

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 another Federal agency on a reimbursable basis. Should another Federal agency 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; Pub. L. 114-327, title I, §122, Dec. 16, 2016, 130 Stat. 1985.)

AMENDMENTS

2016—Pub. L. 114-327 substituted “another Federal agency” for “the United States Coast Guard” in two places.

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—

- (1) to increase undergraduate training in oceanic and atmospheric science, research, technology, and education and foster multidisciplinary training opportunities;
- (2) to increase public understanding and support for stewardship of the ocean and atmosphere and improve environmental literacy;
- (3) to recruit and prepare students for public service careers with the National Oceanic and Atmospheric Administration and other natural resource and science agencies at the Federal, State and Local levels of government; and
- (4) to recruit and prepare students for careers as teachers and educators in oceanic and atmospheric science and to improve scientific and environmental education in the United States.

**(c) Award**

Each Ernest F. Hollings Scholarship—

- (1) shall be used to support undergraduate studies in oceanic and atmospheric science, research, technology, and education that support the purposes of the programs and missions of the National Oceanic and Atmospheric Administration;
- (2) shall recognize outstanding scholarship and ability;
- (3) shall promote participation by groups underrepresented in oceanic and atmospheric science and technology; and
- (4) shall be awarded competitively in accordance with guidelines issued by the Administrator and published in the Federal Register.