

and resource management during fiscal years 1988 through 1990.

§ 1131. Authorization of appropriations

(a) Authorization

(1) In general

There are authorized to be appropriated to the Secretary to carry out this subchapter—

- (A) \$87,520,000 for fiscal year 2021;
- (B) \$91,900,000 for fiscal year 2022;
- (C) \$96,500,000 for fiscal year 2023;
- (D) \$101,325,000 for fiscal year 2024; and
- (E) \$105,700,000 for fiscal year 2025.

(2) Priority activities for fiscal years 2021 through 2025

In addition to the amounts authorized to be appropriated under paragraph (1), there are authorized to be appropriated \$6,000,000 for each of fiscal years 2021 through 2025 for competitive grants for the following:

(A) University research on the biology, prevention, and control of aquatic nonnative species.

(B) University research on oyster diseases, oyster restoration, and oyster-related human health risks.

(C) University research on the biology, prevention, and forecasting of harmful algal blooms.

(D) University research, education, training, and extension services and activities focused on coastal resilience and United States working waterfronts and other regional or national priority issues identified in the strategic plan under section 1123(c)(1) of this title.

(E) University research and extension on sustainable aquaculture techniques and technologies.

(F) Fishery research and extension activities conducted by sea grant colleges or sea grant institutes to enhance, and not supplant, existing core program funding.

(b) Limitations

(1) Administration

(A) In general

There may not be used for administration of programs under this subchapter in a fiscal year more than 5.5 percent of the lesser of—

- (i) the amount authorized to be appropriated under this subchapter for the fiscal year; or
- (ii) the amount appropriated under this subchapter for the fiscal year.

(B) Critical staffing requirements

(i) In general

The Director shall use the authority under subchapter VI of chapter 33 of title 5, and under section 1129 of this title, to meet any critical staffing requirement while carrying out the activities authorized under this subchapter.

(ii) Exception from cap

For purposes of subparagraph (A), any costs incurred as a result of an exercise of authority as described in clause (i) shall not be considered an amount used for ad-

ministration of programs under this subchapter in a fiscal year.

(2) Use for other offices or programs

Sums appropriated under the authority of subsection (a)(2) shall not be available for administration of this subchapter by the National Sea Grant Office, for any other Administration or department program, or for any other administrative expenses.

(c) Availability of sums

Sums appropriated pursuant to this section shall remain available until expended.

(d) Reversion of unobligated amounts

The amount of any grant, or portion of a grant, made to a person under any section of this subchapter that is not obligated by that person during the first fiscal year for which it was authorized to be obligated or during the next fiscal year thereafter shall revert to the Secretary. The Secretary shall add that reverted amount to the funds available for grants under the section for which the reverted amount was originally made available.

(Pub. L. 89-454, title II, §212, as added Pub. L. 94-461, §2, Oct. 8, 1976, 90 Stat. 1968; amended Pub. L. 95-58, §1, June 29, 1977, 91 Stat. 254; Pub. L. 95-428, §3(5), Oct. 7, 1978, 92 Stat. 1000; Pub. L. 96-289, §1(6), June 28, 1980, 94 Stat. 605; Pub. L. 98-623, title V, §501(a), Nov. 8, 1984, 98 Stat. 3410; Pub. L. 100-220, title III, §3110, Dec. 29, 1987, 101 Stat. 1474; Pub. L. 102-186, §3, Dec. 4, 1991, 105 Stat. 1282; Pub. L. 105-160, §9(a), (b), Mar. 6, 1998, 112 Stat. 26; Pub. L. 107-299, §7, Nov. 26, 2002, 116 Stat. 2347; Pub. L. 110-394, §10, Oct. 13, 2008, 122 Stat. 4209; Pub. L. 116-221, §9(a), (b), (c)(2), Dec. 18, 2020, 134 Stat. 1060, 1061.)

Editorial Notes

REFERENCES IN TEXT

This subchapter, referred to in subsec. (e), was in the original “this Act” and was translated as reading “this title” meaning title II of Pub. L. 89-454, which enacted this subchapter, to reflect the probable intent of Congress.

AMENDMENTS

2020—Subsec. (a)(1). Pub. L. 116-221, §9(a)(1), amended par. (1) generally. Prior to amendment, par. (1) authorized appropriations for fiscal years 2009 through 2014.

Subsec. (a)(2). Pub. L. 116-221, §9(a)(2), amended par. (2) generally. Prior to amendment, par. (2) related to priority activities for fiscal years 2009 through 2014.

Subsec. (b)(1). Pub. L. 116-221, §9(b), amended par. (1) generally. Prior to amendment, par. (1) related to limitations on amounts for administration of programs.

Subsecs. (c) to (e). Pub. L. 116-221, §9(c)(2), redesignated subsecs. (d) and (e) as (c) and (d), respectively, and struck out former subsec. (c) which related to distribution of excess funds.

2008—Subsec. (a)(1). Pub. L. 110-394, §10(1), added par. (1) and struck out former par. (1) which authorized appropriations for fiscal years 2003 through 2008.

Subsec. (a)(2). Pub. L. 110-394, §10(2)(A), substituted “fiscal years 2009 through 2014—” for “fiscal years 2003 through 2008—” in introductory provisions.

Subsec. (a)(2)(A). Pub. L. 110-394, §10(2)(B), substituted “biology, prevention, and control of aquatic” for “biology and control of zebra mussels and other important aquatic”.

Subsec. (a)(2)(C). Pub. L. 110-394, §10(2)(C), substituted “blooms; and” for “blooms, including *Pfiesteria piscicida*; and”.

Subsec. (c)(1). Pub. L. 110-394, §10(3), substituted “performance assessments” for “rating under section 1123(d)(3)(A) of this title”.

Subsec. (c)(2). Pub. L. 110-394, §10(4), added par. (2) and struck out former par. (2) which read as follows: “national strategic investments authorized under section 1123(b)(4) of this title;”.

2002—Subsecs. (a) to (c). Pub. L. 107-299 amended subsecs. (a) to (c) generally, substituting provisions relating to authorization, limitations, and distribution of funds for provisions relating to authorization, program elements, and priority oyster disease research.

1998—Subsec. (a). Pub. L. 105-160, §9(a), inserted heading and amended text of subsec. (a) generally. Prior to amendment, text read as follows: “There is authorized to be appropriated to carry out the provisions of sections 1124 and 1127 of this title, and section 1124a of this title, an amount—

“(1) for fiscal year 1991, not to exceed \$44,398,000;

“(2) for fiscal year 1992, not to exceed \$46,014,000;

“(3) for fiscal year 1993, not to exceed \$47,695,000;

“(4) for fiscal year 1994, not to exceed \$49,443,000; and

“(5) for fiscal year 1995, not to exceed \$51,261,000.”

Subsec. (b). Pub. L. 105-160, §9(b), inserted subsec. heading and amended par. (1) generally. Prior to amendment, par. (1) read as follows: “There is authorized to be appropriated for administration of this subchapter, including section 1128 of this title, by the National Sea Grant Office and the Administration, an amount—

“(A) for fiscal year 1991, not to exceed \$2,500,000;

“(B) for fiscal year 1992, not to exceed \$2,600,000;

“(C) for fiscal year 1993, not to exceed \$2,700,000;

“(D) for fiscal year 1994, not to exceed \$2,800,000; and

“(E) for fiscal year 1995, not to exceed \$2,900,000.”

1991—Subsecs. (a) to (c). Pub. L. 102-186 amended subsecs. (a) to (c) generally. Prior to amendment, subsecs. (a) to (c) read as follows:

“(a) There is authorized to be appropriated to carry out the provisions of this subchapter other than sections 1125 and 1130 of this title, an amount—

“(1) for fiscal year 1988, not to exceed \$41,500,000;

“(2) for fiscal year 1989, not to exceed \$50,500,000; and

“(3) for fiscal year 1990, not to exceed \$51,000,000.

“(b) There is authorized to be appropriated to carry out section 1125 of this title and section 1127(c) of this title, an amount—

“(1) for fiscal year 1988, not to exceed \$500,000;

“(2) for fiscal year 1989, not to exceed \$5,000,000; and

“(3) for fiscal year 1990, not to exceed \$10,000,000.

“(c) There is authorized to be appropriated to carry out section 1130 of this title, an amount—

“(1) for fiscal year 1988, not to exceed \$2,000,000;

“(2) for fiscal year 1989, not to exceed \$2,500,000; and

“(3) for fiscal year 1990, not to exceed \$3,000,000.”

1987—Pub. L. 100-220 amended section generally, substituting provisions of subsecs. (a) to (e) relating to appropriations authorizations for fiscal years 1988, 1989, and 1990, for provisions formerly contained in a single unlettered paragraph relating to appropriations authorizations for fiscal years 1978 to 1983 and 1985 to 1987.

1984—Par. (4). Pub. L. 98-623 added par. (4).

1980—Par. (3). Pub. L. 96-289 added par. (3).

1978—Pub. L. 95-428 substituted appropriations authorization of \$50,000,000 for fiscal years 1977, and 1978, for prior \$50,000,000 authorization for fiscal years ending Sept. 30, 1977, and 1978, and authorized appropriation of \$55,000,000 for fiscal years 1979 and 1980.

1977—Pub. L. 95-58 substituted “each of the fiscal years ending September 30, 1977, and September 30, 1978” for “the fiscal year ending September 30, 1977”.

Statutory Notes and Related Subsidiaries

NOTICE OF REPROGRAMMING

Pub. L. 105-160, §9(c), Mar. 6, 1998, 112 Stat. 26, provided that: “If any funds authorized by this section are

subject to a reprogramming action that requires notice to be provided to the Appropriations Committees of the House of Representatives and the Senate, notice of such action shall concurrently be provided to the Committees on Science [now Science, Space, and Technology] and Resources [now Natural Resources] of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate.”

SUBCHAPTER III—YOUNG FISHERMEN'S DEVELOPMENT

Editorial Notes

CODIFICATION

This subchapter was enacted as part of the Young Fishermen's Development Act, and not as part of titles I and II of Pub. L. 89-454 which comprise this chapter.

§ 1141. Definitions

In this subchapter:

(1) Sea Grant Institution

The term “Sea Grant Institution” means a sea grant college or sea grant institute, as those terms are defined in section 1122 of this title.

(2) Tribal organization

The term “Tribal organization” has the meaning given the term “tribal organization” in section 5304 of title 25.

(3) Young fisherman

The term “young fisherman” means an individual who—

(A) desires to participate in the commercial fisheries of the United States, including the Great Lakes fisheries;

(B) has worked as a captain, crew member, or deckhand on a commercial fishing vessel for not more than 10 years of cumulative service; or

(C) is a beginning commercial fisherman.

(Pub. L. 116-289, §2, Jan. 5, 2021, 134 Stat. 4886.)

Editorial Notes

CODIFICATION

Section was enacted as part of the Young Fishermen's Development Act, and not as part of titles I and II of Pub. L. 89-454 which comprise this chapter.

§ 1142. Establishment of program

The Secretary of Commerce, acting through the National Sea Grant Office, shall establish a program to provide training, education, outreach, and technical assistance initiatives for young fishermen, to be known as the ‘Young Fishermen's Development Grant Program’ (referred to in this section¹ as the ‘Program’).

(Pub. L. 116-289, §3, Jan. 5, 2021, 134 Stat. 4886.)

Editorial Notes

CODIFICATION

Section was enacted as part of the Young Fishermen's Development Act, and not as part of titles I and II of Pub. L. 89-454 which comprise this chapter.

¹ So in original. Probably should refer to this subchapter.