

1 ableness on a subsequent purchase if the contracting
2 officer is satisfied that the prices previously paid re-
3 main a valid reference for comparison after consid-
4 ering the totality of other relevant factors such as
5 the time elapsed since the prior purchase and any
6 differences in the quantities purchased or applicable
7 terms and conditions.”.

8 **SEC. 853. CODIFICATION OF OTHER TRANSACTION AU-**
9 **THORITY FOR CERTAIN PROTOTYPE**
10 **PROJECTS.**

11 (a) IN GENERAL.—Section 845 of the National De-
12 fense Authorization Act for Fiscal Year 1994 (Public Law
13 103–160; 10 U.S.C. 2371 note) is transferred to chapter
14 139 of title 10, United States Code, inserted so as to ap-
15 pear after section 2371a, redesignated as section 2371b,
16 and amended—

17 (1) by amending the section heading to read as
18 follows:

19 **“§ 2371b. Authority of the Advanced Research**
20 **Projects Agency to carry out certain pro-**
21 **totype projects”;**

22 (2) by striking “of title 10, United States
23 Code” each place it appears and inserting “of this
24 title”;

