

### § 7861. Custody of departmental records and property

The Secretary of the Navy has custody and charge of all books, records, papers, furniture, fixtures, and other property under the lawful control of the executive part of the Department of the Navy.

(Added Pub. L. 99-433, title V, § 514(b)(2), Oct. 1, 1986, 100 Stat. 1055.)

#### PRIOR PROVISIONS

A prior section 7861 was renumbered section 7862 of this title.

### § 7862. Accounts of paymasters of lost or captured naval vessels

When settling the account of a paymaster of a lost or captured naval vessel, the Comptroller General in settling money accounts, and the Secretary of the Navy in settling property accounts, shall credit the account of the paymaster for the amount of provisions, clothing, small stores, and money for which the paymaster is charged that the Comptroller General or Secretary believes was lost inevitably because of the loss or capture. The paymaster is then free of liability for the provisions, clothing, small stores, and money.

(Added Pub. L. 97-258, § 2(b)(12)(B), Sept. 13, 1982, 96 Stat. 1057, § 7861; amended Pub. L. 97-295, § 1(51)(C), Oct. 12, 1982, 96 Stat. 1300; renumbered § 7862, Pub. L. 99-433, title V, § 514(b)(1), Oct. 1, 1986, 100 Stat. 1054.)

#### HISTORICAL AND REVISION NOTES

<i>Revised section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
7861 .....	31:44 (1st sentence).	June 10, 1921, ch. 18, § 304 (1st par. 1st sentence), 42 Stat. 24.
	31:104.	R.S. § 284; Feb. 18, 1875, ch. 80, § 1 (4th complete par. on p. 317), 18 Stat. 317.

The word “naval” is substituted for “belonging to the Navy of the United States” to eliminate unnecessary words. The words “Secretary of the Navy” are substituted for “Paymaster General of the Navy” because of section 1 of the Act of March 29, 1894 (ch. 49, 28 Stat. 47), and 10:5061. The words “the account of the paymaster” are substituted for “him” for clarity. The words “such portion of the”, “on their books”, and “of a public vessel” are omitted as surplus. The words “free of” are substituted for “fully exonerated by such credit from all” to eliminate unnecessary words. The words “so proved to have been captured or lost” are omitted as surplus.

#### PRIOR PROVISIONS

A prior section 7862 was renumbered section 7863 of this title.

#### AMENDMENTS

1982—Pub. L. 97-295 substituted “naval” for “public” in section catchline.

### § 7863. Disposal of public stores by order of commanding officer

When settling an account of a disbursing official, the Comptroller General shall allow disposal of public stores the disbursing official made under an order of a commanding officer

when presented with satisfactory evidence that the order was made and that the stores were disposed of as the order provided. The commanding officer is accountable for the disposal.

(Added Pub. L. 97-258, § 2(b)(12)(B), Sept. 13, 1982, 96 Stat. 1057, § 7862; renumbered § 7863, Pub. L. 99-433, title V, § 514(b)(1), Oct. 1, 1986, 100 Stat. 1054; amended Pub. L. 104-106, div. A, title IX, § 913(c)(3)(A), (B)(i), Feb. 10, 1996, 110 Stat. 411; Pub. L. 104-201, div. A, title X, § 1074(a)(20), Sept. 23, 1996, 110 Stat. 2660.)

#### HISTORICAL AND REVISION NOTES

<i>Revised section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
7862 .....	31:44 (1st sentence).	June 10, 1921, ch. 18, § 304 (1st par. 1st sentence), 42 Stat. 24.
	31:106.	R.S. § 285.

The words “disbursing official” are substituted for “disbursing officer” for consistency with other titles of the United States Code. The words “Comptroller General” are substituted for “General Accounting Office” for consistency. The words “of the Navy” are omitted because of the restatement. The words “when presented with” are substituted for “upon” for clarity. The words “by whose order such disbursement or disposal was made” are omitted as surplus.

#### AMENDMENTS

1996—Pub. L. 104-201 inserted “were” after “the stores” in first sentence.

Pub. L. 104-106, § 913(c)(3)(B)(i), substituted “Disposal of public stores” for “Disbursements” in section catchline.

Pub. L. 104-106, § 913(c)(3)(A), in first sentence, struck out “disbursements of public moneys or” after “Comptroller General shall allow” and “the money was paid or” after “the order was made and that” and, in second sentence, struck out “disbursement or” after “commanding officer is accountable for the”.

## CHAPTER 663—NAMES AND INSIGNIA

Sec.

7881. Unauthorized use of Marine Corps insignia.

### § 7881. Unauthorized use of Marine Corps insignia

(a) The seal, emblem, and initials of the United States Marine Corps shall be deemed to be insignia of the United States.

(b) No person may, except with the written permission of the Secretary of the Navy, use or imitate the seal, emblem, name, or initials of the United States Marine Corps in connection with any promotion, goods, services, or commercial activity in a manner reasonably tending to suggest that such use is approved, endorsed, or authorized by the Marine Corps or any other component of the Department of Defense.

(c) Whenever it appears to the Attorney General of the United States that any person is engaged or is about to engage in an act or practice which constitutes or will constitute conduct prohibited by subsection (b), the Attorney General may initiate a civil proceeding in a district court of the United States to enjoin such act or practice. Such court may, at any time before final determination, enter such restraining orders or prohibitions, or take such other action as is warranted, to prevent injury to the United States or to any person or class of persons for whose protection the action is brought.

(Added Pub. L. 98-525, title XV, § 1532(a)(1), Oct. 19, 1984, 98 Stat. 2631.)

SAVINGS PROVISION

Pub. L. 98-525, title XV, § 1532(b), Oct. 19, 1984, 98 Stat. 2631, provided that: "The amendments made by subsection (a) [enacting this chapter] shall not affect rights that vested before the date of the enactment of this Act [Oct. 19, 1984]."

**CHAPTER 665—NATIONAL OCEANOGRAPHIC PARTNERSHIP PROGRAM**

Sec.	
7901.	National Oceanographic Partnership Program.
7902.	National Ocean Research Leadership Council.
7903.	Ocean Research Advisory Panel.

**§ 7901. National Oceanographic Partnership Program**

(a) **ESTABLISHMENT.**—The Secretary of the Navy shall establish a program to be known as the "National Oceanographic Partnership Program".

(b) **PURPOSES.**—The purposes of the program are as follows:

(1) To promote the national goals of assuring national security, advancing economic development, protecting quality of life, and strengthening science education and communication through improved knowledge of the ocean.

(2) To coordinate and strengthen oceanographic efforts in support of those goals by—

(A) identifying and carrying out partnerships among Federal agencies, academia, industry, and other members of the oceanographic scientific community in the areas of data, resources, education, and communication; and

(B) reporting annually to Congress on the program.

(Added Pub. L. 104-201, div. A, title II, § 282(a)(1), Sept. 23, 1996, 110 Stat. 2470.)

CONGRESSIONAL FINDINGS

Pub. L. 104-201, div. A, title II, § 281, Sept. 23, 1996, 110 Stat. 2469, provided that: "Congress finds the following:

"(1) The oceans and coastal areas of the United States are among the Nation's most valuable natural resources, making substantial contributions to economic growth, quality of life, and national security.

"(2) Oceans drive global and regional climate. Hence, they contain information affecting agriculture, fishing, and the prediction of severe weather.

"(3) Understanding of the oceans through basic and applied research is essential for using the oceans wisely and protecting their limited resources. Therefore, the United States should maintain its world leadership in oceanography as one key to its competitive future.

"(4) Ocean research and education activities take place within Federal agencies, academic institutions, and industry. These entities often have similar requirements for research facilities, data, and other resources (such as oceanographic research vessels).

"(5) The need exists for a formal mechanism to coordinate existing partnerships and establish new partnerships for the sharing of resources, intellectual talent, and facilities in the ocean sciences and education, so that optimal use can be made of this most important natural resource for the well-being of all Americans."

**§ 7902. National Ocean Research Leadership Council**

(a) **COUNCIL.**—There is a National Ocean Research Leadership Council (hereinafter in this chapter referred to as the "Council").

(b) **MEMBERSHIP.**—The Council is composed of the following members:

(1) The Secretary of the Navy.

(2) The Administrator of the National Oceanic and Atmospheric Administration.

(3) The Director of the National Science Foundation.

(4) The Administrator of the National Aeronautics and Space Administration.

(5) The Deputy Secretary of Energy.

(6) The Administrator of the Environmental Protection Agency.

(7) The Commandant of the Coast Guard.

(8) The Director of the United States Geological Survey of the Department of the Interior.

(9) The Director of the Defense Advanced Research Projects Agency.

(10) The Director of the Minerals Management Service of the Department of the Interior.

(11) The Director of the Office of Science and Technology.

(12) The Director of the Office of Management and Budget.

(13) The Under Secretary for Science and Technology of the Department of Homeland Security.

(14) Other Federal officials the Council considers appropriate.

(c) **CHAIRMAN AND VICE CHAIRMAN.**—(1) Except as provided in paragraph (2), the chairman and vice chairman of the Council shall be appointed every two years by a selection committee of the Council composed of, at a minimum, the Secretary of the Navy, the Administrator of the National Oceanic and Atmospheric Administration, and the Director of the National Science Foundation. The term of office of the chairman and vice chairman shall be two years. A person who has previously served as chairman or vice chairman may be reappointed.

(2) The first chairman of the Council shall be the Secretary of the Navy. The first vice chairman of the Council shall be the Administrator of the National Oceanic and Atmospheric Administration.

(d) **RESPONSIBILITIES.**—The Council shall have the following responsibilities:

(1) To prescribe policies and procedures to implement the National Oceanographic Partnership Program.

(2) To review, select, and identify and allocate funds for partnership projects for implementation under the program, based on the following criteria:

(A) Whether the project addresses critical research objectives or operational goals, such as data accessibility and quality assurance, sharing of resources, education, or communication.

(B) Whether the project has, or is designed to have, broad participation within the oceanographic community.

(C) Whether the partners have a long-term commitment to the objectives of the project.