

the program by 20 percent or more. If the determination is affirmative, the Under Secretary shall—

(1) transmit to the appropriate congressional committees, not later than 15 days after making the determination, a report that includes—

(A) a description of the increase in cost and a detailed explanation for the increase;

(B) a description of actions taken or proposed to be taken in response to the cost increase; and

(C) a description of any impacts the cost increase, or the actions described under subparagraph (B), will have on any other program within NOAA.<sup>1</sup>

(2) if the Under Secretary intends to continue with the program, promptly initiate an analysis of the program, which shall include, at a minimum—

(A) the projected cost and schedule for completing the program if current requirements of the program are not modified;

(B) the projected cost and the schedule for completing the program after instituting the actions described under paragraph (1)(B); and

(C) a description of, and the projected cost and schedule for, a broad range of alternatives to the program. NOAA shall complete an analysis initiated under paragraph (2) not later than 6 months after the Under Secretary makes a determination under this subsection. The Under Secretary shall transmit the analysis to the appropriate congressional committees not later than 30 days after its completion.

**(f) Estimation of Geostationary Operational Environmental Satellite Program costs**

For the purposes of determining whether cost of the Geostationary Operational Environmental Satellite Program exceeds 20 percent more than the baseline under this section, the estimate of the total life-cycle cost for GOES-R shall be the estimate provided with the NOAA Fiscal Year 2008 Presidential Budget justification (page 513).

(Pub. L. 110-161, div. B, title I, § 112, Dec. 26, 2007, 121 Stat. 1894.)

REQUIREMENTS ADOPTED BY REFERENCE

Pub. L. 111-117, div. B, title I, § 105, Dec. 16, 2009, 123 Stat. 3121, provided that: “The requirements set forth by section 112 of division B of Public Law 110-161 [33 U.S.C. 878a] are hereby adopted by reference.”

SIMILAR PROVISIONS

Similar provisions were contained in the following prior appropriation act:

Pub. L. 111-8, div. B, title I, § 107, Mar. 11, 2009, 123 Stat. 568.

**§ 878b. Safety and health regulations for scientific and occupational diving**

On and after March 11, 2009, the Secretary of Commerce is permitted to prescribe and enforce standards or regulations affecting safety and health in the context of scientific and occupa-

tional diving within the National Oceanic and Atmospheric Administration.

(Pub. L. 111-8, div. B, title I, § 106, Mar. 11, 2009, 123 Stat. 568.)

CODIFICATION

Section was enacted as part of the Department of Commerce Appropriations Act, 2009, which is title I of the Commerce, Justice, Science, and Related Agencies Appropriations Act, 2009, which is div. B of the Omnibus Appropriations Act, 2009.

SIMILAR PROVISIONS

Provisions similar to those in this section were contained in the following prior appropriation act:

Pub. L. 110-161, div. B, title I, § 110, Dec. 26, 2007, 121 Stat. 1893.

SUBCHAPTER II—SURVEYS

**§§ 881 to 883. Repealed. Aug. 6, 1947, ch. 504, § 10(2)–(5), 61 Stat. 788**

Section 881, R.S. § 4681, related to authority of the President to order surveys of coasts of the United States. See section 883a of this title.

Section 882, R.S. § 4682, related to additional authority to order surveys beyond twenty-league limit. See section 883a of this title.

Section 883, R.S. §§ 4683, 4684, related to mode of conducting surveys generally. See sections 883a and 883b of this title.

**§ 883a. Surveys and other activities**

To provide charts and related information for the safe navigation of marine and air commerce, and to provide basic data for engineering and scientific purposes and for other commercial and industrial needs, the Secretary of Commerce, is authorized to conduct the following activities:

(1) Hydrographic and topographic surveys;

(2) Tide and current observations;

(3) Geodetic-control surveys;

(4) Field surveys for aeronautical charts;

(5) Geomagnetic, seismological, gravity, and related geophysical measurements and investigations, and observations for the determination of variation in latitude and longitude.

(Aug. 6, 1947, ch. 504, § 1, 61 Stat. 787; Pub. L. 86-409, Apr. 5, 1960, 74 Stat. 16; 1965 Reorg. Plan No. 2, eff. July 13, 1965, 30 F.R. 8819, 79 Stat. 1318.)

AMENDMENTS

1960—Pub. L. 86-409 struck out provisions which restricted the Coast and Geodetic Survey in the conduct of its specified activities to the United States, its Territories and possessions, and which restricted hydrographic and topographic surveys to surveys of coastal water and land areas (including offlying islands, banks, shoals, and other offshore areas), and to surveys of lakes, rivers, reservoirs, and other inland waters not otherwise provided for by statute.

TRANSFER OF FUNCTIONS

Functions of Secretary and other officers of Department of Commerce under sections 883a to 883h of this title 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)(1) of Title 49, Transportation.

Office of Director of Coast and Geodetic Survey abolished and Coast and Geodetic Survey consolidated with

<sup>1</sup> So in original. Probably should be “NOAA; and”.