

EFFECTIVE DATE OF 2018 AMENDMENT

Amendment by Pub. L. 115-232 effective Feb. 1, 2019, with provision for the coordination of amendments and special rule for certain redesignations, see section 800 of Pub. L. 115-232, set out as a note preceding section 3001 of this title.

CHAPTER 873—PROCUREMENT OF SUPPLIES AND SERVICES

Sec.	
8752.	Contracts for research.
8753.	Tolls and fares: payment or reimbursement.
8754.	Marine mammals: use for national defense purposes.

PRIOR PROVISIONS

A prior chapter 873, consisting of sections 9021 to 9027, related to civilian employees in the Air Force, prior to renumbering as chapter 947 of this title.

AMENDMENT OF ANALYSIS

Pub. L. 116-283, div. A, title XVIII, §§ 1801(d), 1878(b), Jan. 1, 2021, 134 Stat. 4151, 4292, provided that, effective Jan. 1, 2022, with additional provisions for delayed implementation and applicability of existing law, this analysis is amended by inserting before the item relating to section 8752 the following new item:

“8751. Notification of Navy procurement production disruptions.”

See Effective Date of 2021 Amendment note below.

AMENDMENTS

2021—Pub. L. 116-283, div. A, title XVIII, § 1878(b), Jan. 1, 2021, 134 Stat. 4292, added item 8751.

2018—Pub. L. 115-232, div. A, title VIII, § 807(e)(4), (f)(1), Aug. 13, 2018, 132 Stat. 1838, redesignated chapter 645 of this title as this chapter and items 7522 to 7524 as 8752 to 8754, respectively.

1994—Pub. L. 103-355, title II, § 2001(j)(3)(C), Oct. 13, 1994, 108 Stat. 3303, struck out item 7521 “Progress payment for work done; lien based on payment”.

1986—Pub. L. 99-661, div. A, title XIII, § 1354(b), Nov. 14, 1986, 100 Stat. 3996, added item 7524.

EFFECTIVE DATE OF 2021 AMENDMENT

Amendment by Pub. L. 116-283 effective Jan. 1, 2022, with additional provisions for delayed implementation and applicability of existing law, see section 1801(d) of Pub. L. 116-283, set out as a note preceding section 3001 of this title.

§ 8751. Notification of Navy procurement production disruptions

(a) **REQUIREMENT FOR CONTRACTOR TO PROVIDE NOTICE OF DELAYS.**—The Secretary of the Navy shall require prime contractors of any Navy procurement program funded under either the Shipbuilding and Conversion, Navy account or the Other Procurement, Navy account to report within 15 calendar days any stop work order or other manufacturing disruption of 15 calendar days or more, by the prime contractor or any subcontractor, to the respective program manager and Navy technical authority.

(b) **QUARTERLY REPORTS.**—The Secretary of the Navy shall submit to the congressional defense committees not later than 15 calendar days after the end of each quarter of a fiscal year a report listing all notifications made pursuant to subsection (a) during the preceding quarter.

(Added Pub. L. 116-92, div. A, title VIII, § 820(a), Dec. 20, 2019, 133 Stat. 1489, § 2339b; renumbered § 8751, Pub. L. 116-283, div. A, title XVIII, § 1878(a), Jan. 1, 2021, 134 Stat. 4292.)

RENUMBERING OF SECTION

Pub. L. 116-283, div. A, title XVIII, §§ 1801(d), 1878(a), Jan. 1, 2021, 134 Stat. 4151, 4292, provided that, effective Jan. 1, 2022, with additional provisions for delayed implementation and applicability of existing law, section 2339b of this title is renumbered as this section. See Effective Date of 2021 Amendment note below.

PRIOR PROVISIONS

A prior section 8751 was renumbered section 9281 of this title.

AMENDMENTS

2021—Pub. L. 116-283 renumbered section 2339b of this title as this section.

EFFECTIVE DATE OF 2021 AMENDMENT

Amendment by Pub. L. 116-283 effective Jan. 1, 2022, with additional provisions for delayed implementation and applicability of existing law, see section 1801(d) of Pub. L. 116-283, set out as a note preceding section 3001 of this title.

§ 8752. Contracts for research

(a) The Secretary of the Navy and, by direction of the Secretary, the Chief of Naval Research and the chiefs of bureaus may, without advertising, make contracts or amendments or modifications of contracts for services and materials necessary to conduct research and to make or secure reports, tests, models, or apparatus. A contractor supplying such services or materials need not be required to furnish a bond.

(b) This section does not authorize the use of the cost-plus-a-percentage-of-cost system of contracting.

(Aug. 10, 1956, ch. 1041, 70A Stat. 464, § 7522; Pub. L. 96-513, title V, § 513(38), Dec. 12, 1980, 94 Stat. 2934; Pub. L. 97-258, § 3(b)(9), Sept. 13, 1982, 96 Stat. 1064; Pub. L. 98-525, title XIV, § 1405(56)(B), Oct. 19, 1984, 98 Stat. 2626; Pub. L. 103-355, title II, § 2001(j)(2), Oct. 13, 1994, 108 Stat. 3303; renumbered § 8752, Pub. L. 115-232, div. A, title VIII, § 807(d)(7), Aug. 13, 2018, 132 Stat. 1836.)

HISTORICAL AND REVISION NOTES

Revised section	Source (U.S. Code)	Source (Statutes at Large)
7522	5 U.S.C. 475e.	Aug. 1, 1946, ch. 727, § 6, 60 Stat. 780.

In subsection (a) reference to R.S. 3718, 3719, 3720, and 3722 (34 U.S.C. 561, 562, 563, and 572) is omitted because these sections were expressly repealed by § 11(a) of the Act of February 19, 1948, ch. 65, 62 Stat. 25. The words “without advertising” are substituted for the reference to R.S. 3709 (41 U.S.C. 5) for brevity and clarity. The sentence “A contractor supplying such services or materials need not be required to furnish a bond” is substituted for the words “without performance or other bonds” for clarity, since the provision is interpreted as a discretionary authority in the Secretary to waive bond.

In subsection (c) the words “This section does not authorize” are substituted for the words “nothing in this section shall be construed to authorize”.

PRIOR PROVISIONS

A prior section 8752 was renumbered section 9282 of this title.

AMENDMENTS

2018—Pub. L. 115–232 renumbered section 7522 of this title as this section.

1994—Subsecs. (b), (c). Pub. L. 103–355 redesignated subsec. (c) as (b) and struck out former subsec. (b) which read as follows: “Subsections (a) and (b) of section 3324 of title 31 do not apply to advance, progress, or other payments made with respect to a contract under this section.”

1984—Subsec. (b). Pub. L. 98–525 substituted “Subsections (a) and (b) of section 3324 of title 31 do” for “Section 3324(a) and (b) of title 31 does”.

1982—Subsec. (b). Pub. L. 97–258 substituted “section 3324(a) and (b) of title 31” for “section 3648 of the Revised Statutes (31 U.S.C. 529)”.

1980—Subsec. (b). Pub. L. 96–513 substituted “Section 3648 of the Revised Statutes (31 U.S.C. 529)” for “Section 529 of title 31”.

EFFECTIVE DATE OF 2018 AMENDMENT

Amendment by Pub. L. 115–232 effective Feb. 1, 2019, with provision for the coordination of amendments and special rule for certain redesignations, see section 800 of Pub. L. 115–232, set out as a note preceding section 3001 of this title.

EFFECTIVE DATE OF 1994 AMENDMENT

For effective date and applicability of amendment by Pub. L. 103–355, see section 10001 of Pub. L. 103–355, set out as a note under section 2302 of this title.

EFFECTIVE DATE OF 1980 AMENDMENT

Amendment by Pub. L. 96–513 effective Dec. 12, 1980, see section 701(b)(3) of Pub. L. 96–513, set out as a note under section 101 of this title.

§ 8753. Tolls and fares: payment or reimbursement

Naval appropriations chargeable for transportation or travel are available for the payment or reimbursement of ferry, bridge, and similar tolls and of streetcar, bus, and similar fares.

(Aug. 10, 1956, ch. 1041, 70A Stat. 464, § 7523; renumbered § 8753, Pub. L. 115–232, div. A, title VIII, § 807(d)(7), Aug. 13, 2018, 132 Stat. 1836.)

HISTORICAL AND REVISION NOTES

Revised section	Source (U.S. Code)	Source (Statutes at Large)
7523	34 U.S.C. 899a.	Aug. 2, 1946, ch. 756, § 23, 60 Stat. 856.

AMENDMENTS

2018—Pub. L. 115–232 renumbered section 7523 of this title as this section.

EFFECTIVE DATE OF 2018 AMENDMENT

Amendment by Pub. L. 115–232 effective Feb. 1, 2019, with provision for the coordination of amendments and special rule for certain redesignations, see section 800 of Pub. L. 115–232, set out as a note preceding section 3001 of this title.

§ 8754. Marine mammals: use for national defense purposes

(a) AUTHORITY.—Subject to subsection (c), the Secretary of Defense may authorize the taking of not more than 25 marine mammals each year for national defense purposes. Any such author-

ization may be made only with the concurrence of the Secretary of Commerce and after consultation with the Marine Mammal Commission established by section 201 of the Marine Mammal Protection Act of 1972 (16 U.S.C. 1401).

(b) HUMANE TREATMENT REQUIRED.—A mammal taken under this section shall be captured, supervised, cared for, transported, and deployed in a humane manner consistent with conditions established by the Secretary of Commerce.

(c) PROTECTION FOR ENDANGERED SPECIES.—A mammal may not be taken under this section if the mammal is determined to be a member of an endangered or threatened species under section 4 of the Endangered Species Act of 1973 (16 U.S.C. 1533).

(d) APPLICATION OF OTHER ACT.—This section applies without regard to the provisions of the Marine Mammal Protection Act of 1972 (16 U.S.C. 1361 et seq.).

(Added Pub. L. 99–661, div. A, title XIII, § 1354(a), Nov. 14, 1986, 100 Stat. 3996, § 7524; renumbered § 8754, Pub. L. 115–232, div. A, title VIII, § 807(d)(7), Aug. 13, 2018, 132 Stat. 1836.)

REFERENCES IN TEXT

The Marine Mammal Protection Act of 1972, referred to in subsec. (d), is Pub. L. 92–522, Oct. 21, 1972, 86 Stat. 1027, as amended, which is classified generally to chapter 31 (§ 1361 et seq.) of Title 16, Conservation. For complete classification of this Act to the Code, see Short Title note set out under section 1361 of Title 16 and Tables.

PRIOR PROVISIONS

Prior sections 8754 to 8756 were renumbered sections 9284 to 9286 of this title, respectively.

AMENDMENTS

2018—Pub. L. 115–232 renumbered section 7524 of this title as this section.

EFFECTIVE DATE OF 2018 AMENDMENT

Amendment by Pub. L. 115–232 effective Feb. 1, 2019, with provision for the coordination of amendments and special rule for certain redesignations, see section 800 of Pub. L. 115–232, set out as a note preceding section 3001 of this title.

CHAPTER 875—DISPOSAL OF OBSOLETE OR SURPLUS MATERIAL

- Sec. 8761. Obsolete and other material: gift or sale to Boy Scouts of America, Naval Sea Cadet Corps and Young Marines of the Marine Corps League.
- 8761a. Uniform clothing: sale to Naval Sea Cadet Corps.
- 8761b. Authority to make grants for purposes of Naval Sea Cadet Corps.
- 8762. Excess clothing: sale for distribution to needy.
- 8763. Useless ordnance material: disposition of proceeds on sale.
- 8764. Devices and trophies: transfer to other agencies.
- 8765. Obsolete material and articles of historical interest: loan or gift.
- 8766. Loan or gift of articles to ships' sponsors and donors.
- 8767. Equipment for instruction in seamanship: loan to military schools.

PRIOR PROVISIONS

A prior chapter 875, consisting of section 9061, related to miscellaneous investigation requirements and other duties, prior to renumbering as chapter 949 of this title.