

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.

§ 1143. Grants**(a) In general**

In carrying out the Program, the Secretary shall make competitive grants to support new and established local and regional training, education, outreach, and technical assistance initiatives for young fishermen, including programs, workshops, and services relating to—

- (1) seamanship, navigation, electronics, and safety;
- (2) vessel and engine care, maintenance, and repair;
- (3) innovative conservation fishing gear engineering and technology;
- (4) sustainable fishing practices;
- (5) entrepreneurship and good business practices;
- (6) direct marketing, supply chain, and traceability;
- (7) financial and risk management, including vessel, permit, and quota purchasing;
- (8) State and Federal legal requirements for specific fisheries, including reporting, monitoring, licenses, and regulations;
- (9) State and Federal fisheries policy and management;
- (10) mentoring, apprenticeships, or internships; and
- (11) any other activities, opportunities, or programs, as the Secretary determines appropriate.

(b) Eligibility**(1) Applicants**

To be eligible to receive a grant under the Program, a recipient shall be a collaborative State, Tribal, local, or regionally based network or partnership of public or private entities, which may include—

- (A) a Sea Grant Institution;
- (B) a Federal or State agency or a Tribal organization;
- (C) a community-based nongovernmental organization;
- (D) fishermen's cooperatives or associations;
- (E) an institution of higher education (including an institution awarding an associate's degree), or a foundation maintained by an institution of higher education; or
- (F) any other appropriate entity, as the Secretary determines appropriate.

(2) Participants

All young fishermen seeking to participate in the commercial fisheries of the United States and the Great Lakes are eligible to participate in the activities funded through grants provided for in this section, except that participants in such activities shall be selected by each grant recipient.

(c) Maximum term and amount of grant**(1) In general**

A grant under this section shall—

- (A) have a term of no more than 3 fiscal years; and
- (B) be in an amount that is not more than \$200,000 for each fiscal year.

(2) Consecutive grants

An eligible recipient may receive consecutive grants under this section.

(d) Matching requirement

To be eligible to receive a grant under this section, a recipient shall provide a match in the form of cash or in-kind contributions from the recipient in the amount equal to or greater than 25 percent of the funds provided by the grant.

(e) Regional balance

In making grants under this section, the Secretary shall, to the maximum extent practicable, ensure geographic diversity.

(f) Cooperation and evaluation criteria

In carrying out this section and in developing criteria for evaluating grant applications, the Secretary shall consult, to the maximum extent practicable, with—

- (1) Sea Grant Institutions and extension agents of such institutions;
- (2) community-based nongovernmental fishing organizations;
- (3) Federal and State agencies, including Regional Fishery Management Councils established under the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1851 et seq.);¹
- (4) institutions of higher education with fisheries expertise and programs; and
- (5) partners, as the Secretary determines.

(g) Prohibition

A grant under this section may not be used to purchase any fishing license, permit, quota, or other harvesting right.

(Pub. L. 116-289, § 4, Jan. 5, 2021, 134 Stat. 4886.)

Editorial Notes

REFERENCES IN TEXT

The Magnuson-Stevens Fishery Conservation and Management Act, referred to in subsec. (f)(3), is Pub. L. 94-265, Apr. 13, 1976, 90 Stat. 331, which is classified principally to chapter 38 (§1801 et seq.) of Title 16, Conservation. Title III of the Act is classified generally to subchapter IV (§1851 et seq.) of chapter 38 of Title 16. For complete classification of this Act to the Code, see Short Title note set out under section 1801 of Title 16 and Tables.

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.

§ 1144. Funding**(a) Authorizations**

There are authorized to be appropriated to carry out this subchapter \$2,000,000 for each of fiscal years 2022 through 2026.

(b) Derivation

Funds to carry out the activities under this subchapter shall be derived from amounts authorized to be appropriated pursuant to the preceding subsection that are enacted after January 5, 2021.

(Pub. L. 116-289, § 5, Jan. 5, 2021, 134 Stat. 4888.)

¹ See References in Text note below.