

Idaho. Any sums appropriated for the purpose of establishing such stations may be expended, and such stations shall be established, operated and maintained, in accordance with the provisions of the Act entitled "An Act to provide for a five-year construction and maintenance program for the United States Bureau of Fisheries", approved May 21, 1930, ch. 306, 46 Stat. 371, insofar as the provisions of such Act are not inconsistent with the provisions of this section and sections 756 and 757 of this title.

(May 11, 1938, ch. 193, §1, 52 Stat. 345; 1939 Reorg. Plan No. II, §4(e), eff. July 1, 1939, 4 F.R. 2731, 53 Stat. 1433; 1970 Reorg. Plan No. 4, eff. Oct. 3, 1970, 35 F.R. 15627, 84 Stat. 2090.)

REFERENCES IN TEXT

Act May 21, 1930, ch. 306, 46 Stat. 371, referred to in text, was not classified to the Code.

TRANSFER OF FUNCTIONS

Secretary of Commerce substituted for Secretary of the Interior in view of: creation of National Oceanic and Atmospheric Administration in Department of Commerce and Office of Administrator of such Administration; abolition of Bureau of Commercial Fisheries in Department of the Interior and Office of Director of such Bureau; transfers of functions, including functions formerly vested by law in Secretary of the Interior or Department of the Interior which were administered through Bureau of Commercial Fisheries or were primarily related to such Bureau, exclusive of certain enumerated functions with respect to Great Lakes fishery research, Missouri River Reservoir research, Gulf Breeze Biological Laboratory, and Trans-Alaska pipeline investigations; and transfer of marine sport fish program of Bureau of Sport Fisheries and Wildlife by Reorg. Plan No. 4 of 1970, eff. Oct. 3, 1970, 35 F.R. 15627, 84 Stat. 2090, set out in the Appendix to Title 5, Government Organization and Employees.

For transfer of functions of other officers, employees, and agencies of Department of the Interior, with certain exceptions, to Secretary of the Interior, with power to delegate, see Reorg. Plan No. 3 of 1950, §§1, 2, eff. May 24, 1950, 15 F.R. 3174, 64 Stat. 1262, set out in the Appendix to Title 5.

Reorg. Plan No. III of 1940, §3, eff. June 30, 1940, 5 F.R. 2108, 54 Stat. 1232, set out in the Appendix to Title 5, consolidated Bureau of Fisheries and Bureau of Biological Survey with their respective functions into one agency in Department of the Interior to be known as Fish and Wildlife Service, and provided that functions of consolidated agency shall be administered under direction and supervision of Secretary of the Interior.

Reorg. Plan No. II of 1939, set out in the Appendix to Title 5, transferred Bureau of Fisheries in Department of Commerce and its functions to Department of the Interior, to be administered under direction and supervision of Secretary of the Interior.

§ 756. Investigations, surveys, and experiments; construction and installation of conservation devices, etc.

The Secretary of Commerce is further authorized and directed (1) to conduct such investigations, and such engineering and biological surveys and experiments, as may be necessary to direct and facilitate conservation of the fishery resources of the Columbia River and its tributaries; (2) to construct and install devices in the Columbia River Basin for the improvement of feeding and spawning conditions for fish, for the protection of migratory fish from irrigation projects, and for facilitating free migration of fish over obstructions; and (3) to perform all

other activities necessary for the conservation of fish in the Columbia River Basin in accordance with law.

(May 11, 1938, ch. 193, §2, 52 Stat. 345; 1939 Reorg. Plan No. II, §4(e), eff. July 1, 1939, 4 F.R. 2731, 53 Stat. 1433; Aug. 8, 1946, ch. 883, §1, 60 Stat. 932; 1970 Reorg. Plan No. 4, eff. Oct. 3, 1970, 35 F.R. 15627, 84 Stat. 2090.)

AMENDMENTS

1946—Act Aug. 8, 1946, struck out requirement to maintain conservation devices, etc.

TRANSFER OF FUNCTIONS

Transfer of functions to Secretary of Commerce from Secretary of the Interior and prior transfers, see note set out under section 755 of this title.

§ 757. Utilization of State services; expenditure of funds

In carrying out the authorizations and duties imposed by section 756 of this title, the Secretary of Commerce is authorized to utilize the facilities and services of the agencies of the States of Oregon, Washington, and Idaho responsible for the conservation of the fish and wildlife resources in such States, under the terms of agreements entered into between the United States and these States, without regard to the provisions of section 6101 of title 41, and funds appropriated to carry out the purposes of sections 755 to 757 of this title may be expended for the construction of facilities on and the improvement of lands not owned or controlled by the United States: *Provided*, That the appropriate agency of the State wherein such construction or improvement is to be carried on first shall have obtained without cost to the United States the necessary title to, interest therein, rights-of-way over, or licenses covering the use of such lands.

(May 11, 1938, ch. 193, §3, 52 Stat. 345; Aug. 8, 1946, ch. 883, §2, 60 Stat. 932; 1970 Reorg. Plan No. 4, eff. Oct. 3, 1970, 35 F.R. 15627, 84 Stat. 2090.)

CODIFICATION

In text, "section 6101 of title 41" substituted for "section 3709 of the Revised Statutes" on authority of Pub. L. 111-350, §6(c), Jan. 4, 2011, 124 Stat. 3854, which Act enacted Title 41, Public Contracts.

AMENDMENTS

1946—Act Aug. 8, 1946, amended section generally to provide for utilization of State services, and for expenditure of funds for construction of facilities and improvements on lands not owned by the United States.

TRANSFER OF FUNCTIONS

Transfer of functions to Secretary of Commerce from Secretary of the Interior, by Reorg. Plan No. 4 of 1970, see note set out under section 755 of this title.

§ 757a. Anadromous, Great Lakes, and Lake Champlain fisheries

(a) Conservation, development, and enhancement; cooperative agreements; costs

For the purpose of conserving, developing, and enhancing within the several States the anadromous fishery resources of the Nation that are subject to depletion from water resources developments and other causes, or with respect to