

the procurement and for the modification, refitting, and equipment of two experimental high-sea fishing vessels, together with all necessary gear and appurtenances, and of one multiple purpose high-seas fishing and oceanographical research vessel, together with all necessary gear and appurtenances, including necessary naval architectural and engineering services: *Provided, however,* That no part of said appropriation shall be expended for the acquisition of lands for sites for said laboratory, experiment station, or substations in the State of Hawaii: *Provided further,* That there are authorized to be transferred to the Secretary of Commerce not to exceed three surplus vessels suitable for conversion and use in oceanographic and biological research and exploratory fishing, by any disposal agency of the Government without reimbursement or transfer of funds.

(Aug. 4, 1947, ch. 451, §4, 61 Stat. 726; Pub. L. 86-624, §11(d), July 12, 1960, 74 Stat. 412; 1970 Reorg. Plan No. 4, eff. Oct. 3, 1970, 35 F.R. 15627, 84 Stat. 2090.)

AMENDMENTS

1960—Pub. L. 86-624 substituted "State of Hawaii" for "Hawaiian Islands" and for "Territory of Hawaii".

TRANSFER OF FUNCTIONS

Transfer of functions to Secretary of Commerce from Secretary of the Interior by Reorg. Plan No. 4 of 1970, see note set out under section 758a of this title.

§ 758d. Pacific Ocean activities; future appropriations

There is hereby authorized to be appropriated from time to time in fiscal years after 1947—1948 such sums as may be necessary to enable the Secretary of Commerce to carry out the purposes of sections 758 to 758d of this title, including personal services, traveling expenses, transportation of things, purchase, maintenance, and operation of motor vehicles, miscellaneous equipment, and supplies, communications, other contractual services, necessary printing locally, and maintenance, repair, improvement, equipment, and operation of vessels and buildings or other structures.

(Aug. 4, 1947, ch. 451, §6, 61 Stat. 726; 1970 Reorg. Plan No. 4, eff. Oct. 3, 1970, 35 F.R. 15627, 84 Stat. 2090.)

CODIFICATION

Words "personal services, traveling expenses, transportation of things, purchase, maintenance, and operation of motor vehicles, miscellaneous equipment, and supplies, communications, other contractual services, necessary printing locally, and maintenance, repair, improvement, equipment, and operation of vessels and buildings or other structures", appearing in text, were inserted in place of words "all the classes of expenditures enumerated in the foregoing section". The "foregoing section" referred to section 5 of Act Aug. 4, 1947, which is set out as a note under this section.

TRANSFER OF FUNCTIONS

Transfer of functions to Secretary of Commerce from Secretary of the Interior by Reorg. Plan No. 4 of 1970, see note set out under section 758a of this title.

For transfer of functions of other officers, employees, and agencies of Department of the Interior, with certain exceptions, to Secretary of the Interior, with

power to delegate, see Reorg. Plan No. 3 of 1950, §§1, 2, eff. May 24, 1950, 15 F.R. 3174, 64 Stat. 1262, set out in the Appendix to Title 5, Government Organization and Employees.

APPROPRIATIONS FOR FISCAL YEAR 1947-1948

Section 5 of act Aug. 4, 1947, authorized appropriation of additional sums for expenses during the fiscal year 1947-1948 to carry out the purposes of sections 758 to 758d of this title.

§ 758e. Central, Western, and South Pacific Ocean fisheries development program

The Secretary of Commerce (hereafter referred to in sections 758e to 758e-5 of this title as the "Secretary") is authorized to carry out, directly or by contract, with the Pacific Fisheries Development Foundation or other agency or organization, a program for the development of the tuna and other latent fisheries resources of the Central, Western, and South Pacific Ocean. The program shall include, but not be limited to, exploration for, and stock assessment of, tuna and other fish; improvement of harvesting techniques; gear development; biological resource monitoring; and an economic evaluation of the potential for tuna and other fisheries in such area.

(Pub. L. 92-444, §2, Sept. 29, 1972, 86 Stat. 745; Pub. L. 94-343, §1(1), July 6, 1976, 90 Stat. 809; Pub. L. 95-295, §1(1), June 16, 1978, 92 Stat. 319; Pub. L. 98-498, title IV, §410, Oct. 19, 1984, 98 Stat. 2309.)

AMENDMENTS

1984—Pub. L. 98-498 substituted "Pacific Fisheries Development Foundation" for "Pacific Tuna Development Foundation".

1978—Pub. L. 95-295 inserted provision authorizing contracts for programs with the Pacific Tuna Development Foundation or other agency or organization.

1976—Pub. L. 94-343 struck "three year" before "program for".

SHORT TITLE

Pub. L. 92-444, §1, Sept. 29, 1972, 86 Stat. 744, provided: "That this Act [enacting this section and sections 758e-1 to 758e-5 of this title] may be cited as the 'Central, Western, and South Pacific Fisheries Development Act'."

§ 758e-1. Consultation and cooperation between certain Federal officers, affected States, etc., in carrying out program

In carrying out the purposes of sections 758e to 758e-5 of this title, the Secretary shall consult, and may otherwise cooperate, with the Secretary of the Interior, the Secretary of State, the State of Hawaii and other affected States, the governments of American Samoa and Guam, the Office of the High Commissioner of the Trust Territory of the Pacific Islands, the Commonwealth of the Northern Mariana Islands, educational institutions, the commercial fishing industry, and all appropriate member nations of a South Pacific regional fishery agency (hereinafter referred to in sections 758e to 758e-5 of this title as the "agency"), if such an agency is formed.

(Pub. L. 92-444, §3, Sept. 29, 1972, 86 Stat. 745; Pub. L. 95-295, §1(2), June 16, 1978, 92 Stat. 319.)

AMENDMENTS

1978—Pub. L. 95-295 inserted provisions requiring consultation and cooperation with the Secretary of State, Commonwealth of the Northern Mariana Islands, and all appropriate member nations of a South Pacific regional fishery agency, if such an agency is formed.

TERMINATION OF TRUST TERRITORY OF THE PACIFIC ISLANDS

For termination of Trust Territory of the Pacific Islands, see note set out preceding section 1681 of Title 48, Territories and Insular Possessions.

§ 758e-1a. Cooperative program for development of tuna and other latent fishery resources in area; establishment; availability of project information

In addition to the authority granted in section 758e of this title, the Secretary, in consultation with representatives of all interested member nations of the agency, and those parties set forth in section 758e-1 of this title, may establish in accordance with section 758e of this title, a cooperative program for the development of tuna and other latent fisheries resources of the Central, Western, and South Pacific Ocean to be submitted to the President and the Congress within one year following official formation of the agency. The Secretary shall make available to all interested member nations of the agency the results and findings of research or development projects carried out under sections 758e to 758e-5 of this title.

(Pub. L. 92-444, § 4, as added Pub. L. 95-295, § 1(3), June 16, 1978, 92 Stat. 319.)

§ 758e-2. Repealed. Pub. L. 99-386, title I, § 102, Aug. 22, 1986, 100 Stat. 821

Section, Pub. L. 92-444, § 5, formerly § 4, Sept. 29, 1972, 86 Stat. 745; Pub. L. 94-273, § 2(10), Apr. 21, 1976, 90 Stat. 375; Pub. L. 94-343, § 1(2), July 6, 1976, 90 Stat. 809; renumbered Pub. L. 95-295, § 1(4), June 16, 1978, 92 Stat. 319, related to submission to President and Congress of annual report by Secretary on Central, Western, and South Pacific Ocean fisheries development program.

§ 758e-3. Regulations; contract terms and conditions

The Secretary shall prescribe such regulations as may be necessary to carry out the purposes of sections 758e to 758e-5 of this title. Any contract entered into pursuant to section 758e of this title shall be subject to such terms and conditions as the Secretary deems necessary and appropriate to protect the interests of the United States.

(Pub. L. 92-444, § 6, formerly § 5, Sept. 29, 1972, 86 Stat. 745; renumbered § 6, Pub. L. 95-295, § 1(4), June 16, 1978, 92 Stat. 319.)

§ 758e-4. "Central, Western, and South Pacific Ocean area" defined

As used in sections 758e to 758e-5 of this title, the term "Central, Western, and South Pacific Ocean" means that area of the Pacific Ocean between latitudes 30 degrees north to 30 degrees south and from longitudes 120 degrees east to 130 degrees west.

(Pub. L. 92-444, § 7, formerly § 6, Sept. 29, 1972, 86 Stat. 745; renumbered § 7, Pub. L. 95-295, § 1(4), June 16, 1978, 92 Stat. 319.)

§ 758e-5. Authorization of appropriations

There is authorized to be appropriated for the period beginning July 1, 1973, and ending June 30, 1976, the sum of \$3,000,000, and for the period beginning July 1, 1976, and ending September 30, 1979, the sum of \$4,000,000, and for each of the fiscal years 1980, 1981, 1982, 1983, 1984, 1985, 1986, 1987, 1988, 1989, 1990, 1991, 1992, 1993, 1994, and 1995, the sum of \$5,000,000, to carry out the purposes of sections 758e to 758e-5 of this title. Sums appropriated pursuant to this section shall remain available until expended.

(Pub. L. 92-444, § 8, formerly § 7, Sept. 29, 1972, 86 Stat. 745; Pub. L. 94-343, § 1(3), July 6, 1976, 90 Stat. 809; renumbered § 8 and amended Pub. L. 95-295, §§ 1(4), 2, June 16, 1978, 92 Stat. 319, 320; Pub. L. 97-453, § 15(d), Jan. 12, 1983, 96 Stat. 2493; Pub. L. 99-659, title IV, § 403, Nov. 14, 1986, 100 Stat. 3737; Pub. L. 101-627, title VI, § 601, Nov. 28, 1990, 104 Stat. 4463.)

AMENDMENTS

1990—Pub. L. 101-627, which directed the substitution of "1988, 1989, 1990, 1991, 1992, 1993, 1994, and 1995" for "and 1988" in section 7 of the Central, Western, and South Pacific Fisheries Development Act, meaning section 7 of Pub. L. 92-444, was executed by making the substitution in section 8 of Pub. L. 92-444, this section, to reflect the probable intent of Congress and the renumbering of section 7 as 8 by Pub. L. 95-295, § 1(4).

1986—Pub. L. 99-659 inserted provision authorizing appropriations for each of fiscal years 1986, 1987, and 1988.

1983—Pub. L. 97-453 substituted "1982, 1983, 1984, and 1985" for "and 1982".

1978—Pub. L. 95-295 inserted provision authorizing appropriations of \$5,000,000 for each of fiscal years 1980 to 1982, and substituted "\$4,000,000" for "\$3,000,000".

1976—Pub. L. 94-343 inserted provision authorizing appropriations for period beginning July 1, 1976, and ending Sept. 30, 1979, the sum of \$3,000,000.

§ 759. Omitted

CODIFICATION

Section, act Aug. 18, 1949, ch. 478, § 2, 63 Stat. 616, authorized Secretary of the Interior through the Fish and Wildlife Service to undertake an Atlantic Coast shad study, prescribed a \$75,000 per annum cost limitation for a six year period, and authorized transfer to such Service from Federal agencies or corporations surplus boats or equipment for conduct of the studies.

Section 4 of act Aug. 18, 1949 authorized appropriations for carrying out the purposes of act Aug. 18, 1949.

§ 760. Establishment of rearing ponds and fish hatchery in Kentucky

The Secretary of the Interior is authorized to construct, equip, maintain, and operate rearing ponds and a fish hatchery at a suitable location in Kentucky.

(July 18, 1950, ch. 465, § 1, 64 Stat. 343.)

§ 760-1. Kentucky fish hatchery; authorization of appropriations

There is hereby authorized to be appropriated from time to time, out of any moneys in the Treasury not otherwise appropriated, such sums as may be necessary to carry out the purposes of section 760 of this title.

(July 18, 1950, ch. 465, § 2, 64 Stat. 343.)