

(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.)

Editorial Notes

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.

Statutory Notes and Related Subsidiaries

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to R.S. 3718, 3719, 3720, and 3722 (34 U.S.C. 561, 562, 563, and 572) is omitted because these sections were expressly repealed by § 11(a) of the Act of February 19, 1948, ch. 65, 62 Stat. 25.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”.

Editorial Notes

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”.

Statutory Notes and Related Subsidiaries

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

Pub. L. 103-355, title X, § 10001, Oct. 13, 1994, 108 Stat. 3404, provided that:

“(a) EFFECTIVE DATE.—Except as otherwise provided in this Act, this Act [see Tables for classification] and the amendments made by this Act shall take effect on the date of the enactment of this Act [Oct. 13, 1994].

“(b) APPLICABILITY OF AMENDMENTS.—(1) An amendment made by this Act shall apply, in the manner prescribed in the final regulations promulgated pursuant to section 10002 [108 Stat. 3404, formerly set out as a Regulations note under section 251 of former Title 41, Public Contracts] to implement such amendment, with respect to any solicitation that is issued, any unsolicited proposal that is received, and any contract entered into pursuant to such a solicitation or proposal, on or after the date described in paragraph (3).

“(2) An amendment made by this Act shall also apply, to the extent and in the manner prescribed in the final regulations promulgated pursuant to section 10002 to implement such amendment, with respect to any matter related to—

“(A) a contract that is in effect on the date described in paragraph (3);

“(B) an offer under consideration on the date described in paragraph (3); or

“(C) any other proceeding or action that is ongoing on the date described in paragraph (3).

“(3) The date referred to in paragraphs (1) and (2) is the date specified in such final regulations [Oct. 1, 1995, see 60 F.R. 48231, Sept. 18, 1995]. The date so specified shall be October 1, 1995, or any earlier date that is not within 30 days after the date on which such final regulations are published.

“(c) IMMEDIATE APPLICABILITY OF CERTAIN AMENDMENTS.—Notwithstanding subsection (b), the amendments made by the following provisions of this Act apply on and after the date of the enactment of this Act [Oct. 13, 1994]: sections 1001, 1021, 1031, 1051, 1071, 1092, 1201, 1506(a), 1507, 1554, 2002(a), 2191, 3062(a), 3063, 3064, 3065(a)(1), 3065(b), 3066, 3067, 6001(a), 7101, 7103, 7205, and 7206, the provisions of subtitles A, B, and C of title III [§§ 3001-3025], and the provisions of title V [see Tables for classification].”

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.

RELATIONSHIP OF 1994 AMENDMENT TO PROMPT PAYMENT REQUIREMENTS

Pub. L. 103-355, title II, §2001(h), Oct. 13, 1994, 108 Stat. 3303, provided that: “The amendments made by this section [amending this section and section 2307 of this title and repealing sections 7312, 7364, and 7521 of this title] are not intended to impair or modify procedures required by the provisions of chapter 39 of title 31, United States Code, and the regulations issued pursuant to such provisions of law (as such procedures are in effect on the date of the enactment of this Act [Oct. 13, 1994]), except that the Government may accept payment terms offered by a contractor offering a commercial item.”

§ 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.

Editorial Notes

AMENDMENTS

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

Statutory Notes and Related Subsidiaries

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 authorization 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.)

Editorial Notes

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.

Statutory Notes and Related Subsidiaries

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.

[§ 8755. Disclosures for offerors for certain shipbuilding major defense acquisition program contracts]

Editorial Notes

CODIFICATION

Pub. L. 117-81, div. A, title XVII, §1701(e)(1)(A), Dec. 27, 2021, 135 Stat. 2138, attempted to transfer section 2339c of this title to this chapter, insert it after section 8754 of this title, redesignate it as section 8755, and amend subsec. (d)(3) by striking “section 2430” and inserting “section 4201”, all of which was to take effect immediately after the amendments made by title XVIII of Pub. L. 116-283 took effect, pursuant to section 1701(a)(3) of Pub. L. 117-81, set out in an Effective Date of 2021 Amendment note preceding section 3001 of this title. However, chapter 137 of this title, which included section 2339c, was repealed by Pub. L. 116-283, div. A, title XVIII, §1881(a), Jan. 1, 2021, 134 Stat. 4293, effective Jan. 1, 2022, with additional provisions for delayed implementation and applicability of existing law, pursuant to Pub. L. 116-283, div. A, title XVIII, §1801(d), Jan. 1, 2021, 134 Stat. 4151, set out as an Effective Date of 2021 Amendment note preceding section 3001 of this title. Text of section 2339c of this title is set out in a Codification note under that section.

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.