

Dec. 29, 1987, 101 Stat. 1471, 1473; Pub. L. 102-186, §§4(b)(1)(E), (F), 5(b)(2), Dec. 4, 1991, 105 Stat. 1283, 1284; Pub. L. 105-160, §§4(b)(1), 8, Mar. 6, 1998, 112 Stat. 22, 25; Pub. L. 107-299, §6, Nov. 26, 2002, 116 Stat. 2346; Pub. L. 110-394, §9(a)(4)(A), (C)(iii)-(e), Oct. 13, 2008, 122 Stat. 4208.)

## AMENDMENTS

2008—Pub. L. 110-394, §9(a)(4)(A), substituted “National Sea Grant Advisory Board” for “Sea grant review panel” in section catchline.

Subsec. (a). Pub. L. 110-394, §9(a)(4)(A), added subsec. (a) and struck out former subsec. (a). Prior to amendment, text read as follows: “There shall be established an independent committee to be known as the sea grant review panel.”

Subsec. (b). Pub. L. 110-394, §9(b), amended subsec. (b) generally. Prior to amendment, subsec. (b) related to duties of sea grant review panel.

Subsec. (c). Pub. L. 110-394, §9(a)(4)(C)(iii), substituted “Board” for “panel” wherever appearing.

Subsec. (c)(1). Pub. L. 110-394, §9(c), inserted “coastal management,” after “resource management,” and “management,” after “development.”

Subsec. (c)(3). Pub. L. 110-394, §9(d), substituted “The Director may extend the term of office of a voting member of the Board once by up to 1 year.” for “A voting member may serve after the date of the expiration of the term of office for which appointed until his or her successor has taken office.”

Subsec. (c)(8). Pub. L. 110-394, §9(e), added par. (8).

2002—Subsec. (c)(2). Pub. L. 107-299 inserted first and second sentences and struck out former first sentence which read as follows: “The term of office of a voting member of the panel shall be 3 years, except that of the original appointees, five shall be appointed for a term of 1 year, five shall be appointed for a term of 2 years, and five shall be appointed for a term of 3 years.”

1998—Subsec. (a). Pub. L. 105-160, §8(a), struck out at end “The panel shall, on the 60th day after October 8, 1976, supersede the sea grant advisory panel in existence before October 8, 1976.”

Subsec. (b). Pub. L. 105-160, §§4(b)(1), 8(b)(1), inserted heading and in introductory provisions substituted “The panel” for “The Panel” and struck out “, the Under Secretary,” after “the Secretary”.

Subsec. (b)(1). Pub. L. 105-160, §8(b)(2), struck out “and section 1124a of this title” before semicolon at end.

Subsec. (b)(3). Pub. L. 105-160, §8(b)(3), substituted “institutes” for “regional consortia”.

Subsec. (c)(1)(A). Pub. L. 105-160, §8(c)(1), substituted “college or sea grant institute” for “college, sea grant regional consortium, or sea grant program”.

Subsec. (c)(5)(A). Pub. L. 105-160, §8(c)(2), added subpar. (A) and struck out former subpar. (A) which read as follows: “receive compensation at the daily rate for GS-18 of the General Schedule under section 5332 of title 5 when actually engaged in the performance of duties for such panel; and”.

1991—Subsec. (b)(1). Pub. L. 102-186, §4(b)(1)(E), substituted “section 1124” for “sections 1124 and 1125”.

Subsec. (c)(1). Pub. L. 102-186, §§4(b)(1)(F), 5(b)(2), inserted “marine affairs and resource management,” after “education,” in fourth sentence and struck out “or 1125” after “1124” in last sentence.

1987—Subsec. (b). Pub. L. 100-220, §3108(1), in introductory provisions, substituted “The Panel shall advise the Secretary, the Under Secretary, and the Director concerning—” for “The panel shall take such steps as may be necessary to review, and shall advise the Secretary, the Administrator, and the Director with respect to—”, and in par. (1), inserted “and section 1124a of this title”.

Subsec. (c)(1). Pub. L. 100-220, §§3104(b)(1)(F), 3108(2)(A), (B), amended second sentence generally, substituted “8” for “five” in third sentence, and substituted “ocean, coastal, and Great Lakes resources” for “ocean and coastal resources” in fourth sentence.

Prior to amendment, second sentence read as follows: “The Director shall serve as a nonvoting member of the panel.”

Subsec. (c)(2). Pub. L. 100-220, §3108(2)(C), inserted at end “At least once each year, the Secretary shall publish a notice in the Federal Register soliciting nominations for membership on the panel.”

Subsec. (c)(3). Pub. L. 100-220, §3108(2)(D), struck out “, or until 90 days after such date, whichever is earlier” after “office” at end of second sentence.

1980—Subsec. (c)(3). Pub. L. 96-289 substituted authorization for reappointment for one additional full term of an appointee to a partial or full term for prior authorization for filling vacancies for remainder of appointee’s term and prohibition against status as a voting member after service of one full term as such voting member.

## CHANGE OF NAME

Pub. L. 110-394, §9(a)(1)-(3), Oct. 13, 2008, 122 Stat. 4207, provided that:

“(1) REDESIGNATION.—The sea grant review panel established by section 209 of the National Sea Grant College Program Act (33 U.S.C. 1128), as in effect before the date of the enactment of this Act [Oct. 13, 2008], is redesignated as the National Sea Grant Advisory Board.

“(2) MEMBERSHIP NOT AFFECTED.—An individual serving as a member of the sea grant review panel immediately before date of the enactment of this Act may continue to serve as a member of the National Sea Grant Advisory Board until the expiration of such member’s term under section 209(c) of such Act (33 U.S.C. 1128(c)).

“(3) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to such sea grant review panel is deemed to be a reference to the National Sea Grant Advisory Board.”

## § 1129. Interagency cooperation

Each department, agency, or other instrumentality of the Federal Government which is engaged in or concerned with, or which has authority over, matters relating to ocean, coastal, and Great Lakes resources—

(1) may, upon a written request from the Secretary, make available, on a reimbursable basis or otherwise any personnel (with their consent and without prejudice to their position and rating), service, or facility which the Secretary deems necessary to carry out any provision of this subchapter;

(2) shall, upon a written request from the Secretary, furnish any available data or other information which the Secretary deems necessary to carry out any provision of this subchapter; and

(3) shall cooperate with the Administration and duly authorized officials thereof.

(Pub. L. 89-454, title II, §210, as added Pub. L. 94-461, §2, Oct. 8, 1976, 90 Stat. 1968; amended Pub. L. 100-220, title III, §3104(b)(1)(G), Dec. 29, 1987, 101 Stat. 1471.)

## AMENDMENTS

1987—Pub. L. 100-220 substituted “ocean, coastal, and Great Lakes resources” for “ocean and coastal resources” in introductory provisions.

## § 1130. Repealed. Pub. L. 102-186, §5(a), Dec. 4, 1991, 105 Stat. 1283

Section, Pub. L. 89-454, title II, §211, as added Pub. L. 94-461, §2, Oct. 8, 1976, 90 Stat. 1968; amended Pub. L. 95-428, §§2(b), 3(4), Oct. 7, 1978, 92 Stat. 999; Pub. L. 100-220, title III, §3109, Dec. 29, 1987, 101 Stat. 1473, au-

thorized grants for graduate programs in marine affairs and resource management during fiscal years 1988 through 1990.

### § 1131. Authorization of appropriations

#### (a) Authorization

##### (1) In general

There are authorized to be appropriated to the Secretary to carry out this subchapter—

- (A) \$72,000,000 for fiscal year 2009;
- (B) \$75,600,000 for fiscal year 2010;
- (C) \$79,380,000 for fiscal year 2011;
- (D) \$83,350,000 for fiscal year 2012;
- (E) \$87,520,000 for fiscal year 2013; and
- (F) \$91,900,000 for fiscal year 2014.

##### (2) Priority activities

In addition to the amounts authorized under paragraph (1), there are authorized to be appropriated for each of fiscal years 2009 through 2014—

- (A) \$5,000,000 for competitive grants for university research on the biology, prevention, and control of aquatic nonnative species;
- (B) \$5,000,000 for competitive grants for university research on oyster diseases, oyster restoration, and oyster-related human health risks;
- (C) \$5,000,000 for competitive grants for university research on the biology, prevention, and forecasting of harmful algal blooms; and
- (D) \$3,000,000 for competitive grants for fishery extension activities conducted by sea grant colleges or sea grant institutes to enhance, and not supplant, existing core program funding.

#### (b) Limitations

##### (1) Administration

There may not be used for administration of programs under this subchapter in a fiscal year more than 5 percent of the lesser of—

- (A) the amount authorized to be appropriated under this subchapter for the fiscal year; or
- (B) the amount appropriated under this subchapter for the fiscal year.

##### (2) Use for other offices or programs

Sums appropriated under the authority of subsection (a)(2) shall not be available for administration of this subchapter by the National Sea Grant Office, for any other Administration or department program, or for any other administrative expenses.

#### (c) Distribution of funds

In any fiscal year in which the appropriations made under subsection (a)(1) exceed the amounts appropriated for fiscal year 2003 for the purposes described in such subsection, the Secretary shall distribute any excess amounts (except amounts used for the administration of the sea grant program) to any combination of the following:

- (1) sea grant programs, according to their performance assessments;
- (2) regional or national strategic investments authorized under section 1123(b)(4) of this title;

(3) a college, university, institution, association, or alliance for activities that are necessary for it to be designated as a sea grant college or sea grant institute; and

(4) a sea grant college or sea grant institute designated after November 26, 2002, but not yet evaluated under section 1123(d)(3)(A) of this title.

#### (d) Availability of sums

Sums appropriated pursuant to this section shall remain available until expended.

#### (e) Reversion of unobligated amounts

The amount of any grant, or portion of a grant, made to a person under any section of this subchapter that is not obligated by that person during the first fiscal year for which it was authorized to be obligated or during the next fiscal year thereafter shall revert to the Secretary. The Secretary shall add that reverted amount to the funds available for grants under the section for which the reverted amount was originally made available.

(Pub. L. 89-454, title II, §212, as added Pub. L. 94-461, §2, Oct. 8, 1976, 90 Stat. 1968; amended Pub. L. 95-58, §1, June 29, 1977, 91 Stat. 254; Pub. L. 95-428, §3(5), Oct. 7, 1978, 92 Stat. 1000; Pub. L. 96-289, §1(6), June 28, 1980, 94 Stat. 605; Pub. L. 98-623, title V, §501(a), Nov. 8, 1984, 98 Stat. 3410; Pub. L. 100-220, title III, §3110, Dec. 29, 1987, 101 Stat. 1474; Pub. L. 102-186, §3, Dec. 4, 1991, 105 Stat. 1282; Pub. L. 105-160, §9(a), (b), Mar. 6, 1998, 112 Stat. 26; Pub. L. 107-299, §7, Nov. 26, 2002, 116 Stat. 2347; Pub. L. 110-394, §10, Oct. 13, 2008, 122 Stat. 4209.)

#### REFERENCES IN TEXT

This subchapter, referred to in subsec. (e), was in the original “this Act” and was translated as reading “this title” meaning title II of Pub. L. 89-454, which enacted this subchapter, to reflect the probable intent of Congress.

#### AMENDMENTS

2008—Subsec. (a)(1). Pub. L. 110-394, §10(1), added par. (1) and struck out former par. (1) which authorized appropriations for fiscal years 2003 through 2008.

Subsec. (a)(2). Pub. L. 110-394, §10(2)(A), substituted “fiscal years 2009 through 2014—” for “fiscal years 2003 through 2008—” in introductory provisions.

Subsec. (a)(2)(A). Pub. L. 110-394, §10(2)(B), substituted “biology, prevention, and control of aquatic” for “biology and control of zebra mussels and other important aquatic”.

Subsec. (a)(2)(C). Pub. L. 110-394, §10(2)(C), substituted “blooms; and” for “blooms, including *Pfisteria piscicida*; and”.

Subsec. (c)(1). Pub. L. 110-394, §10(3), substituted “performance assessments” for “rating under section 1123(d)(3)(A) of this title”.

Subsec. (c)(2). Pub. L. 110-394, §10(4), added par. (2) and struck out former par. (2) which read as follows: “national strategic investments authorized under section 1123(b)(4) of this title;”.

2002—Subsecs. (a) to (c). Pub. L. 107-299 amended subsecs. (a) to (c) generally, substituting provisions relating to authorization, limitations, and distribution of funds for provisions relating to authorization, program elements, and priority oyster disease research.

1998—Subsec. (a). Pub. L. 105-160, §9(a), inserted heading and amended text of subsec. (a) generally. Prior to amendment, text read as follows: “There is authorized to be appropriated to carry out the provisions of sections 1124 and 1127 of this title, and section 1124a of this title, an amount—