

trained personnel (including scientists, technicians, and teachers) needed in the field of commercial fishing. Any amount appropriated for the purposes of this section shall be apportioned on an equitable basis, as determined by the Secretary of Commerce, among the several States and Territories for the purpose of making grants within each such State and Territory. In making such apportionment the Secretary of Commerce shall take into account the extent of the fishing industry within each State and Territory as compared with the total fishing industry of the United States (including Territories), and such other factors as may be relevant in view of the purposes of this section.

**(b) Authorization of appropriations**

There are authorized to be appropriated not in excess of \$550,000 for the fiscal year beginning on July 1, 1955, and for each fiscal year thereafter for the purposes of this section.

**(c) Regulations**

The Secretary of Commerce may establish such regulations as may be necessary to carry out the provisions of this section.

(Aug. 8, 1956, ch. 1039, §1, 70 Stat. 1126; 1970 Reorg. Plan No. 4, §1(b), eff. Oct. 3, 1970, 35 F.R. 15627, 84 Stat. 2090.)

TRANSFER OF FUNCTIONS

Transfer of functions to Secretary of Commerce from Secretary of the Interior by Reorg. Plan No. 4 of 1970, see note set out under section 755 of this title.

**§ 760e. Study of migratory game fish; waters; research; purpose**

The Secretary of Commerce is directed to undertake a comprehensive continuing study of the migratory marine fish of interest to recreational fishermen of the United States, including species inhabiting the offshore waters of the United States and species which migrate through or spend a part of their lives in the inshore waters of the United States. The study shall include, but not be limited to, research on migrations, identity of stocks, growth rates, mortality rates, variations in survival, environmental influences, both natural and artificial, including pollution, and effects of fishing on the species, for the purpose of developing wise conservation policies and constructive management activities.

(Pub. L. 86-359, §1, Sept. 22, 1959, 73 Stat. 642; 1970 Reorg. Plan No. 4, §1(b), eff. Oct. 3, 1970, 35 F.R. 15627, 84 Stat. 2090.)

TRANSFER OF FUNCTIONS

Transfer of functions to Secretary of Commerce from Secretary of the Interior by Reorg. Plan No. 4 of 1970, see note set out under section 755 of this title.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 760f, 760g of this title.

**§ 760f. Migratory game fish study; authorization to acquire facilities, employ officers and employees, cooperate with State and other agencies, and to publish results**

For the purpose of carrying out the provisions of sections 760e to 760g of this title, the Sec-

retary of Commerce is authorized (1) to acquire lands, construct laboratory or other buildings, purchase boats, acquire such other equipment and apparatus, and to employ such officers and employees as he deems necessary; (2) to cooperate or contract with State and other institutions and agencies upon such terms and conditions as he determines to be appropriate; and (3) to make public the results of such research conducted pursuant to section 760e of this title.

(Pub. L. 86-359, §2, Sept. 22, 1959, 73 Stat. 642; 1970 Reorg. Plan No. 4, §1(b), eff. Oct. 3, 1970, 35 F.R. 15627, 84 Stat. 2090.)

TRANSFER OF FUNCTIONS

Transfer of functions to Secretary of Commerce from Secretary of the Interior by Reorg. Plan No. 4 of 1970, see note set out under section 755 of this title.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 760g of this title.

**§ 760g. Authorization of appropriations for migratory game fish study**

There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of sections 760e to 760g of this title: *Provided*, That no more than \$2,700,000 be appropriated for this purpose in any one fiscal year.

(Pub. L. 86-359, §3, Sept. 22, 1959, 73 Stat. 643.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 760f of this title.

**§§ 760h to 760l. Omitted**

CODIFICATION

Section 760h, Pub. L. 87-173, §1, Aug. 30, 1961, 75 Stat. 409, provided for establishment of shellfisheries research center at Milford, Connecticut and included a statement of purpose.

Section 760i, Pub. L. 87-173, §2, Aug. 30, 1961, 75 Stat. 409, authorized appropriation of \$1,325,000 to carry out section 760h of this title.

Section 760j, Pub. L. 87-580, §1, Aug. 9, 1962, 76 Stat. 356, related to propagation of disease resistant oysters, acquisition of brood stock, transfer and distribution, and for State sharing of costs.

Section 760k, Pub. L. 87-580, §2, Aug. 9, 1962, 76 Stat. 356, authorized grants to States for research and other necessary activities in development and propagation of disease-resistant strains of oysters and conditions of such grants.

Section 760l, Pub. L. 87-580, §3, Aug. 9, 1962, 76 Stat. 357, authorized appropriation of \$100,000 to carry out sections 760j to 760l of this title.

**CHAPTER 10—NORTHERN PACIFIC HALIBUT FISHING**

**SUBCHAPTER I—NORTHERN PACIFIC HALIBUT ACT OF 1924**

Sec.

761 to 769. Omitted.

**SUBCHAPTER II—NORTHERN PACIFIC HALIBUT ACT OF 1932**

771 to 771j. Omitted.

**SUBCHAPTER III—NORTHERN PACIFIC HALIBUT ACT OF 1937**

772 to 772j. Repealed.

**SUBCHAPTER IV—NORTHERN PACIFIC HALIBUT ACT OF 1982**

773. Definitions.

- Sec.  
773a. International Pacific Halibut Commission.  
    (a) United States Commissioners.  
    (b) Alternate United States Commissioners.
- 773b. Acceptance or rejection of Commission recommendations.
- 773c. General responsibility.  
    (a) Secretary of Commerce.  
    (b) Adoption of regulations; cooperation with Canadian officials.  
    (c) Regional Fishery Management Council involvement.
- 773d. Cooperation of Federal agencies.
- 773e. Prohibited acts.
- 773f. Civil penalties.  
    (a) Liability; continuing violations; notice; determination of amount.  
    (b) Judicial review.  
    (c) Recovery of assessed penalties by Attorney General.  
    (d) Compromise, modification, and remission of penalties.
- 773g. Crimes and criminal penalties.  
    (a) Offenses.  
    (b) Fines; imprisonment.  
    (c) Federal jurisdiction.
- 773h. Forfeitures.  
    (a) Civil forfeiture proceeding.  
    (b) United States district court jurisdiction.  
    (c) Seizure of forfeited property.  
    (d) Bond or other security; disposal of seized fish.  
    (e) Presumption of violation.
- 773i. Administration and enforcement.  
    (a) Secretary of Commerce and Secretary of department in which Coast Guard is operating.  
    (b) Arrest, search and inspection, seizure; execution of warrants or other process.  
    (c) Citation of owner or operator of offending vessel.  
    (d) United States district court jurisdiction.  
    (e) Witnesses; records and files.  
    (f) Investigations by Secretary of Commerce; powers; process.
- 773j. Authorization of appropriations.
- 773k. Location of office space and other facilities on or near University of Washington campus in State of Washington.

SUBCHAPTER I—NORTHERN PACIFIC  
HALIBUT ACT OF 1924

§§ 761 to 769. Omitted

CODIFICATION

Sections, act June 7, 1924, ch. 345, §§1-10, 12, 43 Stat. 648-650, constituting the Northern Pacific Halibut Act of 1924, are covered by act May 17, 1982, Pub. L. 97-176, §§1-13, 96 Stat. 78-84, incorporated in sections 773 to 773k of this title.

SUBCHAPTER II—NORTHERN PACIFIC  
HALIBUT ACT OF 1937

§§ 771 to 771j. Omitted

CODIFICATION

Sections, act May 2, 1932, ch. 154, §§1-11, 47 Stat. 142-144, constituting the Northern Pacific Halibut Act of 1932, are covered by act May 17, 1982, Pub. L. 97-176, §§1-13, 96 Stat. 78-84, incorporated in sections 773 to 773k of this title.

SUBCHAPTER III—NORTHERN PACIFIC  
HALIBUT ACT OF 1937

§§ 772 to 772j. Repealed. Pub. L. 97-176, § 14, May 17, 1982, 96 Stat. 84

Section 772, act June 28, ch. 392, §1, 50 Stat. 325, provided that this subchapter may be cited as the "Northern Pacific Halibut Act of 1937". See section 1 of Pub. L. 97-176, set out as a Short Title note under section 773 of this title, for the short title of the successor Northern Pacific Halibut Act of 1982.

Section 772a, acts June 28, 1937, ch. 392, §2, 50 Stat. 325; Aug. 8, 1953, ch. 382, 67 Stat. 494, defined "Convention", "Commission", "person", "Territorial waters of the United States", "Territorial waters of Canada", "Convention waters", "halibut", and "vessel". See section 773 of this title.

Section 772b, act June 28, 1937, ch. 392, §3, 50 Stat. 326, enumerated the unlawful acts under the terms of the Northern Pacific Halibut Act of 1937. See section 773e of this title.

Section 772c, act June 28, 1937, ch. 392, §4, 50 Stat. 327, related to the duty of the owner or master of vessels to keep records and reports and to make them available for inspection.

Section 772d, act June 28, 1937, ch. 392, §5, 50 Stat. 327; 1939 Reorg. Plan No. II, §4(e), eff. July 1, 1939, 4 F.R. 2731, 53 Stat. 1433; 1940 Reorg. Plan No. III, §3, eff. June 30, 1940, 5 F.R. 2108, 54 Stat. 1232; 1970 Reorg. Plan No. 4, eff. Oct. 3, 1970, 35 F.R. 15627, 84 Stat. 2090, related to enforcement, arrest and seizure of offending persons and vessels, detention, and use of the testimony of Federal officers and employees. See section 773i of this title.

Section 772e, act June 28, 1937, ch. 392, §6, 50 Stat. 328; 1939 Reorg. Plan No. II, §4(e), eff. July 1, 1939, 4 F.R. 2731, 53 Stat. 1433; 1970 Reorg. Plan No. 4, eff. Oct. 3, 1970, 35 F.R. 15627, 84 Stat. 2090, related to penalties and forfeitures. See sections 773f to 773h of this title.

Section 772f, act June 28, 1937, ch. 392, §7, 50 Stat. 328; 1939 Reorg. Plan No. II, §4(e), eff. July 1, 1939, 4 F.R. 2731, 53 Stat. 1433; 1970 Reorg. Plan No. 4, eff. Oct. 3, 1970, 35 F.R. 15627, 84 Stat. 2090, related to penalties relative to records and reports.

Section 772g, act June 28, 1937, ch. 392, §8, 50 Stat. 328, exempted the Commission and its agents when engaged in scientific investigations from the prohibitions of the subchapter.

Section 772h, act June 28, 1937, ch. 392, §9, 50 Stat. 328; 1939 Reorg. Plan No. II, §4(e), eff. July 1, 1939, 4 F.R. 2731, 53 Stat. 1433; 1970 Reorg. Plan No. 4, eff. Oct. 3, 1970, 35 F.R. 15627, 84 Stat. 2090, authorized promulgation of rules and regulations. See section 773c of this title.

Section 772i, act June 28, 1937, ch. 392, §10, 50 Stat. 328, set the effective date for the Northern Pacific Halibut Act of 1937 as the date of exchange of ratifications of the Convention of January 29, 1937, signed by the United States and Canada [July 28, 1937].

Section 772j, act June 28, 1937, ch. 392, §11, as added Oct. 1, 1965, Pub. L. 89-233, 79 Stat. 902, provided for the location of office facilities on or near the campus of the University of Washington. See section 773k of this title.

EFFECTIVE DATE OF REPEAL

Section 14 of Pub. L. 97-176 provided that the Northern Pacific Halibut Act of 1937 [sections 772 to 772j of this title] is repealed effective as of the 90th day after the date of enactment of Pub. L. 97-176 [May 17, 1982].

SUBCHAPTER IV—NORTHERN PACIFIC  
HALIBUT ACT OF 1982

§ 773. Definitions

As used in this subchapter the term:

- (a) "Convention" means the Convention between the United States of America and Canada