory buildings and lease of sites therefor, as may be necessary for the conduct of the activities herein authorized.

(Aug. 6, 1947, ch. 504, § 9, 61 Stat. 788.)

#### REFERENCES IN TEXT

Herein, referred to in text, means act Aug. 6, 1947, ch. 504, 61 Stat. 787, as amended, which is classified generally to this subchapter (§883a et seq.). For complete classification of this Act to the Code, see Tables.

#### § 883j. Ocean satellite data

The Administrator of the National Oceanic and Atmospheric Administration (hereinafter referred to in this subtitle<sup>1</sup> as the “Administration”) shall take such actions, including the sponsorship of applied research, as may be necessary to assure the future availability and usefulness of ocean satellite data to the maritime community.

(Pub. L. 99–272, title VI, § 6082, Apr. 7, 1986, 100 Stat. 135.)

#### REFERENCES IN TEXT

This subtitle, referred to in text, is subtitle H (§§ 6081–6085) of title VI of Pub. L. 99–272, Apr. 7, 1986, 100 Stat. 135, which enacted this section and section 1530 of Title 15, Commerce and Trade, amended section 883e of this title and sections 330e, 2903 and 2904 of Title 15, and repealed section 2905 of Title 15. For complete classification of this subtitle to the Code, see Tables.

#### TRANSFER OF FUNCTIONS

Functions of Secretary and other officers of Department of Commerce under this section that relate to the Office of Aeronautical Charting and Cartography to provide aeronautical charts, products, and services for safe and efficient navigation of air commerce transferred to Administrator of Federal Aviation Administration effective Oct. 1, 2000, see section 44721(c)(2) of Title 49, Transportation.

#### REPORT ON SATELLITE OCEANOGRAPHY

Pub. L. 102–567, title I, § 116, Oct. 29, 1992, 106 Stat. 4279, provided that:

“(a) IN GENERAL.—The Federal Coordinating Council for Science, Engineering, and Technology through the Committee on Earth and Environmental Sciences, in consultation with Federal, academic, and commercial users of remotely sensed data, shall consider and develop findings and recommendations regarding—

“(1) the most urgent current needs of oceanographic researchers within the Federal Government, the academic community, and the private sector, for remote sensing capabilities and remotely sensed data, including findings regarding the present inadequacies in these capabilities and data; and

“(2) the major goals of satellite oceanography for the next 10 years.

“(b) REPORT.—Not later than one year after the date of enactment of this Act [Oct. 29, 1992], the Federal Coordinating Council for Science, Engineering, and Technology shall submit to the Congress a report which describes the findings and recommendations of the Committee on Earth and Environmental Sciences, including recommendations for, or a description of actions to be taken toward—

“(1) correcting the inadequacies in remote sensing capabilities;

“(2) improving the availability of remotely sensed data; and

“(3) achieving the major goals of satellite oceanography developed pursuant to subsection (a)(2).”

#### § 883k. Acquisition of land for facilities

For fiscal year 1990 and hereafter funds appropriated under this heading shall be available for acquisition of land for facilities.

(Pub. L. 101–162, title I, Nov. 21, 1989, 103 Stat. 992.)

#### REFERENCES IN TEXT

Funds appropriated under this heading, referred to in text, refers to funds appropriated under the headings “NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION” and “OPERATIONS, RESEARCH, AND FACILITIES” of title I, “Department of Commerce”, of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1990, Pub. L. 101–162.

#### § 883l. Contracts for surveying and mapping services

On and after February 20, 2003, the Secretary of Commerce may award contracts for hydrographic, geodetic, and photogrammetric surveying and mapping services in accordance with title IX of the Federal Property and Administrative Services Act of 1949.<sup>1</sup>

(Pub. L. 108–7, div. B, title II, § 206, Feb. 20, 2003, 117 Stat. 77.)

#### REFERENCES IN TEXT

The Federal Property and Administrative Services Act of 1949, referred to in text, is act June 30, 1949, ch. 288, 63 Stat. 377. Title IX of the Act, which was classified generally to subchapter VI (§541 et seq.) of chapter 10 of former Title 40, Public Buildings, Property, and Works, was repealed and reenacted by Pub. L. 107–217, § 1, 6(b), Aug. 21, 2002, 116 Stat. 1062, 1304, as chapter 11 (§1101 et seq.) of Title 40, Public Buildings, Property, and Works. For disposition of sections of former Title 40 to revised Title 40, see Table preceding section 101 of Title 40. For complete classification of this Act to the Code, see Tables.

#### PRIOR PROVISIONS

Similar provisions were contained in the following prior appropriation acts:

Pub. L. 107–77, title II, § 206, Nov. 28, 2001, 115 Stat. 778.

Pub. L. 106–553, § 1(a)(2) [title II, § 207], Dec. 21, 2000, 114 Stat. 2762, 2762A–79.

Pub. L. 106–113, div. B, § 1000(a)(1) [title II, § 208], Nov. 29, 1999, 113 Stat. 1535, 1501A–32.

<sup>1</sup> See References in Text note below.

<sup>1</sup> See References in Text note below.

Pub. L. 105-277, div. A, §101(b) [title II, §208], Oct. 21, 1998, 112 Stat. 2681-50, 2681-87.

Pub. L. 105-119, title II, §208, Nov. 26, 1997, 111 Stat. 2480.

Pub. L. 104-208, div. A, title I, §101(a) [title II, §209], Sept. 30, 1996, 110 Stat. 3009, 3009-41.

Pub. L. 104-134, title I, §101(a) [title II, §212], Apr. 26, 1996, 110 Stat. 1321, 1321-32.

**§ 884. Power to use books, maps, etc., and to employ persons**

The President is authorized, in executing the provisions of title 56 of the Revised Statutes relating to the coast survey, to use all maps, charts, books, instruments, and apparatus belonging to the United States, and to direct where the same shall be deposited, and to employ all persons in the land or naval service of the United States, and such astronomers and other persons as he shall deem proper.

(R.S. §4685.)

REFERENCES IN TEXT

Title 56 of the Revised Statutes, referred to in text, was in the original "this Title", meaning title 56 of the Revised Statutes, consisting of R.S. §§4681 to 4691 of the Revised Statutes, which are classified to sections 881 to 883 and 884 to 888 of this title. For complete classification of R.S. §§4681 to 4691 to the Code, see Tables.

CODIFICATION

Section was not enacted as part of act Aug. 6, 1947, ch. 504, 61 Stat. 787, which comprises this subchapter.

R.S. §4685 derived from act July 10, 1832, ch. 191, §2, 4 Stat. 571.

**§ 885. Repealed. Aug. 6, 1947, ch. 504, §10(6), 61 Stat. 788**

Section, R.S. §4686, related to use of public vessels on coast surveys. See section 883h of this title.

**§§ 886, 887. Repealed. June 21, 1955, ch. 172, §5(1), (2), 69 Stat. 170**

Section 886, R.S. §4687, related to employment of officers of Army and Navy in the work of surveying the coast of the United States.

Section 887, R.S. §4688; acts Aug. 30, 1890, ch. 837, §1, 26 Stat. 382; June 5, 1920, ch. 235, §1, 41 Stat. 929, provided for allowance for subsistence to officers of Army and Navy while employed on coast survey service.

ADDITIONAL REPEAL

Sections were also repealed by act Aug. 10, 1956, ch. 1041, §53, 70A Stat. 641. Section 49(a) of act Aug. 10, 1956, provided in part that laws effective after Mar. 31, 1955, inconsistent with that act, should be considered as superseding it to the extent of the inconsistency.

**§ 888. Omitted**

CODIFICATION

Section, R.S. §§264, 4690; acts Feb. 14, 1903, ch. 552, §§4, 10, 32 Stat. 826, 829; Mar. 4, 1913, ch. 141, §1, 37 Stat. 736; June 5, 1920, ch. 235, §1, 41 Stat. 929, relating to an annual statement on coast surveys by the Coast and Geodetic Survey [now the National Ocean Survey], was partially repealed by acts May 29, 1928, ch. 901, §1(104), 45 Stat. 994; Aug. 7, 1946, ch. 770, §1(5), 60 Stat. 866; and Aug. 30, 1954, ch. 1076, §1(13), 68 Stat. 967.

**§§ 889, 890. Repealed. June 21, 1955, ch. 172, §5(5), 69 Stat. 170**

Section 889, acts Mar. 4, 1909, ch. 313, §1, 35 Stat. 1064; Mar. 4, 1913, ch. 141, §1, 37 Stat. 736, authorized coopera-

tion with North Carolina State Fish Commission in survey of waters of State.

Section 890, acts Mar. 4, 1909, ch. 313, §2, 35 Stat. 1065; Mar. 4, 1913, ch. 141, §1, 37 Stat. 736, provided for marking triangulation points of North Carolina survey.

SUBCHAPTER III—NOAA FLEET  
MODERNIZATION

**§ 891. Definitions**

In this subchapter, the term—

(1) "NOAA" means the National Oceanic and Atmospheric Administration within the Department of Commerce.

(2) "NOAA fleet" means the fleet of research vessels owned or operated by NOAA.

(3) "Plan" means the NOAA Fleet Replacement and Modernization Plan described in section 891b of this title.

(4) "Secretary" means the Secretary of Commerce.

(5) "UNOLS" means University-National Oceanographic Laboratory System.

(Pub. L. 102-567, title VI, §602, Oct. 29, 1992, 106 Stat. 4299.)

SHORT TITLE

For short title of this subchapter as the "NOAA Fleet Modernization Act", see section 601 of Pub. L. 102-567, set out as a Short Title of 1992 Amendment note under section 851 of this title.

**§ 891a. Fleet replacement and modernization program**

The Secretary is authorized to implement, subject to the requirements of this subchapter, a 15-year program to replace and modernize the NOAA fleet.

(Pub. L. 102-567, title VI, §603, Oct. 29, 1992, 106 Stat. 4300.)

REFERENCES IN TEXT

This subchapter, referred to in text, was in the original "this Act", and was translated as reading "this title", meaning title VI of Pub. L. 102-567, which enacted this subchapter, to reflect the probable intent of Congress.

**§ 891b. Fleet replacement and modernization Plan**

**(a) In general**

To carry out the program authorized in section 891a of this title, the Secretary shall develop and submit to Congress a replacement and modernization Plan for the NOAA fleet covering the years authorized under section 891h of this title.

**(b) Timing**

The Plan required in subsection (a) of this section shall be submitted to Congress within 30 days of October 29, 1992, and updated on an annual basis.

**(c) Plan elements**

The Plan required in subsection (a) of this section shall include the following—

(1) the number of vessels proposed to be modernized or replaced, the schedule for their modernization or replacement, and anticipated funding requirements;