

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.

(d) Eligibility

In order to be eligible to participate in the program, an individual must—

(1) be enrolled or accepted for enrollment as a full-time student at an institution of higher education (as defined in section 1001(a) of title 20) in an academic field or discipline described in subsection (c);

(2) be a United States citizen;

(3) not have received a scholarship under this section for more than 4 academic years, unless the Administrator grants a waiver; and

(4) submit an application at such time, in such manner, and containing such information, agreements, or assurances as the Administrator may require.

(e) Distribution of funds

The amount of each Ernest F. Hollings Scholarship shall be provided directly to a recipient selected by the Administrator upon receipt of certification that the recipient will adhere to a specific and detailed plan of study and research approved by an institution of higher education.

(f) Funding

Of the total amount appropriated for fiscal year 2005 and annually hereafter to the National Oceanic and Atmospheric Administration, the Administrator shall make available for the Ernest F. Hollings Scholarship program one-tenth of 1 percent of such appropriations.

(g) Scholarship repayment requirement

The Administrator shall require an individual receiving a scholarship under this section to repay the full amount of the scholarship to the National Oceanic and Atmospheric Administration if the Administrator determines that the individual, in obtaining or using the scholarship, engaged in fraudulent conduct or failed to comply with any term or condition of the scholarship. Such repayments shall be deposited in the NOAA Operations, Research, and Facilities Appropriations Account and treated as an offsetting collection and only be available for financing additional scholarships.

(Pub. L. 108-447, div. B, title II, §214, Dec. 8, 2004, 118 Stat. 2884.)

§ 1543. Task force on job repatriation and manufacturing growth

The Secretary of Commerce shall maintain a task force on job repatriation and manufacturing growth and shall produce an annual report on related incentive strategies, implementation plans and program results.

(Pub. L. 113-235, div. B, title I, Dec. 16, 2014, 128 Stat. 2180.)

CODIFICATION

Section is from the appropriation act cited as the credit to this section.

SIMILAR PROVISIONS

Similar provisions were contained in the following prior appropriation acts:

Pub. L. 113-76, div. B, title I, Jan. 17, 2014, 128 Stat. 50.

Pub. L. 113-6, div. B, title I, Mar. 26, 2013, 127 Stat. 240.

§ 1544. Promotion of tourist travel

The Secretary of Commerce shall encourage, promote, and develop travel within the United States, including any Commonwealth, territory, and possession thereof, through activities which are in the public interest and which do not compete with activities of any State, city, or private agency.

(July 19, 1940, ch. 642, §1, 54 Stat. 773; Pub. L. 93-193, §2, Dec. 19, 1973, 87 Stat. 765; Pub. L. 94-55, §2(b), July 9, 1975, 89 Stat. 262.)

CODIFICATION

Section was formerly classified to section 18 of Title 16, Conservation.

AMENDMENTS

1975—Pub. L. 94-55 substituted “shall encourage, promote, and develop travel within the United States, including any Commonwealth, territory, and possession thereof, through activities which are in the public interest and which do not compete with activities of any State, city, or private agency” for “is authorized and directed to encourage, promote, and develop travel within the United States, its Territories and possessions, providing such activities do not compete with the activities of private agencies; and to administer all existing travel promotion functions of the Department of Commerce”.

TRANSFER OF FUNCTIONS

Pub. L. 93-193, §2, Dec. 19, 1973, 87 Stat. 765, provided that:

“(a) There are hereby transferred to and vested in the Secretary of Commerce all functions, powers, and duties of the Secretary of the Interior and other offices and officers of the Department of the Interior under the Act of July 19, 1940 (54 Stat. 773; 16 U.S.C. 18-18d) [now 15 U.S.C. 1544-1548].

“(b) The assets, liabilities, contracts, property, records, authorizations, and allocations, employed, held, used, rising from, available or to be made available in connection with the functions, powers, and duties transferred by subsection (a) of this section are hereby transferred to the Secretary of Commerce.”

§ 1545. Cooperation with travel agencies; publication of information

In carrying out the purposes of sections 1544 to 1548 of this title, the Secretary is authorized to cooperate with public and private tourist, travel, and other agencies in the display of exhibits, and in the collection, publication, and dissemination of information with respect to places of interest, routes, transportation facilities, accommodations, and such other matters as he deems advisable and advantageous for the purpose of encouraging, promoting, or developing such travel. Nothing in said sections shall prohibit the preparation of graphic materials in foreign languages, designed to call attention to the attractions and places of interest in the United States and to encourage the use of American registered ships and planes. The existing facilities of the United States Government in foreign countries are authorized to assist in the distribution of this material. The Secretary may enter into contracts with private publishers for such printing and binding as he may deem advisable in carrying out the purposes of said sections. The Secretary is also authorized to make charges for any publications made available to the public pursuant to said sections; and any