

renumbered §316 of Pub. L. 92-532 and amended Pub. L. 104-283, §6, Oct. 11, 1996, 110 Stat. 3364; Pub. L. 106-513, §17, Nov. 13, 2000, 114 Stat. 2391.)

#### CODIFICATION

Section was set out as a note under section 1442 of this title prior to renumbering by Pub. L. 104-283.

#### AMENDMENTS

2000—Subsec. (a)(1). Pub. L. 106-513, §17(1), inserted “or the System” after “sanctuaries”.

Subsec. (a)(4). Pub. L. 106-513, §17(2), substituted “manufacture, reproduction, or other use of any symbol published under paragraph (1), including the sale of items bearing such a symbol,” for “use of any symbol published under paragraph (1)”.

Subsec. (e)(3). Pub. L. 106-513, §17(3), amended par. (3) generally. Prior to amendment, par. (3) read as follows: “to manufacture, reproduce, or use any symbol adopted by the Secretary absent designation as an official sponsor and without payment of a monetary or in-kind contribution to the Secretary; and”.

Subsecs. (f), (g). Pub. L. 106-513, §17(4), added subsecs. (f) and (g).

1996—Subsec. (a). Pub. L. 104-283, §6(b)(7), inserted at end “Monetary and in-kind contributions raised through the sale, marketing, or use of symbols and products related to an individual national marine sanctuary shall be used to support that sanctuary.”

Pub. L. 104-283, §6(b)(2), substituted “Authority” for “Project” as heading and “The Secretary may establish a program consisting of” for “The project shall consist of” in introductory provisions.

Pub. L. 104-283, §6(b)(1), redesignated subsec. (b) as (a) and struck out former subsec. (a) which read as follows: “Beginning on November 4, 1992, the Secretary shall conduct a 2-year pilot project to enhance funding for designation and management of national marine sanctuaries.”

Subsec. (a)(5). Pub. L. 104-283, §6(b)(6), added par. (5). Former par. (5) redesignated (6).

Pub. L. 104-283, §6(b)(3), substituted “solicitation” for “establishment” and “monetary or in-kind contributions” for “fees”.

Subsec. (a)(6). Pub. L. 104-283, §6(b)(6), redesignated par. (5) as (6). Former par. (6) redesignated (7).

Pub. L. 104-283, §6(b)(4), substituted “monetary or in-kind contributions collected” for “fees assessed” and “paragraphs (5) and (6)” for “paragraph (5)” and struck out “in an interest-bearing revolving fund” after “by the Secretary”.

Subsec. (a)(7). Pub. L. 104-283, §6(b)(6), redesignated par. (6) as (7). Former par. (7) redesignated (8).

Pub. L. 104-283, §6(b)(5), inserted “and use” after “expenditure”, substituted “monetary and in-kind contributions” for “fees”, and struck out “and any interest in the fund established under paragraph (6)” before “, without appropriation”.

Subsec. (a)(8). Pub. L. 104-283, §6(b)(6), redesignated par. (7) as (8).

Subsec. (b). Pub. L. 104-283, §6(b)(9), substituted “subsection (a)” for “subsection (b)”.

Pub. L. 104-283, §6(b)(1), redesignated subsec. (c) as (b). Former subsec. (b) redesignated (a).

Subsec. (c). Pub. L. 104-283, §6(b)(9), substituted “subsection (a)” for “subsection (b)”.

Pub. L. 104-283, §6(b)(1), redesignated subsec. (d) as (c). Former subsec. (c) redesignated (b).

Subsec. (d). Pub. L. 104-283, §6(b)(9), substituted “subsection (a)” for “subsection (b)”.

Pub. L. 104-283, §6(b)(1), redesignated subsec. (e) as (d). Former subsec. (d) redesignated (c).

Subsec. (e). Pub. L. 104-283, §6(b)(8), struck out “(1)” before “It is unlawful”, redesignated subpars. (A) to (D) as pars. (1) to (4), respectively, in par. (3), substituted “monetary or in-kind contribution” for “fee”, and struck out former par. (2) which read as follows: “Violation of this subsection shall be considered a violation of this chapter.”

Pub. L. 104-283, §6(b)(1), redesignated subsec. (f) as (e). Former subsec. (e) redesignated (d).

Subsec. (f). Pub. L. 104-283, §6(b)(1), redesignated subsec. (f) as (e).

Subsec. (g). Pub. L. 104-283, §6(b)(1), struck out heading and text of subsec. (g). Text read as follows: “No later than 30 months after November 4, 1992, the Secretary shall submit a report on the pilot project to Congress regarding the success of the program in providing additional funds for management and operation of national marine sanctuaries.”

Subsec. (h). Pub. L. 104-283, §6(b)(1), struck out heading and text of subsec. (h). Text read as follows: “In this section—

“(1) the term ‘national marine sanctuary’ or ‘national marine sanctuaries’ means a national marine sanctuary or sanctuaries designated under this chapter, or by other law in accordance with this chapter;

“(2) the term ‘official sponsor’ means any person designated by the Secretary who is authorized to manufacture, reproduce, or use any symbol created, adopted, and published in the Federal Register under this section for a fee paid to the Secretary; and

“(3) the term ‘Secretary’ means the Secretary of Commerce.”

### § 1445c. Dr. Nancy Foster Scholarship Program

#### (a) Establishment

The Secretary shall establish and administer through the National Ocean Service the Dr. Nancy Foster Scholarship Program. Under the program, the Secretary shall award graduate education scholarships in oceanography, marine biology or maritime archeology, to be known as Dr. Nancy Foster Scholarships.

#### (b) Purposes

The purposes of the Dr. Nancy Foster Scholarship Program are—

(1) to recognize outstanding scholarship in oceanography, marine biology, or maritime archeology, particularly by women and members of minority groups; and

(2) to encourage independent graduate level research in oceanography, marine biology, or maritime archeology.

#### (c) Award

Each Dr. Nancy Foster Scholarship—

(1) shall be used to support graduate studies in oceanography, marine biology, or maritime archeology at a graduate level institution of higher education; and

(2) shall be awarded in accordance with guidelines issued by the Secretary.

#### (d) Distribution of funds

The amount of each Dr. Nancy Foster Scholarship shall be provided directly to a recipient selected by the Secretary upon receipt of certification that the recipient will adhere to a specific and detailed plan of study and research approved by a graduate level institution of higher education.

#### (e) Funding

Of the amount available each fiscal year to carry out this chapter, the Secretary shall award 1 percent as Dr. Nancy Foster Scholarships.

#### (f) Scholarship repayment requirement

The Secretary shall require an individual receiving a scholarship under this section to repay the full amount of the scholarship to the Sec-

retary if the Secretary 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.

**(g) Maritime archeology defined**

In this section the term “maritime archeology” includes the curation, preservation, and display of maritime artifacts.

(Pub. L. 92-532, title III, §318, as added Pub. L. 106-513, §18, Nov. 13, 2000, 114 Stat. 2392.)

CODIFICATION

For similar provisions relating to the Dr. Nancy Foster Scholarship Program, see section 1445c-1 of this title.

**§ 1445c-1. Dr. Nancy Foster Scholarship Program**

**(a) Establishment**

The Secretary of Commerce shall establish and administer through the National Ocean Service the Dr. Nancy Foster Scholarship Program. Under the program, the Secretary shall award graduate education scholarships in marine biology, oceanography, or maritime archaeology, including the curation, preservation, and display of maritime artifacts, to be known as “Dr. Nancy Foster Scholarships”.

**(b) Purpose**

The purpose of the Dr. Nancy Foster Scholarship Program is to recognize outstanding scholarship in marine biology, oceanography, or maritime archaeology, particularly by women and members of minority groups, and encourage independent graduate level research in such fields of study.

**(c) Award**

Each Dr. Nancy Foster Scholarship award—

(1) shall be used to support a candidate’s graduate studies in marine biology, oceanography, or maritime archaeology at a sponsoring institution; and

(2) shall be made available to individual candidates in accordance with guidelines issued by the Secretary.

**(d) Distribution of funds**

The amount of each Dr. Nancy Foster Scholarship shall be provided directly to each recipient selected by the Secretary upon receipt of certification that the recipient will adhere to a specific and detailed plan of study and research approved by the sponsoring institution.

**(e) Funding**

The Secretary shall make 1 percent of the amount appropriated each fiscal year to carry out the National Marine Sanctuaries Act [16 U.S.C. 1431 et seq.] available for Dr. Nancy Foster Scholarships.

**(f) Scholarship repayment requirement**

Repayment of the award shall be made to the Secretary in the case of fraud or noncompliance.

(Pub. L. 106-553, §1(a)(2) [title II, §210], Dec. 21, 2000, 114 Stat. 2762, 2762A-79.)

REFERENCES IN TEXT

The National Marine Sanctuaries Act, referred to in subsec. (e), is title III of Pub. L. 92-532, Oct. 23, 1972, 86

Stat. 1061, as amended, which is classified generally to this chapter. For complete classification of this Act to the Code, see Short Title note set out under section 1431 of this title and Tables.

CODIFICATION

For similar provisions relating to the Dr. Nancy Foster Scholarship Program, see section 1445c of this title.

Section was enacted as part of the Department of Commerce and Related Agencies Appropriations Act, 2001, and also as part of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 2001, and not as part of the National Marine Sanctuaries Act which comprises this chapter.

**CHAPTER 32A—REGIONAL MARINE RESEARCH PROGRAMS**

Sec.

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**§ 1447. Purposes**

The purpose of this chapter is to establish regional research programs, under effective Federal oversight, to—

(1) set priorities for regional marine and coastal research in support of efforts to safeguard the water quality and ecosystem health of each region; and

(2) carry out such research through grants and improved coordination.

(Pub. L. 92-532, title IV, §401, as added Pub. L. 101-593, title III, §301, Nov. 16, 1990, 104 Stat. 2963.)

**§ 1447a. Definitions**

As used in this chapter, the term—

(1) “Board” means any Regional Marine Research board<sup>1</sup> established pursuant to section 1447b(a) of this title;

(2) “Federal agency” means any department, agency, or other instrumentality of the Federal Government, including any independent agency or establishment of the Federal Government and any government corporation;

(3) “local government” means any city, town, borough, county, parish, district, or other public body which is a political subdivision of a State and which is created pursuant to State law;

(4) “marine and coastal waters” means estuaries, waters of the estuarine zone, including wetlands, any other waters seaward of the historic height of tidal influence, the territorial seas, the contiguous zone, and the ocean;

(5) “nonprofit organization” means any organization, association, or institution described in section 501(c)(3) of title 26 which is exempt from taxation pursuant to section 501(a) of title 26;

(6) “region” means 1 of the 9 regions described in section 1447b(a) of this title; and

(7) “State” means a State, the District of Columbia, the Commonwealth of Puerto Rico,

<sup>1</sup> So in original. Probably should be capitalized.