

and proper for the enforcement of this subchapter, the Secretary or any officer designated by him is empowered to administer oaths and affirmations, subpoena witnesses, take evidence, and require the production of any books, papers, or other documents which the Secretary deems relevant or material to the inquiry. Such attendance of witnesses and the production of such documentary evidence may be required from any place in the United States at any designated place or hearing.

(3) Process of the Secretary may be served by anyone duly authorized by him either—

(A) by delivering a copy thereof to the individual to be served, or to a member of the partnership to be served, or the president, secretary, or other executive officer or a director of the corporation to be served; or the agent designated for service of process;

(B) by leaving a copy thereof at the residence or the principal office or place of business of such individual, partnership, or corporation; or

(C) by mailing a copy thereof by registered or certified mail addressed to such individual, partnership, or corporation at his or its residence or principal office or place of business. The verified return by the individual so serving such complaint, order, or other process setting forth the manner of service shall be proof of same, and the returned post office receipt for such complaint, order, or other process mailed by registered or certified mail shall be proof of the service of the same.

(Pub. L. 97-176, §11, May 17, 1982, 96 Stat. 82.)

#### Statutory Notes and Related Subsidiaries

##### TRANSFER OF FUNCTIONS

For transfer of authorities, functions, personnel, and assets of the Coast Guard, including the authorities and functions of the Secretary of Transportation relating thereto, to the Department of Homeland Security, and for treatment of related references, see sections 468(b), 551(d), 552(d), and 557 of Title 6, Domestic Security, and the Department of Homeland Security Reorganization Plan of November 25, 2002, as modified, set out as a note under section 542 of Title 6.

#### § 773j. Authorization of appropriations

There is hereby authorized to be appropriated for fiscal year 1983 and beyond, such sums as may be necessary for carrying out the Convention and this subchapter, including—

(a) necessary travel expenses of the United States Commissioners or alternate Commissioners; and

(b) the United States share of the joint expenses of the Commission: *Provided*, That the Commissioners shall not, with respect to commitments concerning the United States share of the joint expenses of the Commission, be subject to section 262(b)<sup>1</sup> of title 22 insofar as it limits the authority of United States representatives to international organizations with respect to such commitments.

(Pub. L. 97-176, §12, May 17, 1982, 96 Stat. 84.)

<sup>1</sup> So in original. Probably should be section "262b".

#### § 773k. Location of office space and other facilities on or near University of Washington campus in State of Washington

There are hereby authorized to be appropriated such sums as may be necessary for the Secretary of State to provide for fiscal year 1983 and beyond, by contract, grant, or otherwise, facilities for office and any other necessary space for the Commission. Such facilities shall be located on or near the campus of the University of Washington in the State of Washington and shall be provided without regard to the cost-sharing provisions in the Convention.

(Pub. L. 97-176, §13, May 17, 1982, 96 Stat. 84.)

#### CHAPTER 10A—SOCKEYE OR PINK SALMON FISHING

#### §§ 776 to 776f. Repealed. Pub. L. 99-5, § 13, Mar. 15, 1985, 99 Stat. 15

Section 776, acts July 29, 1947, ch. 345, §2, 61 Stat. 511; July 11, 1957, Pub. L. 85-102, §§1-3, 71 Stat. 293, provided definitions for this chapter. See section 3631 et seq. of this title.

Section 776a, acts July 29, 1947, ch. 345, §3, 61 Stat. 511; July 11, 1957, Pub. L. 85-102, §3, 71 Stat. 294, related to unlawful acts by persons or vessels. See section 3631 et seq. of this title.

Section 776b, acts July 29, 1947, ch. 345, §4, 61 Stat. 512; July 11, 1957, Pub. L. 85-102, §3, 71 Stat. 294, related to penalties imposed for the omission of or fraudulent returns, records, and reports. See section 3631 et seq. of this title.

Section 776c, acts July 29, 1947, ch. 345, §5, 61 Stat. 512; July 11, 1957, Pub. L. 85-102, §3, 71 Stat. 294, related to penalties and forfeitures, and procedures involving violations. See section 3631 et seq. of this title.

Section 776d, acts July 29, 1947, ch. 345, §6, 61 Stat. 513; July 11, 1957, Pub. L. 85-102, §3, 71 Stat. 294; Oct. 17, 1968, Pub. L. 90-578, title IV, §402(b)(2), 82 Stat. 1118; 1970 Reorg. Plan No. 4, eff. Oct. 3, 1970, 35 F.R. 15627, 84 Stat. 2090, provided enforcement procedures for this chapter. See section 3631 et seq. of this title.

Section 776e, acts July 29, 1947, ch. 345, §7, 61 Stat. 514; July 11, 1957, Pub. L. 85-102, §4, 71 Stat. 294, related to the cooperation of Federal agencies and the conduct of scientific investigations. See section 3631 et seq. of this title.

Section 776f, acts July 29, 1947, ch. 345, §8, 61 Stat. 514; Oct. 18, 1972, Pub. L. 92-504, 86 Stat. 907, related to authorizations. See section 3631 et seq. of this title.

#### Statutory Notes and Related Subsidiaries

##### EFFECTIVE DATE OF REPEAL

Pub. L. 99-5, §13, Mar. 15, 1985, 99 Stat. 15, provided that the repeal of this chapter is effective Dec. 31, 1985.

##### EFFECTIVE DATE

Act July 29, 1947, ch. 345, §10, 61 Stat. 514, which provided that this Act [this chapter] shall be effective thirty days from the date of its approval [July 29, 1947], was repealed by Pub. L. 99-5, §13, Mar. 15, 1985, 99 Stat. 15.

##### SHORT TITLE

Act July 29, 1947, ch. 345, §1, 61 Stat. 511, as amended by Pub. L. 85-102, §3, July 11, 1957, 71 Stat. 294, which provided that this Act [this chapter] may be cited as the "Sockeye Salmon or Pink Salmon Fishing Act of 1947", was repealed by Pub. L. 99-5, §13, Mar. 15, 1985, 99 Stat. 15.

##### SAVINGS PROVISION

Act July 29, 1947, ch. 345, §9, 61 Stat. 514, which provided that if any provision of this Act [this chapter] is

held invalid for any cause, such invalidity shall not affect the other provisions hereof, was repealed by Pub. L. 99-5, §13, Mar. 15, 1985, 99 Stat. 15.

### CHAPTER 10B—FISH RESTORATION AND MANAGEMENT PROJECTS

- Sec.  
777. Federal-State relationships.  
777a. Definitions.  
777b. Authorization of appropriations.  
777c. Division of annual appropriations.  
777d. Certification of funds deducted for expenses and amounts apportioned to States.  
777e. Submission and approval of plans and projects.  
777e-1. New England Fishery Resources Restoration Act of 1990.  
777f. Payments by United States.  
777g. Maintenance of projects.  
777g-1. Boating infrastructure.  
777h. Requirements and restrictions concerning use of amounts for expenses for administration.  
777i. Rules and regulations.  
777j. Repealed.  
777k. Payments of funds to and cooperation with Puerto Rico, the District of Columbia, Guam, American Samoa, Commonwealth of the Northern Mariana Islands, and Virgin Islands.  
777l. State use of contributions.  
777m. Multistate conservation grant program.  
777n. Repealed.

#### § 777. Federal-State relationships

##### (a) Cooperation between Federal Government and State fish and game departments; expenditure of funds

The Secretary of the Interior is authorized and directed to cooperate with the States through their respective State fish and game departments in fish restoration and management projects as hereinafter set forth: No money apportioned under this chapter to any State, except as hereinafter provided, shall be expended therein until its legislature, or other State agency authorized by the State constitution to make laws governing the conservation of fish, shall have assented to the provisions of this chapter and shall have passed laws for the conservation of fish, which shall include a prohibition against the diversion of license fees paid by fishermen for any other purpose than the administration of said State fish and game department, except that, until the final adjournment of the first regular session of the legislature held after passage of this chapter, the assent of the governor of the State shall be sufficient. The Secretary of the Interior and the State fish and game department of each State accepting the benefits of this chapter shall agree upon the fish restoration and management projects to be aided in such State under the terms of this chapter, and all projects shall conform to the standards fixed by the Secretary of the Interior.

##### (b) Allocation of amounts by coastal States between marine fish projects and freshwater fish projects

###### (1) In general

Subject to paragraph (2), each coastal State, to the extent practicable, shall equitably allocate amounts apportioned to such State under this chapter between marine fish projects and

freshwater fish projects in the same proportion as the estimated number of resident marine anglers and the estimated number of resident freshwater anglers, respectively, bear to the estimated number of all resident anglers in that State.

###### (2) Preservation of freshwater project allocation at 1988 level

(A) Subject to subparagraph (B), the amount allocated by a State pursuant to this subsection to freshwater fish projects for each fiscal year shall not be less than the amount allocated by such State to such projects for fiscal year 1988.

(B) Subparagraph (A) shall not apply to a State with respect to any fiscal year for which the amount apportioned to the State under this chapter is less than the amount apportioned to the State under this chapter for fiscal year 1988.

###### (3) "Coastal State" defined

As used in this subsection, the term "coastal State" means any one of the States of Alabama, Alaska, California, Connecticut, Delaware, Florida, Georgia, Hawaii, Louisiana, Maine, Maryland, Massachusetts, Mississippi, New Hampshire, New Jersey, New York, North Carolina, Oregon, Rhode Island, South Carolina, Texas, Virginia, and Washington. The term also includes the Commonwealth of Puerto Rico, the United States Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands.

(Aug. 9, 1950, ch. 658, §1, 64 Stat. 430; Pub. L. 98-369, div. A, title X, §1014(a)(1), July 18, 1984, 98 Stat. 1015; Pub. L. 99-514, §2, Oct. 22, 1986, 100 Stat. 2095; Pub. L. 100-448, §6(c)(1), Sept. 28, 1988, 102 Stat. 1840.)

#### Editorial Notes

##### AMENDMENTS

1988—Subsec. (b). Pub. L. 100-448 substituted "Allocation of amounts by coastal States between marine fish projects and freshwater fish projects" for "Allocation of funds by coastal States; formula; 'coastal State' defined" in heading and amended text generally. Prior to amendment, text read as follows: "Each coastal State, to the extent practicable, shall equitably allocate the following sums between marine fish projects and freshwater fish projects in the same proportion as the estimated number of resident marine anglers and the estimated number of resident freshwater anglers, respectively, bear to the estimated number of all resident anglers in that State:

"(1) The additional sums apportioned to such State under this chapter as a result of the taxes imposed by the amendments made by section 1015 of the Tax Reform Act of 1984 on items not taxed under section 4161(a) of title 26 before October 1, 1984.

"(2) The sums apportioned to such State under this chapter that are not attributable to any tax imposed by such section 4161(a).

As used in this subsection, the term 'coastal State' means any one of the States of Alabama, Alaska, California, Connecticut, Delaware, Florida, Georgia, Hawaii, Louisiana, Maine, Maryland, Massachusetts, Mississippi, New Hampshire, New Jersey, New York, North Carolina, Oregon, Rhode Island, South Carolina, Texas, Virginia, and Washington. The term also includes the Commonwealth of Puerto Rico, the United States Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Marianas."