

AMENDMENTS

2006—Subsec. (c). Pub. L. 109-241, which directed the insertion of a comma after “October 1, 2012”, could not be executed because “October 1, 2012” did not appear subsequent to amendment by Pub. L. 109-58. See 2005 Amendment note below.

2005—Subsec. (c). Pub. L. 109-58 substituted “1 year after the date on which the Secretary, in consultation with the Secretary of the Interior, determines that oil and gas exploration, development, and production in the State of Alaska have ceased,” for “October 1, 2012”.

Subsec. (d). Pub. L. 109-59, which directed insertion of “annual” before “amount”, was executed by making the insertion before “amount not to exceed”, to reflect the probable intent of Congress.

2004—Subsecs. (c), (d). Pub. L. 108-293 in subsec. (c) relating to section 2712, substituted “October 1, 2012” for “with the eleventh year following October 19, 1996,” and redesignated subsec. (c) relating to section 2738 as (d).

2000—Subsec. (c). Pub. L. 106-554 inserted “of which up to \$3,000,000 may be used for the lease payment to the Alaska SeaLife Center under section 2738(b)(2) of this title” after “\$5,000,000” in subsec. (c) relating to section 2738.

Pub. L. 106-246 added subsec. (c) relating to section 2738.

1996—Subsec. (a). Pub. L. 104-324, §1102(b)(1)–(3), redesignated subsec. (b) as (a), substituted “2731, 2733,” for “2733” in heading, inserted “to carry out section 2731 of this title in the amount as determined in subsection (b), and” after “limitation,” and struck out heading and text of former subsec. (a). Text read as follows: “Amounts in the Fund shall be available, subject to appropriations, and shall remain available until expended, to carry out section 2731 of this title as follows:

“(1) \$5,000,000 shall be available for the first fiscal year beginning after August 18, 1990.

“(2) \$2,000,000 shall be available for each of the 9 fiscal years following the fiscal year described in paragraph (1).”

Subsecs. (b), (c). Pub. L. 104-324, §1102(b)(4), added subsecs. (b) and (c). Former subsec. (b) redesignated (a).

Statutory Notes and Related Subsidiaries

INVESTMENT AMOUNT

Pub. L. 112-213, title VII, §710, Dec. 20, 2012, 126 Stat. 1581, provided that: “Not later than 30 days after the date of enactment of this Act [Dec. 20, 2012], the Secretary of the Treasury shall increase the \$22,500,000 invested in income-producing securities for purposes of section 5006(b) of the Oil Pollution Act of 1990 (33 U.S.C. 2736(b)) by \$12,851,340.”

§ 2737. Limitation

Notwithstanding any other law, tank vessels that have spilled more than 1,000,000 gallons of oil into the marine environment after March 22, 1989, are prohibited from operating on the navigable waters of Prince William Sound, Alaska.

(Pub. L. 101-380, title V, §5007, Aug. 18, 1990, 104 Stat. 554.)

§ 2738. North Pacific Marine Research Institute**(a) Institute established**

The Secretary of Commerce shall establish a North Pacific Marine Research Institute (hereafter in this section referred to as the “Institute”) to be administered at the Alaska SeaLife Center by the North Pacific Research Board.

(b) Functions

The Institute shall—

(1) conduct research and carry out education and demonstration projects on or relating to

the North Pacific marine ecosystem with particular emphasis on marine mammal, sea bird, fish, and shellfish populations in the Bering Sea and Gulf of Alaska including populations located in or near Kenai Fjords National Park and the Alaska Maritime National Wildlife Refuge; and

(2) lease, maintain, operate, and upgrade the necessary research equipment and related facilities necessary to conduct such research at the Alaska SeaLife Center.

(c) Evaluation and audit

The Secretary of Commerce may periodically evaluate the activities of the Institute to ensure that funds received by the Institute are used in a manner consistent with this section. Chapter 10 of title 5 shall not apply to the Institute.

(d) Status of employees

Employees of the Institute shall not, by reason of such employment, be considered to be employees of the Federal Government for any purpose.

(e) Use of funds

No funds made available to carry out this section may be used to initiate litigation, or for the acquisition of real property (other than facilities leased at the Alaska SeaLife Center). No more than 10 percent of the funds made available to carry out subsection (b)(1) may be used to administer the Institute. The administrative funds of the Institute and the administrative funds of the North Pacific Research Board created under Public Law 105-83 may be used to jointly administer such programs at the discretion of the North Pacific Research Board.

(f) Availability of research

The Institute shall publish and make available to any person on request the results of all research, educational, and demonstration projects conducted by the Institute. The Institute shall provide a copy of all research, educational, and demonstration projects conducted by the Institute to the National Park Service, the United States Fish and Wildlife Service, and the National Oceanic and Atmospheric Administration.

(Pub. L. 101-380, title V, §5008, as added Pub. L. 106-246, div. B, title II, §2204(1), July 13, 2000, 114 Stat. 546; amended Pub. L. 106-554, §1(a)(4) [div. B, title I, §144(c)(1)(A), (B)], Dec. 21, 2000, 114 Stat. 2763, 2763A-238, 2763A-239; Pub. L. 117-286, §4(a)(205), Dec. 27, 2022, 136 Stat. 4328.)

Editorial Notes

REFERENCES IN TEXT

Public Law 105-83, referred to in subsec. (e), is Pub. L. 105-83, Nov. 14, 1997, 111 Stat. 1543, known as the Department of the Interior and Related Agencies Appropriations Act, 1998. For complete classification of this Act to the Code, see Tables.

AMENDMENTS

2022—Subsec. (c). Pub. L. 117-286 substituted “Chapter 10 of title 5” for “The Federal Advisory Committee Act”.

2000—Subsec. (c). Pub. L. 106-554, §1(a)(4) [div. B, title I, §144(c)(1)(A)], inserted second sentence and struck out former second sentence which read as follows: “The Comptroller General of the United States, and any of