succeeded by United States Fish and Wildlife Service established by act Aug. 8, 1956, ch. 1036, § 3, 70 Stat. 1120. See section 742b of this title.

Functions of all other officers of Department of the Interior and functions of all agencies and employees of Department, with two exceptions, transferred to Secretary of the Interior, with power vested in him to authorize their performance or the performance of any of his functions by any of those officers, agencies, and employees, by Reorg. Plan No. 3 of 1950, §§ 1, 2, eff. May 24, 1950, 15 F.R. 3174, 64 Stat. 1262, set out in the Appendix to Title 5, Government Organization and Employees.

Bureau of Fisheries consolidated with Bureau of Biological Survey into Fish and Wildlife Service in Department of the Interior, and offices of Commissioner and Deputy Commissioner of Fisheries abolished by Reorg. Plan No. III of 1940, set out in the Appendix to Title 5, Government Organization and Employees. See, also, sections 8 and 9 of that plan for provisions relating to transfer of records, property, personnel, and funds. Bureau previously transferred to Department of the Interior by Reorg. Plan No. II of 1939, § 4(e), also set out in the Appendix to Title 5.

CHAPTER 9A—PRESERVATION OF FISHERY RESOURCES

Sec.
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§ 755. Salmon-cultural stations; establishment; expenditure of funds

The Secretary of Commerce is authorized and directed to establish one or more salmon-cultural stations in the Columbia River Basin in each of the States of Oregon, Washington, and Idaho. Any sums appropriated for the purpose of establishing such stations may be expended, and such stations shall be established, operated and maintained, in accordance with the provisions of the Act entitled ''An Act to provide for a five-year construction and maintenance program for the United States Bureau of Fisheries'', approved May 21, 1930, ch. 306, 46 Stat. 371, insofar as the provisions of such Act are not inconsistent with the provisions of this section and sections 756 and 757 of this title.

(May 11, 1938, ch. 193, § 1, 52 Stat. 345; 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.)

REFERENCES IN TEXT

Act May 21, 1930, ch. 306, 46 Stat. 371, referred to in text, was not classified to the Code.

TRANSFER OF FUNCTIONS

Secretary of Commerce substituted for Secretary of the Interior in view of: creation of National Oceanic and Atmospheric Administration in Department of Commerce and Office of Administrator of such Administration; abolition of Bureau of Commercial Fisheries in Department of the Interior and Office of Director of such Bureau; transfers of functions, including functions formerly vested by law in Secretary of the Interior or Department of the Interior which were administered through Bureau of Commercial Fisheries or were primarily related to such Bureau, exclusive of certain enumerated functions with respect to Great Lakes fishery research, Missouri River Reservoir research, Gulf Breeze Biological Laboratory, and Trans-Alaska pipeline investigations; and transfer of marine sport fish program of Bureau of Sport Fisheries and Wildlife by Reorg. Plan No. 4 of 1970, eff. Oct. 3, 1970, 35 F.R. 15627, 84 Stat. 2090, set out in the Appendix to Title 5, Government Organization and Employees.

For transfer of functions of other officers, employees, and agencies of Department of the Interior, with certain exceptions, to Secretary of the Interior, with power to delegate, see Reorg. Plan No. 3 of 1950, §§1, 2, eff. May 24, 1950, 15 F.R. 3174, 64 Stat. 1262, set out in the Appendix to Title 5.

Reorg. Plan No. III of 1940, §3, eff. June 30, 1940, 5 F.R. 2108, 54 Stat. 1232, set out in the Appendix to Title 5, consolidated Bureau of Fisheries and Bureau of Biological Survey with their respective functions into one agency in Department of the Interior to be known as Fish and Wildlife Service, and provided that functions of consolidated agency shall be administered under direction and supervision of Secretary of the Interior.

Reorg. Plan No. II of 1939, set out in the Appendix to Title 5, transferred Bureau of Fisheries in Department of Commerce and its functions to Department of the Interior, to be administered under direction and supervision of Secretary of the Interior.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 757, 757e of this title.

§ 756. Investigations, surveys, and experiments; construction and installation of conservation devices, etc.

The Secretary of Commerce is further authorized and directed (1) to conduct such investigations, and such engineering and biological surveys and experiments, as may be necessary to direct and facilitate conservation of the fishery resources of the Columbia River and its tributaries; (2) to construct and install devices in the Columbia River Basin for the improvement of feeding and spawning conditions for fish, for the protection of migratory fish from irrigation projects, and for facilitating free migration of fish over obstructions; and (3) to perform all other activities necessary for the conservation of fish in the Columbia River Basin in accordance with law.

(May 11, 1938, ch. 193, §2, 52 Stat. 345; 1939 Reorg. Plan No. II, §4(e), eff. July 1, 1939, 4 F.R. 2731, 53 Stat. 1433; Aug. 8, 1946, ch. 883, §1, 60 Stat. 932; 1970 Reorg. Plan No. 4, eff. Oct. 3, 1970, 35 F.R. 15627, 84 Stat. 2090.)

AMENDMENTS

1946—Act Aug. 8, 1946, struck out requirement to maintain conservation devices, etc.

TRANSFER OF FUNCTIONS

Transfer of functions to Secretary of Commerce from Secretary of the Interior and prior transfers, see note set out under section 755 of this title.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 755, 757, 757e of this title.

§ 757. Utilization of State services; expenditure of funds

In carrying out the authorizations and duties imposed by section 756 of this title, the Secretary of Commerce is authorized to utilize the facilities and services of the agencies of the States of Oregon, Washington, and Idaho responsible for the conservation of the fish and wildlife resources in such States, under the terms of agreements entered into between the United States and these States, without regard to the provisions of section 5 of title 41, and funds appropriated to carry out the purposes of sections 755 to 757 of this title may be expended for the construction of facilities on and the improvement of lands not owned or controlled by the United States: *Provided*, That the appropriate agency of the State wherein such construction or improvement is to be carried on first shall have obtained without cost to the United States the necessary title to, interest therein, rights-of-way over, or licenses covering the use of such lands.

(May 11, 1938, ch. 193, §3, 52 Stat. 345; Aug. 8, 1946, ch. 883, §2, 60 Stat. 932; 1970 Reorg. Plan No. 4, eff. Oct. 3, 1970, 35 F.R. 15627, 84 Stat. 2090.)

AMENDMENTS

1946—Act Aug. 8, 1946, amended section generally to provide for utilization of State services, and for expenditure of funds for construction of facilities and improvements on lands not owned by the United States.

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 755, 757e of this title.

§ 757a. Anadromous, Great Lakes, and Lake Champlain fisheries

(a) Conservation, development, and enhancement; cooperative agreements; costs

For the purpose of conserving, developing, and enhancing within the several States the anadromous fishery resources of the Nation that are subject to depletion from water resources developments and other causes, or with respect to which the United States has made conservation commitments by international agreements, and for the purpose of conserving, developing, and enhancing the fish in the Great Lakes and Lake Champlain that ascend streams to spawn, the Secretary of the Interior is authorized to enter into cooperative agreements with one or more States, acting jointly or severally, that are concerned with the development, conservation, and enhancement of such fish, and, whenever he deems it appropriate, with other non-Federal interests. Such agreements shall describe (1) the actions to be taken by the Secretary and the cooperating parties, (2) the benefits that are expected to be derived by the States and other

non-Federal interests, (3) the estimated cost of these actions, (4) the share of such costs to be borne by the Federal Government and by the States and other non-Federal interests: *Provided*, That, except as provided in subsection (c) of this section, the Federal share, including the operation and maintenance costs of any facilities constructed by the Secretary pursuant to sections 757a to 757f of this title, which he annually determines to be a proper Federal cost, shall not exceed 50 per centum of such costs exclusive of the value of any Federal land involved: *Provided further*, That the non-Federal share may be in the form of real or personal property, the value of which will be determined by the Secretary, as well as money, (5) the term of the agreement, (6) the terms and conditions for disposing of any real or personal property acquired by the Secretary during or at the end of the term of the agreement, and (7) such other terms and conditions as he deems desirable.

(b) Operation, management, and administration of property

The Secretary may also enter into agreements with the States for the operation of any facilities and management and administration of any lands or interests therein acquired or facilities constructed pursuant to sections 757a to 757f of this title.

(c) Increase of Federal share

(1) Whenever two or more States having a common interest in any basin jointly enter into a cooperative agreement with the Secretary under subsection (a) of this section to carry out a research and development program to conserve, develop, and enhance anadromous fishery resources of the Nation, or fish in the Great Lakes and Lake Champlain that ascend streams to spawn, the Federal share of the program costs shall be increased to a maximum of 66⅔ per centum. For the purpose of this subsection, the term ''basin'' includes rivers and their tributaries, lakes, and other bodies of water or portions thereof.

(2) In the case of any State that has implemented an interstate fisheries management plan for anadromous fishery resources, prepared by an interstate commission, the Federal share of any grant made under this section to carry out activities required by such plan shall be up to 90 percent. For purposes of this paragraph, the term ''interstate commission'' means—

(A) the commission established by the Atlantic States Marine Fisheries Compact (as consented to and approved by Public Law 80–77[1]), approved May 4, 1942 (56 Stat. 267);

(B) the commission established by the Pacific Marine Fisheries Compact (as consented to and approved by Public Law 80–232[1]), approved July 24, 1947 (16 Stat. 419); and

(C) the commission established by the Gulf States Marine Fisheries Compact (as consented to and approved by Public Law 81–66), approved May 19, 1949 (63 Stat. 70).

(Pub. L. 89–304, § 1, Oct. 30, 1965, 79 Stat. 1125; Pub. L. 91–249, § 1, May 14, 1970, 84 Stat. 214; Pub. L. 93–362, § 3(a), July 30, 1974, 88 Stat. 398; Pub. L. 95–464, Oct. 17, 1978, 92 Stat. 1278; Pub. L. 96–118, § 1, Nov. 16, 1979, 93 Stat. 859; Pub. L. 97–453, § 14(b)(1), Jan. 12, 1983, 96 Stat. 2492; Pub. L. 98–44, title I, § 104, July 12, 1983, 97 Stat. 216.)

[1] See References in Text note below.

REFERENCES IN TEXT

Public Law 80–77, May 4, 1942, 56 Stat. 267, referred to in subsec. (c)(2)(A), probably means act May 4, 1942, ch. 283 [Public Law 539, 77th Cong.], 56 Stat. 267, which is not classified to the Code.

Public Law 80–232, July 24, 1947, 16 Stat. 419, referred to in subsec. (c)(2)(B), probably means act July 24, 1947, ch. 316 [Public Law 232, 80th Cong.], 61 Stat. 419, which is not classified to the Code.

Public Law 81–66, May 19, 1949, 63 Stat. 70, referred to in subsec. (c)(2)(C), is act May 19, 1949, ch. 128 [Public Law 66, 81st Cong.], 63 Stat. 70, which is not classified to the Code.

AMENDMENTS

1983—Subsec. (c)(2). Pub. L. 98–44 substituted ''resources, prepared by an interstate commission'' for ''resources'', substituted ''up to 90 percent'' for ''90 percent'', and inserted provision defining interstate commission for purposes of this paragraph.

Subsec. (c). Pub. L. 97–453 designated existing provisions as par. (1) and added par. 2.

1979—Subsec. (c). Pub. L. 96–118 struck out provisions respecting cost to Federal government of operation and maintenance of structures, devices, etc., constructed by States under cooperative agreements.

1978—Subsecs. (a), (c). Pub. L. 95–464 inserted ''and Lake Champlain'' after ''Great Lakes''.

1974—Subsec. (c). Pub. L. 93–362 substituted ''66⅔ per centum'' for ''60 per centum''.

1970—Subsec. (a). Pub. L. 91–249, § 1(a), made the Federal share of the cost of conservation, development and enhancement of the anadromous fishery resources subject to the provisions of subsec. (c) of this section.

Subsec. (c). Pub. L. 91–249, § 1(b), added subsec. (c).

SHORT TITLE OF 1991 AMENDMENT

Pub. L. 102–130, § 1, Oct. 17, 1991, 105 Stat. 626, provided that: ''This Act [amending section 757g of this title and provisions set out as notes under section 1851 of this title] may be cited as the 'Striped Bass Act of 1991'.''

SHORT TITLE

Section 8, formerly section 7, of Pub. L. 89–304, as added by Pub. L. 91–249, § 3, May 14, 1970, 84 Stat. 214, and renumbered by Pub. L. 96–118, § 4, Nov. 16, 1979, 93 Stat. 859, provided that: ''This Act [enacting this section and sections 757b to 757g of this title] may be cited as the 'Anadromous Fish Conservation Act'.''

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 757b, 757c, 757d, 757e, 757f, 1225 of this title.

§ 757b. Authority of the Secretary with regards to Anadromous and Great Lakes fisheries; development and management

The Secretary, in accordance with any agreements entered into pursuant to section 757a(a) of this title, is authorized (1) to conduct such investigations, engineering and biological surveys, and research as may be desirable to carry out the program; (2) to carry out stream clearance activities; (3) to construct, install, maintain, and operate devices and structures for the improvement of feeding and spawning conditions,

for the protection of fishery resources, and for facilitating the free migration of the fish, and for the control of the sea lamprey; (4) to construct, operate, and maintain fish hatcheries wherever necessary to accomplish the purposes of sections 757a to 757f of this title; (5) to conduct such studies and make such recommendations as the Secretary determines to be appropriate regarding the development and management of any stream or other body of water for the conservation and enhancement of anadromous fishery resources and the fish in the Great Lakes and Lake Champlain that ascend streams to spawn: *Provided*, That the reports on such studies and the recommendations of the Secretary shall be transmitted to the States, the Congress, and the Federal water resources construction agencies for their information: *Provided further*, That sections 757a to 757f of this title shall not be construed as authorizing the formulation or construction of water resources projects, except that water resources projects which are determined by the Seretary[1] to be needed solely for the conservation, protection, and enhancement of such fish may be planned and constructed by the Bureau of Reclamation in its currently authorized geographic area of responsibility or by the Corps of Engineers, or by the Department of Agriculture, or by the States, with funds made available by the Secretary under sections 757a to 757f of this title and subject to the cost-sharing and appropriations provisions of sections 757a to 757f of this title; (6) to acquire lands or interests therein by purchase, lease, donation, or exchange for acquired lands or public lands under his jurisdiction which he finds suitable for disposition: *Provided*, That the lands or interests therein so exchanged shall involve approximately equal values, as determined by the Secretary: *Provided further*, That the Secretary may accept cash from, or pay cash to, the grantor in such an exchange in order to equalize the values of the properties exchanged; (7) to accept donations of funds and to use such funds to acquire or manage lands or interests therein; and (8) to administer such lands or interests therein for the purposes of sections 757a to 757f of this title. Title to lands or interests therein acquired pursuant to sections 757a to 757f of this title shall be in the cooperating States or other non-Federal interests.

(Pub. L. 89–304, § 2, Oct. 30, 1965, 79 Stat. 1125; Pub. L. 93–362, § 1, July 30, 1974, 88 Stat. 398; Pub. L. 95–464, Oct. 17, 1978, 92 Stat. 1278; Pub. L. 96–118, § 2, Nov. 16, 1979, 93 Stat. 859.)

AMENDMENTS

1979—Pub. L. 96–118 substituted ''cooperating States or other non-Federal interests'' for ''United States''.

1978—Cl. (5). Pub. L. 95–464 inserted ''and Lake Champlain'' after ''Great Lakes''.

1974—Cl. (3). Pub. L. 93–362 inserted reference to the control of the sea lamprey.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 757a, 757c, 757d, 757e, 757f, 1225 of this title.

[1] So in original. Probably should be ''Secretary''.

§ 757c. Approval for activities on land administered by other Federal departments or agencies

Activities authorized by sections 757a to 757f of this title to be performed on lands administered by other Federal departments or agencies shall be carried out only with the prior approval of such departments or agencies.

(Pub. L. 89–304, § 3, Oct. 30, 1965, 79 Stat. 1126.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 757a, 757b, 757d, 757e, 757f, 1225 of this title.

§ 757d. Funding

(a) Authorization of appropriations

(1) There are authorized to be appropriated to carry out the purposes of sections 757a to 757f of this title not to exceed the following sums:

(A) $4,000,000 for fiscal year 1997; and

(B) $4,250,000 for each of fiscal years 1998, 1999, and 2000.

(2) Sums appropriated under this subsection are authorized to remain available until expended.

(b) Limitation on obligation of funds in any one State

Not more than $625,000 of the funds appropriated under this section in any one fiscal year shall be obligated in any one State.

(Pub. L. 89–304, § 4, Oct. 30, 1965, 79 Stat. 1126; Pub. L. 91–249, § 2, May 14, 1970, 84 Stat. 214; Pub. L. 93–362, §§ 2, 3(b), July 30, 1974, 88 Stat. 398; Pub. L. 96–118, § 3, Nov. 16, 1979, 93 Stat. 859; Pub. L. 97–453, § 14(b)(2), Jan. 12, 1983, 96 Stat. 2492; Pub. L. 99–659, title IV, § 402, Nov. 14, 1986, 100 Stat. 3737; Pub. L. 101–627, title IV, § 401, Nov. 28, 1990, 104 Stat. 4462; Pub. L. 104–297, title IV, § 403, Oct. 11, 1996, 110 Stat. 3619.)

AMENDMENTS

1996—Pub. L. 104–297 amended section generally. Prior to amendment, section authorized appropriations to carry out sections 757a to 757g of this title of not to exceed $8,152,500 for fiscal year 1989 and $8,000,000 for each of fiscal years 1990 to 1995, and limited the obligation of funds in any one State to not more than $1,250,000.

1990—Subsec. (a)(1). Pub. L. 101–627, § 401(1), (2), redesignated par. (7) as (1) and struck out former par. (1) which authorized appropriations of $11,000,000 for fiscal year 1980.

Subsec. (a)(2). Pub. L. 101–627, § 401(1), (3), added par. (2) and struck out former par. (2) which authorized appropriations of $13,000,000 for fiscal year 1981.

Subsec. (a)(3) to (6). Pub. L. 101–627, § 401(1), struck out pars. (3) to (6) which authorized appropriations of $15,000,000 for fiscal year 1982, $7,500,000 for fiscal years 1983, 1984, 1985, and 1986, $7,702,500 for fiscal year 1987, and $7,920,000 for fiscal year 1988, respectively.

Subsec. (a)(7). Pub. L. 101–627, § 401(2), redesignated par. (7) as (1).

1986—Subsec. (a)(4) to (7). Pub. L. 99–659 inserted reference to fiscal year 1986 in par. (4) and added pars. (5) to (7).

1983—Subsec. (a)(4). Pub. L. 97–453 added par. (4).

1979—Subsec. (a). Pub. L. 96–118, § 3(a), substituted provisions authorizing appropriations of not to exceed $11,000,000, $13,000,000, and $15,000,000 for fiscal years 1980 through 1982, respectively, for provisions authorizing appropriations of not to exceed $25,000,000, $6,000,000, $7,500,000, $8,500,000, $20,000,000, $20,000,000, $20,000,000,

$20,000,000, $20,000,000, and $20,000,000 for fiscal years ending June 30, 1970, through June 30, 1979, respectively.

Subsec. (b). Pub. L. 96–118, § 3(b), substituted ''$1,250,000'' for ''$1,000,000''.

1974—Subsec. (a). Pub. L. 93–362 substituted ''$20,000,000 for each of the fiscal years ending June 30, 1974, June 30, 1975, June 30, 1976, June 30, 1977, June 30, 1978, and June 30, 1979'' for ''$10,000,000 for the fiscal year ending June 30, 1974''.

1970—Subsec. (a). Pub. L. 91–249 authorized appropriation of not to exceed $6,000,000, $7,500,000, $8,500,000 and $10,000,000 for fiscal years ending June 30, 1971, June 30, 1972, June 30, 1973, and June 30, 1974, respectively, to be available until expended.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 757a, 757b, 757c, 757e, 757f, 1225 of this title.

§ 757e. Application to Columbia River basin

Sections 757a to 757f of this title shall not be construed to affect, modify, or apply to the same area as the provisions of sections 755 to 757 of this title. The State of Idaho shall be eligible on an equal standing with other States for Federal funding for purposes authorized by sections 757a to 757f of this title.

(Pub. L. 89–304, § 5, Oct. 30, 1965, 79 Stat. 1126; Pub. L. 98–146, title I, Nov. 4, 1983, 97 Stat. 922.)

CODIFICATION

Although the intent of Congress to amend this section is clear from the directory language of Pub. L. 98–146 which states that the sentence relating to the eligibility of the State of Idaho be added to ''16 U.S.C. 757e'', that directory language has been editorially interpreted as directing the addition of that sentence to section 5 of Pub. L. 89–304, because Title 16 of the United States Code [this title] has never been enacted into positive law and its sections are therefore not susceptible of amendment as sections of ''16 U.S.C.—'' and because section 5 of Pub. L. 89–304 is the statute which was classified to, and serves as the source for 16 U.S.C. 757e [this section].

AMENDMENTS

1983—Pub. L. 98–146 inserted provision that the State of Idaho shall be eligible on an equal standing with other States for Federal funding for purposes authorized by sections 757a to 757f of this title.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 757a, 757b, 757c, 757d, 757f, 1225 of this title.

§ 757f. Studies on pollution; recommendations to Secretary of Health and Human Services

The Secretary of the Interior shall, on the basis of studies carried out pursuant to sections 757a to 757f of this title and section 665 of this title, make recommendations to the Secretary of Health and Human Services concerning the elimination or reduction of polluting substances detrimental to fish and wildlife in interstate or navigable waters or the tributaries thereof. Such recommendations and any enforcement measures initiated pursuant thereto by the Secretary of Health and Human Services shall be designed to enhance the quality of such waters, and shall take into consideration all other legitimate uses of such waters.

(Pub. L. 89–304, § 6, Oct. 30, 1965, 79 Stat. 1126; Pub. L. 96–88, title V, § 509(b), Oct. 17, 1979, 93 Stat. 695.)

CHANGE OF NAME

''Secretary of Health and Human Services'' substituted in text for ''Secretary of Health, Education, and Welfare'' pursuant to section 509(b) of Pub. L. 96–88, which is classified to section 3508(b) of Title 20, Education.

TRANSFER OF FUNCTIONS

Transfer of functions to Secretary of Commerce from Secretary of the Interior by Reorg. Plan No. 4 of 1970, eff. Oct. 3, 1970, 35 F.R. 15627, 84 Stat. 2090, see note set out under section 755 of this title.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 757a, 757b, 757c, 757d, 757e, 1225 of this title.

§ 757g. Repealed. Pub. L. 105–146, § 3(a), Dec. 16, 1997, 111 Stat. 2677

Section, Pub. L. 89–304, § 7, as added Pub. L. 96–118, § 4, Nov. 16, 1979, 93 Stat. 859; amended Pub. L. 97–453, § 14(b)(3), Jan. 12, 1983, 96 Stat. 2492; Pub. L. 98–613, § 10(a), Oct. 31, 1984, 98 Stat. 3190; Pub. L. 99–432, § 6, Oct. 1, 1986, 100 Stat. 990; Pub. L. 100–589, § 3, Nov. 3, 1988, 102 Stat. 2984; Pub. L. 102–130, § 3, Oct. 17, 1991, 105 Stat. 626, related to striped bass population studies.

§ 758. Exploration, investigation, development, and maintenance of fishing resources and industry of Pacific Ocean

It is the policy of the United States to provide for the exploration, investigation, development, and maintenance of the fishing resources and development of the high seas fishing industry of the United States and its island possessions in the tropical and subtropical Pacific Ocean and intervening seas, for the benefit of the residents of the Pacific island possessions and of the people of the United States.

(Aug. 4, 1947, ch. 451, § 1, 61 Stat. 726; July 12, 1960, Pub. L. 86–624, § 11(a), (b), 74 Stat. 412.)

AMENDMENTS

1960—Pub. L. 86–624 substituted ''the United States and its island possessions'' for ''the Territories and island possessions of the United States'', and struck out ''Territory of Hawaii and'' before ''Pacific island possessions''.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 758b, 758d of this title.

§ 758a. Conduct of explorations and related work in Pacific Ocean

The Secretary of Commerce is authorized and directed to conduct such fishing explorations and such necessary related work as oceanographical, biological, technological, statistical, and economic studies to insure maximum development and utilization of the high seas fishery resources of the United States and its island possessions in the tropical and subtropical Pacific Ocean and intervening areas as may be consistent with developing and sustaining such fishery resources at maximum levels of production in perpetuity and to provide for the best possible utilization thereof.

(Aug. 4, 1947, ch. 451, § 2, 61 Stat. 726; July 12, 1960, Pub. L. 86–624, § 11(a), 74 Stat. 412; 1970 Reorg. Plan No. 4, eff. Oct. 3, 1970, 35 F.R. 15627, 84 Stat. 2090.)

AMENDMENTS

1960—Pub. L. 86–624 substituted ''the United States and its island possessions'' for ''the Territories and island possessions of the United States''.

TRANSFER OF FUNCTIONS

''Secretary of Commerce'' substituted for ''Secretary of the Interior, through the United States Fish and Wildlife Service of the Department of the Interior,'' in view of: creation of National Oceanic and Atmospheric Administration in Department of Commerce and Office of Administrator of such Administration; abolition of Bureau of Commercial Fisheries in Department of the Interior and Office of Director of such Bureau; transfers of functions, including functions formerly vested by law in Secretary of the Interior or Department of the Interior which were administered through Bureau of Commercial Fisheries or were primarily related to such Bureau, exclusive of certain enumerated functions with respect to Great Lakes fishery research, Missouri River Reservoir research, Gulf Breeze Biological Laboratory, and Trans-Alaska pipeline investigations; and transfer of marine sport fish program of Bureau of Sport Fisheries and Wildlife by Reorg. Plan No. 4 of 1970, eff. Oct. 3, 1970, 35 F.R. 15627, 84 Stat. 2090, set out in the Appendix to Title 5, Government Organization and Employees.

United States Fish and Wildlife Service, consisting of Bureau of Commercial Fisheries and Bureau of Sport Fisheries and Wildlife, succeeded and replaced Fish and Wildlife Service of Department of the Interior under provisions of Fish and Wildlife Act of 1956, as originally provided in section 742b(a) and (d) of this title.

For transfer of functions of other officers, employees, and agencies of Department of the Interior, with certain exceptions, to Secretary of the Interior, with power to delegate, see Reorg. Plan No. 3 of 1950, §§1, 2, eff. May 24, 1950, 15 F.R. 3174, 64 Stat. 1262, set out in the Appendix to Title 5, Government Organization and Employees.

DOGFISH SHARKS: RESEARCH TO CONTROL AND ERADICATE OR TO DISCOVER COMMERCIAL USES

Pub. L. 85–887, Sept. 2, 1958, 72 Stat. 1710, directed Secretary of the Interior to prosecute, for a period of not to exceed four years from Sept. 2, 1958, investigations of the abundance and distribution of dogfish sharks, experiments to develop control measures, and a vigorous program for the elimination and eradication or development of economic uses of dogfish shark populations.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 758b, 758d of this title.

§ 758b. Cooperation with agencies, organizations, and others

In carrying out the purposes and objectives of sections 758 and 758a of this title, the Secretary of Commerce may cooperate with appropriate agencies of the State and island governments, and with such educational, industrial, or other organizations, enterprises, and individuals as may be expedient.

(Aug. 4, 1947, ch. 451, §3, 61 Stat. 726; July 12, 1960, Pub. L. 86–624, §11(c), 74 Stat. 412; 1970 Reorg. Plan No. 4, eff. Oct. 3, 1970, 35 F.R. 15627, 84 Stat. 2090.)

AMENDMENTS

1960—Pub. L. 86–624 substituted ''State'' for ''Territorial''.

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 758a of this title.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 758d of this title.

§ 758c. Authorization of appropriations for research laboratory, experiment stations, dock and storehouse facilities, vessels, etc., for activities in the Pacific Ocean; transfer of surplus vessels

There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, such amounts as may be necessary for the construction, including architectural services, and for furnishings and equipment of a fishery research laboratory and experiment stations in the State of Hawaii and necessary substations at suitable locations, together with suitable dock and storehouse facilities to be used in conjunction with the operation of research and experimental fishing vessels and for the procurement and for the modification, refitting, and equipment of two experimental high-sea fishing vessels, together with all necessary gear and appurtenances, and of one multiple purpose high-seas fishing and oceanographical research vessel, together with all necessary gear and appurtenances, including necessary naval architectural and engineering services: *Provided, however*, That no part of said appropriation shall be expended for the acquisition of lands for sites for said laboratory, experiment station, or substations in the State of Hawaii: *Provided further*, That there are authorized to be transferred to the Secretary of Commerce not to exceed three surplus vessels suitable for conversion and use in oceanographic and biological research and exploratory fishing, by any disposal agency of the Government without reimbursement or transfer of funds.

(Aug. 4, 1947, ch. 451, §4, 61 Stat. 726; July 12, 1960, Pub. L. 86–624, §11(d), 74 Stat. 412; 1970 Reorg. Plan No. 4, eff. Oct. 3, 1970, 35 F.R. 15627, 84 Stat. 2090.)

AMENDMENTS

1960—Pub. L. 86–624 substituted ''State of Hawaii'' for ''Hawaiian Islands'' and for ''Territory of Hawaii''.

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 758a of this title.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 758d of this title.

§ 758d. Pacific Ocean activities; future appropriations

There is hereby authorized to be appropriated from time to time in fiscal years after 1947—1948 such sums as may be necessary to enable the Secretary of Commerce to carry out the purposes of sections 758 to 758d of this title, including personal services, traveling expenses, transportation of things, purchase, maintenance, and operation of motor vehicles, miscellaneous equipment, and supplies, communications, other contractual services, necessary printing locally, and maintenance, repair, improvement, equipment, and operation of vessels and buildings or other structures.

(Aug. 4, 1947, ch. 451, § 6, 61 Stat. 726; 1970 Reorg. Plan No. 4, eff. Oct. 3, 1970, 35 F.R. 15627, 84 Stat. 2090.)

CODIFICATION

Words ''personal services, traveling expenses, transportation of things, purchase, maintenance, and operation of motor vehicles, miscellaneous equipment, and supplies, communications, other contractual services, necessary printing locally, and maintenance, repair, improvement, equipment, and operation of vessels and buildings or other structures'', appearing in text, were inserted in place of words ''all the classes of expenditures enumerated in the foregoing section''. The ''foregoing section'' referred to section 5 of Act Aug. 4, 1947, which is set out as a note under this section.

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 758a of this title.

For transfer of functions of other officers, employees, and agencies of Department of the Interior, with certain exceptions, to Secretary of the Interior, with power to delegate, see Reorg. Plan No. 3 of 1950, §§ 1, 2, eff. May 24, 1950, 15 F.R. 3174, 64 Stat. 1262, set out in the Appendix to Title 5, Government Organization and Employees.

APPROPRIATIONS FOR FISCAL YEAR 1947–1948

Section 5 of act Aug. 4, 1947, authorized appropriation of additional sums for expenses during the fiscal year 1947–1948 to carry out the purposes of sections 758 to 758d of this title.

§ 758e. Central, Western, and South Pacific Ocean fisheries development program

The Secretary of Commerce (hereafter referred to in sections 758e to 758e–5 of this title as the ''Secretary'') is authorized to carry out, directly or by contract, with the Pacific Fisheries Development Foundation or other agency or organization, a program for the development of the tuna and other latent fisheries resources of the Central, Western, and South Pacific Ocean. The program shall include, but not be limited to, exploration for, and stock assessment of, tuna and other fish; improvement of harvesting techniques; gear development; biological resource monitoring; and an economic evaluation of the potential for tuna and other fisheries in such area.

(Pub. L. 92–444, § 2, Sept. 29, 1972, 86 Stat. 745; Pub. L. 94–343, § 1(1), July 6, 1976, 90 Stat. 809; Pub. L. 95–295, § 1(1), June 16, 1978, 92 Stat. 319; Pub. L. 98–498, title IV, § 410, Oct. 19, 1984, 98 Stat. 2309.)

AMENDMENTS

1984—Pub. L. 98–498 substituted ''Pacific Fisheries Development Foundation'' for ''Pacific Tuna Development Foundation''.

1978—Pub. L. 95–295 inserted provision authorizing contracts for programs with the Pacific Tuna Development Foundation or other agency or organization.

1976—Pub. L. 94–343 struck ''three year'' before ''program for''.

SHORT TITLE

Section 1 of Pub. L. 92–444 provided: ''That this Act [enacting this section and sections 758e–1 to 758e–5 of this title] may be cited as the 'Central, Western, and South Pacific Fisheries Development Act'.''

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 758e–1, 758e–1a, 758e–3, 758e–4, 758e–5 of this title.

§ 758e–1. Consultation and cooperation between certain Federal officers, affected States, etc., in carrying out program

In carrying out the purposes of sections 758e to 758e–5 of this title, the Secretary shall consult, and may otherwise cooperate, with the Secretary of the Interior, the Secretary of State, the State of Hawaii and other affected States, the governments of American Samoa and Guam, the Office of the High Commissioner of the Trust Territory of the Pacific Islands, the Commonwealth of the Northern Mariana Islands, educational institutions, the commercial fishing industry, and all appropriate member nations of a South Pacific regional fishery agency (hereinafter referred to in sections 758e to 758e–5 of this title as the ''agency''), if such an agency is formed.

(Pub. L. 92–444, § 3, Sept. 29, 1972, 86 Stat. 745; Pub. L. 95–295, § 1(2), June 16, 1978, 92 Stat. 319.)

AMENDMENTS

1978—Pub. L. 95–295 inserted provisions requiring consultation and cooperation with the Secretary of State, Commonwealth of the Northern Mariana Islands, and all appropriate member nations of a South Pacific regional fishery agency, if such an agency is formed.

TERMINATION OF TRUST TERRITORY OF THE PACIFIC ISLANDS

For termination of Trust Territory of the Pacific Islands, see note set out preceding section 1681 of Title 48, Territories and Insular Possessions.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 758e, 758e–1a, 758e–3, 758e–4, 758e–5 of this title.

§ 758e–1a. Cooperative program for development of tuna and other latent fishery resources in area; establishment; availability of project information

In addition to the authority granted in section 758e of this title, the Secretary, in consultation with representatives of all interested member nations of the agency, and those parties set forth in section 758e–1 of this title, may establish in accordance with section 758e of this title, a cooperative program for the development of tuna and other latent fisheries resources of the Central, Western, and South Pacific Ocean to be submitted to the President and the Congress within one year following official formation of the agency. The Secretary shall make available to all interested member nations of the agency the results and findings of research or development projects carried out under sections 758e to 758e–5 of this title.

(Pub. L. 92–444, § 4, as added Pub. L. 95–295, § 1(3), June 16, 1978, 92 Stat. 319.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 758e, 758e–1, 758e–3, 758e–4, 758e–5 of this title.

§ 758e–2. Repealed. Pub. L. 99–386, title I, § 102, Aug. 22, 1986, 100 Stat. 821

Section, Pub. L. 92–444, § 5, formerly § 4, Sept. 29, 1972, 86 Stat. 745; Pub. L. 94–273, § 2(10), Apr. 21, 1976, 90 Stat. 375; Pub. L. 94–343, § 1(2), July 6, 1976, 90 Stat. 809; renumbered Pub. L. 95–295, § 1(4), June 16, 1978, 92 Stat.

319, related to submission to President and Congress of annual report by Secretary on Central, Western, and South Pacific Ocean fisheries development program.

§ 758e–3. Regulations; contract terms and conditions

The Secretary shall prescribe such regulations as may be necessary to carry out the purposes of sections 758e to 758e–5 of this title. Any contract entered into pursuant to section 758e of this title shall be subject to such terms and conditions as the Secretary deems necessary and appropriate to protect the interests of the United States.

(Pub. L. 92–444, § 6, formerly § 5, Sept. 29, 1972, 86 Stat. 745; renumbered § 6, Pub. L. 95–295, § 1(4), June 16, 1978, 92 Stat. 319.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 758e, 758e–1, 758e–1a, 758e–4, 758e–5 of this title.

§ 758e–4. "Central, Western, and South Pacific Ocean area" defined

As used in sections 758e to 758e–5 of this title, the term ''Central, Western, and South Pacific Ocean'' means that area of the Pacific Ocean between latitudes 30 degrees north to 30 degrees south and from longitudes 120 degrees east to 130 degrees west.

(Pub. L. 92–444, § 7, formerly § 6, Sept. 29, 1972, 86 Stat. 745; renumbered § 7, Pub. L. 95–295, § 1(4), June 16, 1978, 92 Stat. 319.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 758e, 758e–1, 758e–1a, 758e–3, 758e–5 of this title.

§ 758e–5. Authorization of appropriations

There is authorized to be appropriated for the period beginning July 1, 1973, and ending June 30, 1976, the sum of $3,000,000, and for the period beginning July 1, 1976, and ending September 30, 1979, the sum of $4,000,000, and for each of the fiscal years 1980, 1981, 1982, 1983, 1984, 1985, 1986, 1987, 1988, 1989, 1990, 1991, 1992, 1993, 1994, and 1995, the sum of $5,000,000, to carry out the purposes of sections 758e to 758e–5 of this title. Sums appropriated pursuant to this section shall remain available until expended.

(Pub. L. 92–444, § 8, formerly § 7, Sept. 29, 1972, 86 Stat. 745; Pub. L. 94–343, § 1(3), July 6, 1976, 90 Stat. 809; renumbered § 8 and amended Pub. L. 95–295, §§ 1(4), 2, June 16, 1978, 92 Stat. 319, 320; Pub. L. 97–453, § 15(d), Jan. 12, 1983, 96 Stat. 2493; Pub. L. 99–659, title IV, § 403, Nov. 14, 1986, 100 Stat. 3737; Pub. L. 101–627, title VI, § 601, Nov. 28, 1990, 104 Stat. 4463.)

AMENDMENTS

1990—Pub. L. 101–627, which directed the substitution of ''1988, 1989, 1990, 1991, 1992, 1993, 1994, and 1995'' for ''and 1988'' in section 7 of the Central, Western, and South Pacific Fisheries Development Act, meaning section 7 of Pub. L. 92–444, was executed by making the substitution in section 8 of Pub. L. 92–444, this section, to reflect the probable intent of Congress and the renumbering of section 7 as 8 by Pub. L. 95–295, § 1(4).

1986—Pub. L. 99–659 inserted provision authorizing appropriations for each of fiscal years 1986, 1987, and 1988.

1983—Pub. L. 97–453 substituted ''1982, 1983, 1984, and 1985'' for ''and 1982''.

1978—Pub. L. 95–295 inserted provision authorizing appropriations of $5,000,000 for each of fiscal years 1980 to 1982, and substituted ''$4,000,000'' for ''$3,000,000''.

1976—Pub. L. 94–343 inserted provision authorizing appropriations for period beginning July 1, 1976, and ending Sept. 30, 1979, the sum of $3,000,000.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 758e, 758e–1, 758e–1a, 758e–3, 758e–4 of this title.

§ 759. Omitted

CODIFICATION

Section, act Aug. 18, 1949, ch. 478, § 2, 63 Stat. 616, authorized Secretary of the Interior through the Fish and Wildlife Service to undertake an Atlantic Coast shad study, prescribed a $75,000 per annum cost limitation for a six year period, and authorized transfer to such Service from Federal agencies or corporations surplus boats or equipment for conduct of the studies.

Section 4 of act Aug. 18, 1949 authorized appropriations for carrying out the purposes of act Aug. 18, 1949.

§ 760. Establishment of rearing ponds and fish hatchery in Kentucky

The Secretary of the Interior is authorized to construct, equip, maintain, and operate rearing ponds and a fish hatchery at a suitable location in Kentucky.

(July 18, 1950, ch. 465, § 1, 64 Stat. 343.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 760–1 of this title.

§ 760–1. Kentucky fish hatchery; authorization of appropriations

There is hereby authorized to be appropriated from time to time, out of any moneys in the Treasury not otherwise appropriated, such sums as may be necessary to carry out the purposes of section 760 of this title.

(July 18, 1950, ch. 465, § 2, 64 Stat. 343.)

APPROPRIATION FOR ACQUISITION OF LANDS AND CONSTRUCTION

In addition to enacting this section, section 2 of act July 18, 1950, authorized a maximum appropriation of $275,000 for the acquisition of lands and water rights or interests therein and the construction and equipment of the station provided for by section 760.

§ 760–2. Establishment of fish hatchery in Montana

The Secretary of the Interior is authorized to establish, construct, equip, operate, and maintain a new fish hatchery in the vicinity of Miles City, Montana.

(June 4, 1956, ch. 366, § 1, 70 Stat. 247.)

TRANSFER OF MILES CITY NATIONAL FISH HATCHERY

Pub. L. 99–432, § 7, Oct. 1, 1986, 100 Stat. 990, provided that: ''Notwithstanding any other law, the Secretary of the Interior shall convey to the State of Montana, without reimbursement to the United States and no later than thirty days following enactment of this legislation [Oct. 1, 1986], all of the rights (including all water rights), title, and interest of the United States in and to the fish hatchery property located south of Miles City, Montana, and known as the Miles City National Fish Hatchery, consisting of 168.22 acres, more or less, of land, together with any improvements and re-

lated personal property thereon. The property conveyed shall be used by the Montana Department of Fish, Wildlife and Parks as part of the Montana fishery resources management program. If the property conveyed is ever used for other than these purposes, title to such property shall revert to the United States.''

Similar provisions were contained in Pub. L. 99–500, § 101(h) [title I, § 112], Oct. 18, 1986, 100 Stat. 1783–242, 1783–262, and Pub. L. 99–591, § 101(h) [title I, § 112], Oct. 30, 1986, 100 Stat. 3341–242, 3341–262.

APPROPRIATIONS

Section 2 of act June 4, 1956, authorized an appropriation of $465,000 to carry out this section.

§ 760–3. Establishment of trout hatchery in Pisgah National Forest

The Secretary of the Interior, after consulting with the Secretary of Agriculture, shall establish, construct, equip, operate, and maintain a trout hatchery at an appropriate location on the Davidson River in the Pisgah National Forest, North Carolina.

(June 18, 1956, ch. 404, § 1, 70 Stat. 292.)

APPROPRIATIONS

Section 2 of act June 18, 1956, authorized the appropriation of $375,000 to carry out the purposes of this section.

§ 760–4. Establishment of trout hatchery at Pittsford, Vermont

The Secretary of the Interior shall develop, reconstruct, equip, operate, and maintain the Federal fish hatchery, known as the Holden trout hatchery, at Pittsford, Vermont, in accordance with the program established by the Fish and Wildlife Service, Department of the Interior, for the improvement of such hatchery.

(Aug. 1, 1956, ch. 845, § 1, 70 Stat. 897.)

APPROPRIATIONS

Section 2 of act Aug. 1, 1956, authorized the appropriation of $220,000 to carry out the provisions of this section.

§ 760–5. Establishment of fish hatchery at Paint Bank, Virginia

The Secretary of the Interior is authorized and directed to construct, equip, maintain, and operate a new fish hatchery in the vicinity of Paint Bank, Virginia.

(Aug. 3, 1956, ch. 943, § 1, 70 Stat. 1020.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 760–6 of this title.

§ 760–6. Virginia fish hatchery; authorization of appropriations

There are hereby authorized to be appropriated such sums as may be necessary to carry out section 760–5 of this title.

(Aug. 3, 1956, ch. 943, § 2, 70 Stat. 1020.)

§ 760–7. Establishment of fish hatchery in West Virginia

The Secretary of the Interior is authorized to establish, construct, equip, operate, and maintain a new fish hatchery in the State of West Virginia.

(Aug. 6, 1956, ch. 978, § 1, 70 Stat. 1057.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 760–8 of this title.

§ 760–8. West Virginia fish hatchery; authorization of appropriations

There are hereby authorized to be appropriated such sums as may be necessary to carry out the purposes of section 760–7 of this title.

(Aug. 6, 1956, ch. 978, § 2, 70 Stat. 1057.)

§ 760–9. Establishment of fish hatchery in Pennsylvania

The Secretary of the Interior is authorized to establish, construct, equip, operate, and maintain a new fish hatchery in the northwestern part of the State of Pennsylvania.

(Pub. L. 86–205, § 1, Aug. 25, 1959, 73 Stat. 430.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 760–10 of this title.

§ 760–10. Pennsylvania fish hatchery; authorization of appropriations

There are hereby authorized to be appropriated such sums as may be necessary to carry out the purposes of section 760–9 of this title.

(Pub. L. 86–205, § 2, Aug. 25, 1959, 73 Stat. 430.)

§ 760–11. Acceptance and development of fish hatchery in South Carolina

The Secretary of the Interior is authorized, in his discretion and upon such terms and conditions as he shall consider to be in the public interest, to accept by donation on behalf of the United States, title to the Orangeburg County, South Carolina, fish hatchery, together with the right to take adequate water from Orangeburg County Lake therefor. The Secretary is authorized to rehabilitate and expand the rearing ponds and other hatchery facilities, to purchase lands adjoining such station in connection with the rehabilitation and expansion of such facilities, and to equip, operate, and maintain said fish hatchery.

(Pub. L. 86–572, § 1, July 5, 1960, 74 Stat. 311.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 760–12 of this title.

§ 760–12. South Carolina fish hatchery; authorization of appropriations

There are hereby authorized to be appropriated such funds as may be necessary to carry out the purposes of section 760–11 of this title.

(Pub. L. 86–572, § 2, July 5, 1960, 74 Stat. 311.)

§ 760a. Atlantic Coast fish study for development and protection of fish resources

The Secretary of Commerce is directed to undertake a comprehensive continuing study of species of fish of the Atlantic coast, including bays, sounds, and tributaries, for the purpose of

recommending to the States of such coast appropriate measures for the development and protection of such resources and their wisest utilization, whether for sports or commercial fishing or both, including the limitations on season, take per unit of time, per man, or per gear, or such other recommendations as will most effectively provide for the public the maximum production and utilization of such fish consistent with the maintenance of an adequate brood reserve.

(Aug. 25, 1950, ch. 782, § 1, 64 Stat. 474; 1970 Reorg. Plan No. 4, 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 760c of this title.

§ 760b. Equipment for studies; cooperation of Federal departments and agencies

The Secretary is directed to make application through appropriate channels to other Federal departments or agencies for such boats and other equipment in custody of such departments or agencies as may be suitable for studies authorized hereunder, and such Federal departments and agencies are authorized to transfer such boats and other equipment to the Department of Commerce without reimbursement of funds.

(Aug. 25, 1950, ch. 782, § 2, 64 Stat. 474; 1970 Reorg. Plan No. 4, eff. Oct. 3, 1970, 35 F.R. 15627, 84 Stat. 2090.)

TRANSFER OF FUNCTIONS

"Department of Commerce" substituted in text for "Department of the Interior" in view of 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 760c of this title.

§ 760c. Studies; authorization of appropriations

There is authorized to be appropriated from time to time, out of any moneys in the Treasury not otherwise appropriated, such sums, not in excess of $250,000 per annum, as may be necessary to carry out the purposes and objectives of sections 760a to 760c of this title.

(Aug. 25, 1950, ch. 782, § 3, 64 Stat. 474.)

§ 760d. Grants for education and training of personnel in the field of commercial fishing

(a) Public and private nonprofit universities and colleges

The Secretary of Commerce is authorized to make grants, out of funds appropriated for the purposes of this section, to public and nonprofit private universities and colleges in the several States and Territories of the United States for such purposes as may be necessary to promote the education and training of professionally 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, 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 760*l*. 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 760*l*, Pub. L. 87–580, § 3, Aug. 9, 1962, 76 Stat. 357, authorized appropriation of $100,000 to carry out sections 760j to 760*l* 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

Sec.
773. Definitions.
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 1932

§§ 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.