

superseded by Ex. Ord. No. 11759, Jan. 15, 1974, 39 F.R. 2077, formerly set out below.

EXECUTIVE ORDER NO. 11759

Ex. Ord. No. 11759, Jan. 15, 1974, 39 F.R. 2077, which related to compensation of certain officials in the Domestic and International Business Administration, was superseded by Ex. Ord. No. 12096, Nov. 2, 1978, 43 F.R. 51597, formerly set out below.

EXECUTIVE ORDER NO. 12096

Ex. Ord. No. 12096, Nov. 2, 1978, 43 F.R. 51597, which related to compensation of certain officials in the Industry and Trade Administration, was revoked by Ex. Ord. No. 12188, Jan. 2, 1980, 45 F.R. 989, set out as a note under section 2171 of Title 19, Customs Duties.

§ 1511a. Repealed. Pub. L. 95-219, § 3(a)(2), Dec. 28, 1977, 91 Stat. 1613

Section, Pub. L. 94-370, §15(a), July 26, 1976, 90 Stat. 1032, authorized appointment and set forth compensation level for an Associate Administrator for Coastal Zone Management.

§ 1511b. United States fishery trade officers

(a) Appointment

For purposes of carrying out export promotion and other fishery development responsibilities, the Secretary of Commerce (hereinafter in this section referred to as the "Secretary") shall appoint not fewer than six officers who shall serve abroad to promote United States fishing interests. These officers shall be knowledgeable about the United States fishing industry, preferably with experience derived from the harvesting, processing, or marketing sectors of the industry or from the administration of fisheries programs. Such officers, who shall be employees of the Department of Commerce, shall have the designation of fishery trade officers.

(b) Assignment

Upon the request of the Secretary, the Secretary of State shall officially assign fishery trade officers to such diplomatic missions of the United States as the Secretary designates (three of which shall be those in Brussels, Belgium; Rome, Italy; and Tokyo, Japan) and shall obtain for them diplomatic privileges and immunities equivalent to those enjoyed by foreign service personnel of comparable rank and salary.

(c) Functions of fishery trade officers

The functions of fishery trade officers appointed under subsection (a) shall be—

- (1) to increase the effectiveness of United States fishery export promotion efforts through such activities as the coordination of market development efforts and the provision of services and facilities for exporters of United States fishery products;
- (2) to develop, maintain, and make available to interested persons listings of (A) trade, government, and other organizations that are concerned with, or have an interest in, international trade in United States fishery products, and (B) United States fishery products available for such trade;
- (3) to prepare quarterly reports regarding (A) the supply, demand, and prices of each United States fishery product exported, or for which there may be export potential, to the

foreign nation or area concerned, and (B) the trade barriers or incentives of such nation or area that affect imports of such products;

(4) to prepare weekly statements regarding the prices for each fishery product for which there may be United States export potential to the foreign nation or area concerned; and

(5) to carry out such other functions as the Secretary may require.

(d) Administration

The Secretary of State and the Secretary shall enter into cooperative arrangements concerning the provision of office space, equipment, facilities, clerical services, and such other administrative support as may be required for fishery trade officers and their families.

(Pub. L. 96-561, title II, §211, Dec. 22, 1980, 94 Stat. 3290.)

§ 1511c. Estuarine Programs Office

(a) Establishment

The Administrator of the National Oceanic and Atmospheric Administration (hereinafter in this section referred to as the "Administrator") shall establish within the Administration an Estuarine Programs Office.

(b) Functions

The Estuarine Programs Office shall—

- (1) develop and implement a national estuarine strategy for the Administration that integrates the research, regulatory, and trusteeship responsibilities of the Administration;
- (2) coordinate the estuarine activities of the various organizations within the Administration, including activities in estuarine research and assessment, fisheries research, coastal management, and habitat conservation;
- (3) coordinate the estuarine activities of the Administration with the activities of other Federal and State agencies; and
- (4) provide technical assistance to the Administrator, to other Federal agencies, and to State and local government agencies in—
 - (A) assessing the condition of estuaries;
 - (B) identifying estuaries of critical national or regional importance;
 - (C) identifying technical and management alternatives for the restoration and protection of estuarine resources; and
 - (D) monitoring the implementation and effectiveness of estuarine management plans.

(c) Authorization

There are authorized to be appropriated to the Administration not to exceed \$500,000 for fiscal year 1987, \$530,000 for fiscal year 1988, \$560,000 for fiscal year 1989, and \$600,000 for fiscal year 1990 to carry out the provisions of this section.

(Pub. L. 99-659, title IV, §406, Nov. 14, 1986, 100 Stat. 3738.)

§ 1511d. Chesapeake Bay Office

(a) Establishment

(1) The Secretary of Commerce shall establish, within the National Oceanic and Atmospheric Administration, an office to be known as the Chesapeake Bay Office (in this section referred to as the "Office").

(2) The Office shall be headed by a Director who shall be appointed by the Secretary of Commerce, in consultation with the Chesapeake Executive Council. Any individual appointed as Director shall have knowledge and experience in research or resource management efforts in the Chesapeake Bay.

(3) The Director may appoint such additional personnel for the Office as the Director determines necessary to carry out this section.

(b) Functions

The Office, in consultation with the Chesapeake Executive Council, shall—

(1) provide technical assistance to the Administrator, to other Federal departments and agencies, and to State and local government agencies in—

(A) assessing the processes that shape the Chesapeake Bay system and affect its living resources;

(B) identifying technical and management alternatives for the restoration and protection of living resources and the habitats they depend upon; and

(C) monitoring the implementation and effectiveness of management plans;

(2) develop and implement a strategy for the National Oceanic and Atmospheric Administration that integrates the science, research, monitoring, data collection, regulatory, and management responsibilities of the Secretary of Commerce in such a manner as to assist the cooperative, intergovernmental Chesapeake Bay Program to meet the commitments of the Chesapeake Bay Agreement;

(3) coordinate the programs and activities of the various organizations within the National Oceanic and Atmospheric Administration, the Chesapeake Bay Regional Sea Grant Programs, and the Chesapeake Bay units of the National Estuarine Research Reserve System, including—

(A) programs and activities in—

(i) coastal and estuarine research, monitoring, and assessment;

(ii) fisheries research and stock assessments;

(iii) data management;

(iv) remote sensing;

(v) coastal management;

(vi) habitat conservation and restoration; and

(vii) atmospheric deposition; and

(B) programs and activities of the Cooperative Oxford Laboratory of the National Ocean Service with respect to—

(i) nonindigenous species;

(ii) estuarine and marine species pathology;

(iii) human pathogens in estuarine and marine environments; and

(iv) ecosystem health;

(4) coordinate the activities of the National Oceanic and Atmospheric Administration with the activities of the Environmental Protection Agency and other Federal, State, and local agencies;

(5) establish an effective mechanism which shall ensure that projects have undergone ap-

propriate peer review and provide other appropriate means to determine that projects have acceptable scientific and technical merit for the purpose of achieving maximum utilization of available funds and resources to benefit the Chesapeake Bay area;

(6) remain cognizant of ongoing research, monitoring, and management projects and assist in the dissemination of the results and findings of those projects; and

(7) submit a biennial report to the Congress and the Secretary of Commerce with respect to the activities of the Office and on the progress made in protecting and restoring the living resources and habitat of the Chesapeake Bay, which report shall include an action plan consisting of—

(A) a list of recommended research, monitoring, and data collection activities necessary to continue implementation of the strategy described in paragraph (2); and

(B) proposals for—

(i) continuing any new National Oceanic and Atmospheric Administration activities in the Chesapeake Bay; and

(ii) the integration of those activities with the activities of the partners in the Chesapeake Bay Program to meet the commitments of the Chesapeake 2000 agreement and subsequent agreements.

(c) Chesapeake Bay fishery and habitat restoration small watershed grants program

(1) In general

The Director of the Chesapeake Bay Office of the National Oceanic and Atmospheric Administration (in this section referred to as the “Director”), in cooperation with the Chesapeake Executive Council, shall carry out a community-based fishery and habitat restoration small grants and technical assistance program in the Chesapeake Bay watershed.

(2) Projects

(A) Support

The Director shall make grants under this subsection to pay the Federal share of the cost of projects that are carried out by entities eligible under paragraph (3) for the restoration of fisheries and habitats in the Chesapeake Bay.

(B) Federal share

The Federal share under subparagraph (A) shall not exceed 75 percent.

(C) Types of projects

Projects for which grants may be made under this subsection include—

(i) the improvement of fish passageways;

(ii) the creation of natural or artificial reefs or substrata for habitats;

(iii) the restoration of wetland or sea grass;

(iv) the production of oysters for restoration projects; and

(v) the prevention, identification, and control of nonindigenous species.

(3) Eligible entities

The following entities are eligible to receive grants under this subsection:

(A) The government of a political subdivision of a State in the Chesapeake Bay watershed, and the government of the District of Columbia.

(B) An organization in the Chesapeake Bay watershed (such as an educational institution or a community organization)—

(i) that is described in section 501(c) of title 26 and is exempt from taxation under section 501(a) of that title; and

(ii) that will administer such grants in coordination with a government referred to in subparagraph (A).

(4) Additional requirements

The Director may prescribe any additional requirements, including procedures, that the Director considers necessary to carry out the program under this subsection.

(d) Chesapeake Executive Council

For purposes of this section, “Chesapeake Executive Council” means the representatives from the Commonwealth of Virginia, the State of Maryland, the Commonwealth of Pennsylvania, the Environmental Protection Agency, the District of Columbia, and the Chesapeake Bay Commission, who are signatories to the Chesapeake Bay Agreement, and any future signatories to that Agreement.

(e) Authorization of appropriations

There is authorized to be appropriated to the Department of Commerce for the Chesapeake Bay Office \$6,000,000 for each of fiscal years 2002 through 2006.

(Pub. L. 102-567, title III, §307, Oct. 29, 1992, 106 Stat. 4284; Pub. L. 107-372, title IV, §401(a), Dec. 19, 2002, 116 Stat. 3096.)

AMENDMENTS

2002—Pub. L. 107-372 substituted “Chesapeake Bay Office” for “Chesapeake Bay Estuarine Resources Office” in section catchline and amended text generally, substituting provisions establishing Office, describing functions, establishing habitat restoration small watershed grants program, and authorizing appropriations, for provisions establishing Office, describing functions, and requiring identification of funding request in President’s annual budget.

MULTIPLE SPECIES MANAGEMENT STRATEGY

Pub. L. 107-372, title IV, §401(c), Dec. 19, 2002, 116 Stat. 3099, provided that:

“(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act [Dec. 19, 2002], the Director of the Chesapeake Bay Office of the National Oceanic and Atmospheric Administration shall begin a 5-year study, in cooperation with the scientific community of the Chesapeake Bay, appropriate State and interstate resource management entities, and appropriate Federal agencies—

“(A) to determine and expand the understanding of the role and response of living resources in the Chesapeake Bay ecosystem; and

“(B) to develop a multiple species management strategy for the Chesapeake Bay.

“(2) REQUIRED ELEMENTS OF STUDY.—In order to improve the understanding necessary for the development of the strategy under paragraph (1)(B), the study shall—

“(A) determine the current status and trends of fish and shellfish that live in the Chesapeake Bay and its tributaries and are selected for study;

“(B) evaluate and assess interactions among the fish and shellfish referred to in subparagraph (A) and

other living resources, with particular attention to the impact of changes within and among trophic levels; and

“(C) recommend management actions to optimize the return of a healthy and balanced ecosystem for the Chesapeake Bay.”

§ 1511e. Repealed. Pub. L. 111-314, § 6, Dec. 18, 2010, 124 Stat. 3444

Section, Pub. L. 105-309, § 8, Oct. 30, 1998, 112 Stat. 2937; Pub. L. 107-305, § 14, Nov. 27, 2002, 116 Stat. 2380; Pub. L. 108-447, div. B, title II, Dec. 8, 2004, 118 Stat. 2878, related to Office of Space Commercialization. See section 50702 of Title 51, National and Commercial Space Programs.

§ 1512. Powers and duties of Department

It shall be the province and duty of said Department to foster, promote, and develop the foreign and domestic commerce, the mining, manufacturing, and fishery industries of the United States; and to this end it shall be vested with jurisdiction and control of the departments, bureaus, offices, and branches of the public service hereinafter specified, and with such other powers and duties as may be prescribed by law.

(Feb. 14, 1903, ch. 552, § 3, 32 Stat. 826; Pub. L. 97-31, § 12(7), Aug. 6, 1981, 95 Stat. 154.)

CODIFICATION

Section was formerly classified to section 596 of Title 5 prior to the general revision and enactment of Title 5 by Pub. L. 89-554, Sept. 6, 1966, 80 Stat. 378.

AMENDMENTS

1981—Pub. L. 97-31 struck out references to shipping and transportation facilities.

EMERGENCY PREPAREDNESS FUNCTIONS

For assignment of certain emergency preparedness functions to the Secretary of Commerce, see Parts 1, 2, and 4 of Ex. Ord. No. 12656, Nov. 18, 1988, 53 F.R. 47491, set out as a note under section 5195 of Title 42, The Public Health and Welfare.

EXECUTIVE ORDER NO. 12864

Ex. Ord. No. 12864, Sept. 15, 1993, 58 F.R. 48773, as amended by Ex. Ord. No. 12890, Dec. 30, 1993, 59 F.R. 499; Ex. Ord. No. 12921, June 13, 1994, 59 F.R. 30667; Ex. Ord. No. 12970, Sept. 14, 1995, 60 F.R. 48359, which established the United States Advisory Council on the National Information Infrastructure, was revoked by Ex. Ord. No. 13062, § 3(d), Sept. 29, 1997, 62 F.R. 51756, formerly set out as a note under section 14 of the Federal Advisory Committee Act in the Appendix to Title 5, Government Organization and Employees.

EX. ORD. NO. 13577. ESTABLISHMENT OF THE SELECTUSA INITIATIVE

Ex. Ord. No. 13577, June 15, 2011, 76 F.R. 35715, provided:

By the authority vested in me as President by the Constitution and the laws of the United States of America, and in order to support private-sector job creation and enhance economic growth by encouraging and supporting business investment in the United States, it is hereby ordered as follows:

SECTION 1. *Policy.* Business investment in the United States by both domestic and foreign firms, whether in the form of new equipment or facilities or the expansion of existing facilities, is a major engine of economic growth and job creation. In an era of global capital mobility, the United States faces increasing competition for retaining and attracting industries of the future