

**§ 1530. Awarding of contracts for performance of commercial activity by National Oceanic and Atmospheric Administration**

The Administration may not award any contract for the performance of any “commercial activity”, as defined by paragraph 6.a. of the Office of Management and Budget Circular Memorandum A-76, which is performed by Administration employees until at least 30 calendar days after the Administrator of the Administration has presented, in writing, to the President of the Senate, the Speaker of the House of Representatives, the Committee on Commerce, Science, and Transportation of the Senate, and the Committee on Merchant Marine and Fisheries and the Committee on Science, Space, and Technology of the House of Representatives, a full and complete description of such proposed contract, together with supporting documentation. Such documentation shall include—

- (1) a comparison of the cost of such activity as performed by employees of the Administration and the cost of such activity as performed under the proposed contract;
- (2) a comparison of the services performed by employees of the Administration and the services to be performed under the proposed contract; and
- (3) an assessment of the benefits to the Federal Government of proceeding with the proposed contract.

(Pub. L. 99-272, title VI, §6083, Apr. 7, 1986, 100 Stat. 135; Pub. L. 103-437, §5(b)(3), Nov. 2, 1994, 108 Stat. 4582.)

**Editorial Notes**

AMENDMENTS

1994—Pub. L. 103-437 in introductory provisions substituted “Committee on Science, Space, and Technology” for “Committee on Science and Technology” before “of the House”.

**Statutory Notes and Related Subsidiaries**

ABOLITION OF HOUSE COMMITTEE ON MERCHANT MARINE AND FISHERIES

Committee on Merchant Marine and Fisheries of House of Representatives abolished and its jurisdiction transferred by House Resolution No. 6, One Hundred Fourth Congress, Jan. 4, 1995. For treatment of references to Committee on Merchant Marine and Fisheries, see section 1(b)(3) of Pub. L. 104-14, set out as a note preceding section 21 of Title 2, The Congress.

**§ 1531. Buying Power Maintenance accounts for International Trade Administration, Export Administration, and United States Travel and Tourism Administration**

In order to maintain overseas program activity for the Department of Commerce provided for each fiscal year at the appropriated program levels, the Secretary may establish Buying Power Maintenance accounts for the International Trade Administration, the Export Administration, and the United States Travel and Tourism Administration. There are authorized to be appropriated for such accounts such sums as may be necessary to offset adverse fluctuations in foreign currency exchange rates, or unbudgeted overseas wage and price changes. To

eliminate substantial gains to the approved levels of overseas operations, the Secretary shall transfer to a Buying Power Maintenance account such amounts determined to be excessive to the needs of the approved level of overseas operations because of fluctuations in foreign currency exchange rates or changes in unbudgeted overseas wages and prices, including unobligated balances associated with the overseas program. To offset adverse fluctuations in foreign currency exchange rates or unbudgeted overseas wage and price changes, the Secretary may transfer from a Buying Power Maintenance account such amounts determined to be necessary to maintain the approved level of overseas operations under an appropriation account. Funds transferred by the Secretary to or from a Buying Power Maintenance account shall be merged with and be available for the same purpose, and for the same time period, as the funds in the account into which transferred. Any restriction contained in an appropriation Act or other provision of law limiting the amounts available for the Department of Commerce that may be obligated or expended shall be deemed to be adjusted to the extent necessary to offset the net effect of fluctuations in foreign currency exchange rates or unbudgeted overseas wage and price changes in order to maintain approved levels.

(Pub. L. 100-202, §101(a) [title I, §108], Dec. 22, 1987, 101 Stat. 1329, 1329-7.)

**§ 1532. Telecommunications; electromagnetic radiation; research, analysis, dissemination of information; other functions of Secretary**

The Secretary of Commerce is authorized to—

- (1) conduct research on all of the telecommunications sciences, including wave propagation and reception, the conditions which affect electromagnetic wave propagation and reception, electromagnetic noise and interference, radio system characteristics, operating techniques affecting the use of the electromagnetic spectrum, and methods for improving the use of the electromagnetic spectrum for telecommunications purposes;
- (2) prepare and issue predictions of electromagnetic wave propagation conditions and warnings of disturbances in such conditions;
- (3) investigate conditions which affect the transmission of radio waves from their source to a receiver and the compilation and distribution of information on such transmission of radio waves as a basis for choice of frequencies to be used in radio operations;
- (4) conduct research and analysis in the general field of telecommunications sciences in support of assigned functions and in support of other Government agencies;
- (5) investigate nonionizing electromagnetic radiation and its uses, as well as methods and procedures for measuring and assessing electromagnetic environments, for the purpose of developing and coordinating policies and procedures affecting Federal Government use of the electromagnetic spectrum for telecommunications purposes;
- (6) compile, evaluate, publish, and otherwise disseminate general scientific and technical