

Executive Documents

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.

§ 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.)

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“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.

§ 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.)

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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.)

Executive Documents

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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.

§ 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 Secretary 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.)

Executive Documents

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.

§ 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.)

§§ 760h to 760l. Omitted

Editorial Notes

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 9B—NATIONAL FISH HATCHERY SYSTEM ENHANCEMENT

Sec.

- 760aa. Findings and purposes.
- 760aa-1. Gifts to system and particular national fish hatcheries.
- 760aa-2. Volunteer enhancement pilot projects.
- 760aa-3. Community partnership enhancement.
- 760aa-4. Hatchery education program development.

§ 760aa. Findings and purposes

(a) Findings

Congress finds the following:

(1) The National Fish Hatchery System (in this chapter referred to as the "System")—

(A) consists of more than 60 hatcheries, seven fish technology centers, 9 fish health centers, and other fisheries program offices;

(B) plays an integral role in the recovery of more than 50 threatened species and endangered species and the restoration of over 100 native species;

(C) provides healthy fish populations that support recreational fishing opportunities, many of which are related to Federal water control structures; and

(D) works with over 250 partners to help mitigate the impacts of aquatic habitat loss and invasive species.

(2) The System faces many challenges, including aging facilities, some of which date back to the late 1800s, and maintenance of intensive infrastructures such as wells, pumps, valves, pipes, filters, heaters, chillers, and treatment systems that must keep clean water moving 24 hours a day, 365 days a year.

(3) By encouraging volunteer programs and donations and fostering non-Federal partner-

ships with hatchery facilities, Federal funding for the hatcheries can be supplemented.

(4) By encouraging hatchery educational programs, public awareness of the resources of the System and public participation in the conservation of aquatic resources can be promoted.

(b) Purposes

The purposes of this chapter are the following:

(1) To encourage the use of volunteers to assist the United States Fish and Wildlife Service in the management of hatcheries within the System.

(2) To facilitate partnerships between the System and non-Federal entities to promote public awareness of the resources of the System and public participation in the conservation of those resources.

(3) To encourage donations and other contributions by individuals and organizations to the System.

(Pub. L. 109-360, §2, Oct. 16, 2006, 120 Stat. 2058.)

Statutory Notes and Related Subsidiaries

SHORT TITLE

Pub. L. 109-360, §1, Oct. 16, 2006, 120 Stat. 2058, provided that: "This Act [enacting this chapter] may be cited as the 'National Fish Hatchery System Volunteer Act of 2006'."

§ 760aa-1. Gifts to system and particular national fish hatcheries

(a) Authorization of gifts, devises, and bequests for system

In furtherance of the purposes of this chapter, the Secretary of the Interior may accept any gifts, devises, or bequests of real and personal property, or proceeds therefrom, or interests therein, for the benefit of the National Fish Hatchery System. Such acceptance may be subject to the terms of any restrictive or affirmative covenant, or condition of servitude, if such terms are deemed by the Secretary to be in accordance with law and compatible with the purpose for which acceptance is sought.

(b) Use of gifts, devises, and bequests

(1) In general

Any gifts and bequests of money and proceeds from the sales of other property received as gifts or bequests pursuant to this subsection shall be deposited in a separate account in the Treasury and may be expended without further appropriation by the Secretary for the benefit of the System programs administered by the United States Fish and Wildlife Service.

(2) Gifts, devises, and bequests for particular facilities

(A) Disbursal

Any gift, devise, or bequest made for the benefit of a facility of the System shall be disbursed only for the benefit of that facility and without further appropriations.

(B) Matching

Subject to the availability of appropriations and the requirements of the Fish and