

Appropriations of the House of Representatives, and the Committees on Commerce, Science, and Transportation and Appropriations of the Senate not later than 15 days before any major reorganization of any program, project, or activity of the National Oceanic and Atmospheric Administration.

(Pub. L. 102-567, title IV, §403, Oct. 29, 1992, 106 Stat. 4291.)

ABOLITION OF HOUSE COMMITTEE ON MERCHANT MARINE  
AND FISHERIES

Committee on Merchant Marine and Fisheries of House of Representatives abolished and its jurisdiction transferred by House Resolution No. 6, One Hundred Fourth Congress, Jan. 4, 1995. For treatment of references to Committee on Merchant Marine and Fisheries, see section 1(b)(3) of Pub. L. 104-14, set out as a note preceding section 21 of Title 2, The Congress.

### § 1539. Financial assistance

#### (a) Processing of applications

Within 12 months after October 29, 1992, the Secretary of Commerce shall develop and, after notice and opportunity for public comment, promulgate regulations or guidelines to ensure that a completed application for a grant, contract, or other financial assistance under a non-discretionary assistance program shall be processed and approved or disapproved within 75 days after submission of the application to the responsible program office of the National Oceanic and Atmospheric Administration.

#### (b) Notification of applicant

Not later than 14 days after the date on which the Secretary of Commerce receives an application for a contract, grant, or other financial assistance provided under a nondiscretionary assistance program administered by the National Oceanic and Atmospheric Administration, the Secretary shall indicate in writing to the applicant whether or not the application is complete and, if not complete, shall specify the additional material that the applicant must provide to complete the application.

#### (c) Exemption

In the case of a program for which the recipient of a grant, contract, or other financial assistance is specified by statute to be, or has customarily been, a State or an interstate fishery commission, such financial assistance may be provided by the Secretary to that recipient on a sole-source basis, notwithstanding any other provision of law.

#### (d) "Nondiscretionary assistance program" defined

In this section, the term "nondiscretionary assistance program" means any program for providing financial assistance—

- (1) under which the amount of funding for, and the intended recipient of, the financial assistance is specified by Congress; or
- (2) the recipients of which have customarily been a State or an interstate fishery commission.

(Pub. L. 102-567, title IV, §404, Oct. 29, 1992, 106 Stat. 4292.)

### § 1540. Cooperative agreements

The Secretary of Commerce, acting through the Under Secretary of Commerce for Oceans and Atmosphere, may enter into cooperative agreements and other financial agreements with any nonprofit organization to—

- (1) aid and promote scientific and educational activities to foster public understanding of the National Oceanic and Atmospheric Administration or its programs; and
- (2) solicit private donations for the support of such activities.

(Pub. L. 102-567, title IV, §406, Oct. 29, 1992, 106 Stat. 4293.)

COOPERATIVE AGREEMENTS FOR RESEARCH, EDUCATION,  
TRAINING, AND OUTREACH

Pub. L. 108-199, div. B, title II, Jan. 23, 2004, 118 Stat. 71, provided in part: "That, hereafter, the Secretary of Commerce may enter into cooperative agreements with the Joint and Cooperative Institutes as designated by the Secretary to use the personnel, services, or facilities of such organizations for research, education, training, and outreach".

Similar provisions were contained in Pub. L. 108-7, div. B, title II, Feb. 20, 2003, 117 Stat. 74.

### § 1541. Administrative Law Judges

Notwithstanding section 559 of title 5, with respect to any marine resource conservation law or regulation administered by the Secretary of Commerce acting through the National Oceanic and Atmospheric Administration, all adjudicatory functions which are required by chapter 5 of title 5 to be performed by an Administrative Law Judge may be performed by the United States Coast Guard on a reimbursable basis. Should the United States Coast Guard require the detail of an Administrative Law Judge to perform any of these functions, it may request such temporary or occasional assistance from the Office of Personnel Management pursuant to section 3344 of title 5.

(Pub. L. 105-160, §10, Mar. 6, 1998, 112 Stat. 27.)

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.

### § 1542. Establishment of the Ernest F. Hollings Scholarship Program

#### (a) Establishment

The Administrator of the National Oceanic and Atmospheric Administration shall establish and administer the Ernest F. Hollings Scholarship Program. Under the program, the Administrator shall award scholarships in oceanic and atmospheric science, research, technology, and education to be known as Ernest F. Hollings Scholarships.

#### (b) Purposes

The purposes of the Ernest F. Hollings Scholarships Program are—