

31, Money and Finance, by Pub. L. 97-258, Sept. 13, 1982, 96 Stat. 877.

#### AMENDMENTS

1972—Pub. L. 92-310 struck out provisions which required chiefs of parties to give bonds.

### Statutory Notes and Related Subsidiaries

#### TRANSFER OF FUNCTIONS

“Government Accountability Office” substituted in text for “General Accounting Office” pursuant to section 8(b) of Pub. L. 108-271, set out as a note under section 702 of Title 31, Money and Finance, which redesignated the General Accounting Office and any references thereto as the Government Accountability Office. Previously, “General Accounting Office” substituted in text for “Treasury Department” pursuant to act June 10, 1921, which transferred all powers and duties of Comptroller, six auditors, and certain other employees of Treasury to General Accounting Office. See section 701 et seq. of Title 31.

#### Executive Documents

#### TRANSFER OF FUNCTIONS

Coast and Geodetic Survey consolidated with National Weather Bureau to form Environmental Science Services Administration by Reorg. Plan No. 2 of 1965, eff. July 13, 1965, 30 F.R. 8819, 79 Stat. 1318. Environmental Science Services Administration abolished and its personnel, property, records, etc., transferred to National Oceanic and Atmospheric Administration by Reorg. Plan No. 4 of 1970, eff. Oct. 3, 1970, 35 F.R. 15627, 84 Stat. 2090. By order of Acting Associate Administrator of National Oceanic and Atmospheric Administration, 35 F.R. 19249, Dec. 19, 1970, Coast and Geodetic Survey redesignated National Ocean Survey. For further details, see note set out under section 851 of this title.

### § 878. Appropriations; purchases from

The Secretary of Commerce is authorized to purchase, from the appropriation for the National Ocean Survey, provisions, clothing, and small stores for the enlisted men, and food supplies for field parties working in remote localities, such provisions, clothing, small stores, and food supplies to be sold to the employees of said survey and the appropriation reimbursed.

(Mar. 3, 1901, ch. 853, §1, 31 Stat. 1144; Feb. 14, 1903, ch. 552, §4, 32 Stat. 826.)

#### Editorial Notes

#### CODIFICATION

Section was a provision of the Sundry Civil Appropriation Act of Mar. 3, 1901.

Upon incorporation into the Code, the words “Secretary of Commerce” were substituted for “Secretary of the Treasury” to conform to act Feb. 14, 1903.

Section was formerly classified to section 661 of Title 31 prior to the general revision and enactment of Title 31, Money and Finance, by Pub. L. 97-258, Sept. 13, 1982, 96 Stat. 877.

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### § 878a. Contract for development of a major program; costs; Major Program Annual Report for satellite development program

#### (a) Definitions

For purposes of this section—

(1) the term “Under Secretary” means Under Secretary of Commerce for Oceans and Atmosphere;

(2) the term “appropriate congressional committees” means—

(A) the Committee on Appropriations and the Committee on Commerce, Science, and Transportation of the Senate; and

(B) the Committee on Appropriations and the Committee on Science, Space and Technology of the House of Representatives;

(3) the term “satellite” means the satellites proposed to be acquired for the National Oceanic and Atmospheric Administration (NOAA);

(4) the term “development” means the phase of a program following the formulation phase and beginning with the approval to proceed to implementation, as defined in NOAA Administrative Order 216-108, Department of Commerce Administrative Order 208-3, and NASA’s Procedural Requirements 7120.5c, dated March 22, 2005;

(5) the term “development cost” means the total of all costs, including construction of facilities and civil servant costs, from the period beginning with the approval to proceed to implementation through the achievement of operational readiness, without regard to funding source or management control, for the life of the program;

(6) the term “life-cycle cost” means the total of the direct, indirect, recurring, and nonrecurring costs, including the construction of facilities and civil servant costs, and other related expenses incurred or estimated to be incurred in the design, development, verification, production, operation, maintenance, support, and retirement of a program over its planned lifespan, without regard to funding source or management control;

(7) the term “major program” means an activity approved to proceed to implementation that has an estimated life-cycle cost of more than \$250,000,000; and

(8) the term “baseline” means the program as set following contract award and preliminary design review of the space and ground systems.

#### (b) Contract requirements for major programs

(1) NOAA shall not enter into a contract for development of a major program, unless the Under Secretary determines that—

(A) the technical, cost, and schedule risks of the program are clearly identified and the program has developed a plan to manage those risks;