

§ 1463. Rules and regulations

The Secretary shall develop and promulgate, pursuant to section 553 of title 5, after notice and opportunity for full participation by relevant Federal agencies, state agencies, local governments, regional organizations, port authorities, and other interested parties, both public and private, such rules and regulations as may be necessary to carry out the provisions of this chapter.

(Pub. L. 89-454, title III, §317, formerly §314, as added Pub. L. 92-583, Oct. 27, 1972, 86 Stat. 1288; renumbered §317, Pub. L. 94-370, §7, July 26, 1976, 90 Stat. 1019.)

§ 1463a. Omitted

CODIFICATION

Section, Pub. L. 96-464, §12(a)-(g), Oct. 17, 1980, 94 Stat. 2067; Pub. L. 98-620, title IV, §402(20), Nov. 8, 1984, 98 Stat. 3358, which required the Secretary of Commerce to submit to Congress any final rule promulgated pursuant to this chapter and provided procedures for Congressional disapproval of such rules was omitted pursuant to section 12(h) of Pub. L. 96-464, which provided that this section would cease to have any force or effect after Sept. 30, 1985.

§ 1463b. National Coastal Resources Research and Development Institute**(a) Establishment by Secretary; administration**

The Secretary of Commerce shall provide for the establishment of a National Coastal Resources Research and Development Institute (hereinafter in this section referred to as the "Institute") to be administered by the Oregon State Marine Science Center.

(b) Purposes of Institute

The Institute shall conduct research and carry out educational and demonstration projects designed to promote the efficient and responsible development of ocean and coastal resources, including arctic resources. Such projects shall be based on biological, geological, genetic, economic and other scientific research applicable to the purposes of this section and shall include studies on the economic diversification and environmental protection of the Nation's coastal areas.

(c) Determination of Institute policies

(1) The policies of the Institute shall be determined by a Board of Governors composed of—

(A) two representatives appointed by the Governor of Oregon;

(B) one representative appointed by the Governor of Alaska;

(C) one representative appointed by the Governor of Washington;

(D) one representative appointed by the Governor of California; and

(E) one representative appointed by the Governor of Hawaii.

(2) Such policies shall include the selection, on a nationally competitive basis, of the research, projects, and studies to be supported by the Institute in accordance with the purposes of this section.

(d) Establishment of Advisory Council; functions and composition

(1) The Board of Governors shall establish an Advisory Council composed of specialists in

ocean and coastal resources from the academic community.

(2) To the maximum extent practicable, the Advisory Council shall be composed of such specialists from every coastal region of the Nation.

(3) The Advisory Council shall provide such advice to the Board of Governors as such Board shall request, including recommendations regarding the support of research, projects, and studies in accordance with the purposes of this section.

(e) Administration of Institute

The Institute shall be administered by a Director who shall be appointed by the Chancellor of the Oregon Board of Higher Education in consultation with the Board of Governors.

(f) Evaluation of Institute by Secretary

The Secretary of Commerce shall conduct an ongoing evaluation of the activities of the Institute to ensure that funds received by the Institute under this section are used in a manner consistent with the provisions of this section.

(g) Report to Secretary

The Institute shall report to the Secretary of Commerce on its activities within 2 years after July 17, 1984.

(h) Access to Institute books, records, and documents

The Comptroller General of the United States, and any of his duly authorized representatives, shall have access, for the purpose of audit and examination, to any books, documents, papers and records of the Institute that are pertinent to the funds received under this section.

(i) Status of Institute employees

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

(j) Authorization of appropriations

For the purposes of this section, there are authorized to be appropriated in each fiscal year \$5,000,000, commencing with fiscal year 1985.

(Pub. L. 98-364, title II, §201, July 17, 1984, 98 Stat. 443.)

REFERENCES IN TEXT

This section, referred to in subsecs. (a) to (d), (f), (h) and (j), was in the original "this title", meaning title II of Pub. L. 98-364, which enacted this section.

CODIFICATION

Section was not enacted as part of the Coastal Zone Management Act of 1972 which comprises this chapter.

TERMINATION OF ADVISORY COUNCILS

Advisory councils established after Jan. 5, 1973, to terminate not later than the expiration of the 2-year period beginning on the date of their establishment, unless, in the case of a council established by the President or an officer of the Federal Government, such council is renewed by appropriate action prior to the expiration of such 2-year period, or in the case of a council established by the Congress, its duration is otherwise provided for by law. See sections 3(2) and 14 of Pub. L. 92-463, Oct. 6, 1972, 86 Stat. 770, 776, set out in the Appendix to Title 5, Government Organization and Employees.

§ 1464. Authorization of appropriations

(a) Sums appropriated to Secretary

There are authorized to be appropriated to the Secretary, to remain available until expended—

(1) for grants under sections 1455, 1455a, and 1456b of this title—

- (A) \$47,600,000 for fiscal year 1997;
- (B) \$49,000,000 for fiscal year 1998; and
- (C) \$50,500,000 for fiscal year 1999; and

(2) for grants under section 1461 of this title—

- (A) \$4,400,000 for fiscal year 1997;
- (B) \$4,500,000 for fiscal year 1998; and
- (C) \$4,600,000 for fiscal year 1999.

(b) Limitations

Federal funds received from other sources shall not be used to pay a coastal state's share of costs under section 1455 or 1456b of this title.

(c) Reversion to Secretary of unobligated State funds; availability of funds

The amount of any grant, or portion of a grant, made to a State under any section of this chapter which is not obligated by such State during the fiscal year, or during the second fiscal year after the fiscal year, for which it was first authorized to be obligated by such State shall revert to the Secretary. The Secretary shall add such reverted amount to those funds available for grants under the section for such reverted amount was originally made available.

(Pub. L. 89-454, title III, §318, formerly §315, as added Pub. L. 92-583, Oct. 27, 1972, 86 Stat. 1289; amended Pub. L. 93-612, §1(3), Jan. 2, 1975, 88 Stat. 1974; renumbered §318 and amended Pub. L. 94-370, §§7, 14, July 26, 1976, 90 Stat. 1019, 1031; Pub. L. 95-372, title V, §§502, 503(e), (f), Sept. 18, 1978, 92 Stat. 692, 693; Pub. L. 96-464, §13, Oct. 17, 1980, 94 Stat. 2070; Pub. L. 99-272, title VI, §6046, Apr. 7, 1986, 100 Stat. 127; Pub. L. 99-626, §7, Nov. 7, 1986, 100 Stat. 3506; Pub. L. 101-508, title VI, §6215, Nov. 5, 1990, 104 Stat. 1388-313; Pub. L. 104-150, §4, June 3, 1996, 110 Stat. 1381.)

REFERENCES IN TEXT

This chapter, referred to in subsec. (c), was in the original "this Act" which was translated as reading "this title", meaning title III of Pub. L. 89-454 which is classified generally to this chapter, to reflect the probable intent of Congress.

AMENDMENTS

1996—Subsec. (a). Pub. L. 104-150, §4(1), amended subsec. (a) generally, substituting provisions of pars. (1) and (2) setting forth appropriations for grants under sections 1455, 1455a, 1456b, and 1461 for fiscal years 1997, 1998, and 1999 for provisions of pars. (1) to (4) setting forth appropriations for grants under sections 1454, 1455, 1455a, 1456b, and 1461 and activities under section 1456c for fiscal years during the period beginning Oct. 1, 1990, and ending Sept. 30, 1995.

Subsecs. (b) to (d). Pub. L. 104-150, §4(2), (3), redesignated subsecs. (c) and (d) as (b) and (c), respectively, and struck out former subsec. (b) which read as follows: "There are authorized to be appropriated until October 1, 1986, to the Fund, such sums, not to exceed \$800,000,000, for the purposes of carrying out the provisions of section 1456a of this title, other than subsection (b), of which not to exceed \$150,000,000 shall be for purposes of subsections (c)(1), (c)(2) and (c)(3) of such section."

1990—Subsec. (a)(1) to (4). Pub. L. 101-508 substituted pars. (1) to (4) for former pars. (1) to (5) which read as follows:

"(1) such sums, not to exceed \$35,000,000 for the fiscal year ending September 30, 1986, not to exceed \$36,600,000 for the fiscal year ending September 30, 1987, \$37,900,000 for the fiscal year ending September 30, 1988, \$38,800,000 for the fiscal year ending September 30, 1989, and \$40,600,000 for the fiscal year ending September 30, 1990, as may be necessary for grants under sections 1455 and 1455a of this title, to remain available until expended;

"(2) such sums, not to exceed \$75,000,000 for each of the fiscal years occurring during the period beginning October 1, 1980, and ending September 30, 1988, as may be necessary for grants under section 1456a(b) of this title;

"(3) such sums, not to exceed \$1,000,000 for the fiscal year ending September 30, 1986, and not to exceed \$1,500,000 for each of the fiscal years occurring during the period beginning October 1, 1986, and ending September 30, 1990, as may be necessary for grants under section 1456b of this title, to remain available until expended;

"(4) such sums, not to exceed \$2,500,000 for the fiscal year ending September 30, 1986, not to exceed \$3,800,000 for the fiscal year ending September 30, 1987, \$4,500,000 for the fiscal year ending September 30, 1988, \$5,000,000 for the fiscal year ending September 30, 1989, and \$5,500,000 for the fiscal year ending September 30, 1990, as may be necessary for grants under section 1461 of this title, to remain available until expended; and

"(5) such sums, not to exceed \$3,300,000 for the fiscal year ending September 30, 1986, not to exceed \$3,300,000 for the fiscal year ending September 30, 1987, \$3,300,000 for the fiscal year ending September 30, 1988, \$4,000,000 for the fiscal year ending September 30, 1989, and \$4,000,000 for the fiscal year ending September 30, 1990, as may be necessary for administrative expenses incident to the administration of this chapter."

1986—Subsec. (a)(1). Pub. L. 99-272, §6046(1), substituted authorization of appropriations for each of fiscal years 1986 through 1990 necessary for grants under sections 1455 and 1455a of this title, for authorization of appropriations of \$48,000,000 for each of fiscal years 1981 through 1985 necessary for grants under section 1455 of this title.

Subsec. (a)(2). Pub. L. 99-272, §6046(2), redesignated par. (3) as (2), and struck out former par. (2) which authorized appropriations of \$20,000,000 for each of fiscal years 1981 through 1985 necessary for grants under section 1455a of this title.

Subsec. (a)(3). Pub. L. 99-272, §6046(2), (3), redesignated par. (4) as (3) and substituted authorization of appropriations for each of fiscal years 1986 through 1990 necessary for grants under section 1456b of this title, for authorization of appropriations of \$3,000,000 for each of fiscal years 1981 through 1985 necessary for grants under section 1456b of this title. Former par. (3) redesignated (2).

Subsec. (a)(4). Pub. L. 99-272, §6046(2), (3), redesignated par. (5) as (4) and substituted authorization of appropriations for each of fiscal years 1986 through 1990 necessary for grants under section 1461 of this title, for authorization of appropriations of \$9,000,000 for each of fiscal years 1981 through 1985 necessary for grants under section 1461 of this title. Former par. (4) redesignated (3).

Subsec. (a)(5), (6). Pub. L. 99-272, §6046(2), (3), redesignated par. (6) as (5) and substituted authorization of appropriations for each of fiscal years 1986 through 1990 necessary for administrative expenses incident to administration of this chapter, for authorization of appropriations of \$6,000,000 for each of fiscal years 1981 through 1985 necessary for such administrative expenses. Former par. (5) redesignated (4).

Subsec. (d). Pub. L. 99-626 added subsec. (d).

1980—Subsec. (a)(1). Pub. L. 96-464, §13(1), redesignated par. (2) as (1) and substituted authorization of appropriation of \$48,000,000 for each of the fiscal years 1981 through 1985, for authorization of appropriation of \$50,000,000 for fiscal years 1977 through 1980. Former par. (1), which authorized appropriation of \$20,000,000 for fiscal years 1977 through 1979 for grants under section 1454 of this title, was struck out.