

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.

Transfer and consolidation of bureaus and functions, see note set out under section 742 of this title.

**§ 746a. Operation and maintenance fees for the M/V Tiglax and other vessels**

On and after October 21, 1998, pursuant to section 9701 of title 31 and notwithstanding section 3302 of title 31, the Secretary shall charge reasonable fees for the full costs of the U.S. Fish and Wildlife Service in operating and maintaining the M/V Tiglax and other vessels, to be credited to this account and to be available until expended.

(Pub. L. 105-277, div. A, §101(e) [title I], Oct. 21, 1998, 112 Stat. 2681-231, 2681-236.)

**§ 747. Omitted**

**Editorial Notes**

CODIFICATION

Section, acts Mar. 28, 1922, ch. 117, title I, 42 Stat. 484; Jan. 5, 1923, ch. 24, title I, 42 Stat. 1125; May 28, 1924, ch. 204, title III, 43 Stat. 238; Feb. 27, 1925, ch. 364, title III, 43 Stat. 1047, which related to the commutation of rations of officers and crews on vessels, was provision of an appropriation act which was confined to specific appropriations.

**§ 748. Expenditure of appropriations for propagation of food fishes**

Appropriations for propagation of food fishes shall not be expended for hatching or planting fish or eggs in any State in which, in the judgment of the Secretary of the Interior, there are not adequate laws for the protection of the fishes, nor in any State in which the United States Director of the Fish and Wildlife Service and his duly authorized agents are not accorded full and free right to conduct fish-cultural operations, and all fishing and other operations necessary therefor, in such manner and at such times as is considered necessary and proper by the said director or his agents.

(July 1, 1918, ch. 113, § 1, 40 Stat. 693; 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; Aug. 8, 1956, ch. 1036, § 3, 70 Stat. 1120.)

**Executive Documents**

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 742b of this title.

Fish and Wildlife Service, created by Reorg. Plan No. III of 1940, eff. June 30, 1940, 5 F.R. 2107, 54 Stat. 1231, 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.

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.

Transfer and consolidation of bureaus and functions, see note set out under sections 742 and 744 of this title.

**§ 749. Omitted**

**Editorial Notes**

CODIFICATION

Section, act June 16, 1921, ch. 23, § 4, 42 Stat. 63, provided for an advisory committee to report on condition and needs of the Fish and Wildlife Service, and is omitted since it was derived from an appropriation act and is obsolete.

**§ 750. Station on Mississippi River for rescue of fishes and propagation of mussels**

There shall be established on the Mississippi River, at a point to be selected by the Secretary of the Interior or the Secretary of Commerce, as appropriate, a station for the rescue of fishes and the propagation of mussels in connection with fish-rescue operations throughout the Mississippi Valley.

(Apr. 28, 1922, ch. 153, § 1, 42 Stat. 501; 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.)

**Executive Documents**

TRANSFER OF FUNCTIONS

Secretary of Commerce also empowered to carry out statutory provisions 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; transfer of marine sport fish program of Bureau of Sport Fisheries and Wildlife; and certain 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 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.

Transfer and consolidation of bureaus and functions, see note set out under section 742 of this title.

**§ 751. Personnel**

In connection with the establishment of such fish-rescue station there is authorized the following personnel, namely: One district supervisor, to have general charge of fish-rescue and fish-cultural operations in the Mississippi Valley; a superintendent, two field foremen, four fish-culturists at large, one engineer at large, one clerk, two coxswains at large, and two apprentice fish-culturists.

(Apr. 28, 1922, ch. 153, § 2, 42 Stat. 501.)

**Editorial Notes**

## CODIFICATION

Provisions relating to the compensation of such personnel have been omitted as such pay is fixed pursuant to chapter 51 and subchapter III of chapter 53 of Title 5, Government Organization and Employees.

**Executive Documents**

## TRANSFER OF FUNCTIONS

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**§ 752. Omitted****Editorial Notes**

## CODIFICATION

Section, act July 2, 1942, ch. 473, §1, 56 Stat. 557, which authorized the Fish and Wildlife Service to exchange equipment as part payment for other equipment, was from the Interior Department Appropriation Act, 1943, and was not repeated in subsequent appropriation acts. Similar provisions were contained in act June 28, 1941, ch. 259, §1, 55 Stat. 357.

**§ 753. Cooperative work**

On and after July 2, 1942, cooperative work conducted by the United States Fish and Wildlife Service shall be subject to the provisions of the Act of July 24, 1919 [7 U.S.C. 2220, 2279i].

(July 2, 1942, ch. 473, §1, 56 Stat. 558; Aug. 8, 1956, ch. 1036, §3, 70 Stat. 1120.)

**Editorial Notes**

## REFERENCES IN TEXT

Act of July 24, 1919, referred to in text, was formerly classified to sections 563 and 564 of Title 5 prior to the general revision and enactment of Title 5, Government Organization and Employees, by Pub. L. 89-554, §1, Sept. 6, 1966, 80 Stat. 378.

## PRIOR PROVISIONS

Provisions similar to those in this section were contained in act June 28, 1941, ch. 259, §1, 55 Stat. 357.

**Executive Documents**

## TRANSFER OF FUNCTIONS

Fish and Wildlife Service, created by Reorg. Plan No. III of 1940, eff. June 30, 1940, 5 F.R. 2107, 54 Stat. 1231, 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.

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.

**§ 753a. Cooperative research and training programs for fish and wildlife resources**

For the purpose of developing adequate, coordinated, cooperative research and training programs for fish and wildlife resources, the

Secretary of the Interior or the Secretary of Commerce, as appropriate, is authorized to continue to enter into cooperative agreements with colleges and universities, with game and fish departments of the several States, and with non-profit organizations relating to cooperative research units: *Provided*, That Federal participation in the conduct of such cooperative unit programs shall be limited to the assignment of Department of the Interior or Department of Commerce scientific personnel by the Secretary to serve at the respective units, to the provision of assistance (including reasonable financial compensation) for the work of researchers on fish and wildlife ecology and resource management projects funded under this subsection<sup>1</sup> to supply for the use of the particular units' operations such equipment as may be available to the Secretary for such purposes, and the payment of incidental expenses of Federal personnel and employees of cooperating agencies assigned to the units.

(Pub. L. 86-686, §1, Sept. 2, 1960, 74 Stat. 733; 1970 Reorg. Plan No. 4, eff. Oct. 3, 1970, 35 F.R. 15627, 84 Stat. 2090; Pub. L. 95-616, §2, Nov. 8, 1978, 92 Stat. 3110.)

**Editorial Notes**

## AMENDMENTS

1978—Pub. L. 95-616, in proviso, substituted "scientific personnel" for "technical personnel" and authorized provision of assistance (including reasonable financial compensation) for the work of researchers on funded fish and wildlife ecology and resource management projects.

**Executive Documents**

## TRANSFER OF FUNCTIONS

Reference to Secretary of Commerce and Department of Commerce inserted 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.

**§ 753b. Authorization of appropriations**

There is authorized to be appropriated such sums as may be necessary to carry out the purposes of section 753a of this title.

(Pub. L. 86-686, §2, Sept. 2, 1960, 74 Stat. 733.)

**§ 754. Commutation of rations for officers and crews of vessels of Service**

On and after July 2, 1942, commutation of rations (not to exceed \$1 per man per day) may be

<sup>1</sup> So in original. Probably should be "section".