

eff. Oct. 3, 1970, 35 F.R. 15627, 84 Stat. 2090, see note set out under section 777 of this title.

**§ 777j. Repealed. Pub. L. 89-348, § 1(14), Nov. 8, 1965, 79 Stat. 1311**

Section, act Aug. 9, 1950, ch. 658, §11, 64 Stat. 434, required the Secretary of the Interior to make an annual report to the Congress giving detailed information as to the projects established under this chapter and expenditures therefor.

**§ 777k. Payments of funds to and cooperation with Puerto Rico, the District of Columbia, Guam, American Samoa, Commonwealth of the Northern Mariana Islands, and Virgin Islands**

The Secretary of the Interior is authorized to cooperate with the Secretary of Agriculture of Puerto Rico, the Mayor of the District of Columbia, the Governor of Guam, the Governor of American Samoa, the Governor of the Commonwealth of the Northern Mariana Islands, and the Governor of the Virgin Islands, in the conduct of fish restoration and management projects, as defined in section 777a of this title, upon such terms and conditions as he shall deem fair, just, and equitable, and is authorized to apportion to Puerto Rico, the District of Columbia, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, and the Virgin Islands, out of money available for apportionment under this chapter, such sums as he shall determine, not exceeding for Puerto Rico 1 per centum, for the District of Columbia one-third of 1 per centum, for Guam one-third of 1 per centum, for American Samoa one-third of 1 per centum, for the Commonwealth of the Northern Mariana Islands one-third of 1 per centum, and for the Virgin Islands one-third of 1 per centum of the total amount apportioned in any one year, but the Secretary shall in no event require any of said cooperating agencies to pay an amount which will exceed 25 per centum of the cost of any project. Any unexpended or unobligated balance of any apportionment made pursuant to this section shall be made available for expenditure in Puerto Rico, the District of Columbia, Guam, the Commonwealth of the Northern Mariana Islands, or the Virgin Islands, as the case may be, in the succeeding year, on any approved projects, and if unexpended or unobligated at the end of such year is authorized to be made available for expenditure by the Secretary of the Interior to supplement the 57 percent of the balance of each annual appropriation to be apportioned among the States under section 777c(b) of this title.

(Aug. 9, 1950, ch. 658, §12, 64 Stat. 434; July 2, 1956, ch. 489, §4, 70 Stat. 473; Aug. 1, 1956, ch. 852, §8, 70 Stat. 908; Pub. L. 86-70, §16, June 25, 1959, 73 Stat. 143; Pub. L. 91-503, title II, §203, Oct. 23, 1970, 84 Stat. 1103; Pub. L. 96-597, title III, §302(a), Dec. 24, 1980, 94 Stat. 3477; Pub. L. 98-369, div. A, title X, §1014(a)(7), July 18, 1984, 98 Stat. 1016; Pub. L. 109-59, title X, §10117, Aug. 10, 2005, 119 Stat. 1929.)

AMENDMENTS

2005—Pub. L. 109-59 substituted “to supplement the 57 percent of the balance of each annual appropriation to be apportioned among the States under section 777c(b)

of this title” for “in carrying on the research program of the Fish and Wildlife Service in respect to fish of material value for sport or recreation” before period at end.

1984—Pub. L. 98-369 inserted “the Mayor of the District of Columbia,” after “the Secretary of Agriculture of Puerto Rico,” “for the District of Columbia one-third of 1 per centum,” after “for Puerto Rico 1 per centum,” and “the District of Columbia,” after “Puerto Rico,” in two places.

1980—Pub. L. 96-597 inserted references to the Governor and the Commonwealth of the Northern Mariana Islands.

1970—Pub. L. 91-503 substituted “Secretary of Agriculture of Puerto Rico” for “Commissioner of Agriculture and Commerce of Puerto Rico”, added American Samoa to the list of recipients, and substituted maximum limits of apportionment of one percent for Puerto Rico, one-third of one percent for Guam, one-third of one percent for American Samoa and one-third of one percent for Virgin Islands for maximum limit of \$10,000 for Puerto Rico, Guam and Virgin Islands together.

1959—Pub. L. 86-70 struck out provisions which authorized cooperation with the Alaska Game Commission and permitted apportionment of not more than \$75,000 in any one year to the Territory of Alaska.

1956—Act Aug. 1, 1956, inserted “the Governor of Guam” after “Commissioner of Agriculture and Commerce of Puerto Rico,” and “Guam” after “Puerto Rico” in three remaining places those words appear.

Act July 2, 1956, struck out provisions which authorized the Secretary to cooperate with the Division of Game and Fish of the Board of Commissioners of Agriculture and Forestry of Hawaii, struck out limitation of \$25,000 on the amount of funds which could be appropriated to Hawaii in any one year, and substituted “Territory of Alaska” for “Territories” in two places.

EFFECTIVE DATE OF 2005 AMENDMENTS

From Aug. 10, 2005, to end of fiscal year 2005, section considered to read as immediately before enactment of Pub. L. 109-59, see section 101(b) of Pub. L. 109-74, set out as a note under section 777b of this title.

Amendment by Pub. L. 109-59 effective Oct. 1, 2005, see section 10102 of Pub. L. 109-59, set out as a note under section 777b of this title.

EFFECTIVE DATE OF 1984 AMENDMENT

Amendment by Pub. L. 98-369 effective Oct. 1, 1984, and applicable with respect to fiscal years beginning after Sept. 30, 1984, see section 1014(b) of Pub. L. 98-369, set out as a note under section 777 of this title.

EFFECTIVE DATE OF 1956 AMENDMENT

Amendment by act July 2, 1956, as applicable only with respect to fiscal years beginning after July 2, 1956, see section 5 of act July 2, 1956, set out as a note under section 669a of this title.

TRANSFER OF FUNCTIONS

Transfer of functions to Secretary of Commerce from Secretary of the Interior by Reorg. Plan No. 4 of 1970, eff. Oct. 3, 1970, 35 F.R. 15627, 84 Stat. 2090, see note set out under section 777 of this title.

**§ 777l. State use of contributions**

A State may use contributions of funds, real property, materials, and services to carry out an activity under this chapter in lieu of payment by the State of the State share of the cost of such activity. Such a State share shall be considered to be paid in an amount equal to the fair market value of any contribution so used.

(Aug. 9, 1950, ch. 658, §13, as added Pub. L. 100-448, §6(c)(2), Sept. 28, 1988, 102 Stat. 1841.)

## CODIFICATION

Another section 13 of act Aug. 9, 1950, ch. 658, which was classified as a note under section 777 of this title, was repealed by Pub. L. 106-408, title I, § 122(a)(1), Nov. 1, 2000, 114 Stat. 1772.

## EFFECTIVE DATE

Section effective Oct. 1, 1988, see section 6(e) of Pub. L. 100-448, set out as an Effective Date of 1988 Amendment note under section 777 of this title.

**§ 777m. Multistate conservation grant program****(a) In general****(1) Amount for grants**

Not more than \$3,000,000 of each annual appropriation made in accordance with the provisions of section 777b of this title shall be distributed to the Secretary of the Interior for making multistate conservation project grants in accordance with this section.

**(2) Period of availability; apportionment****(A) Period of availability**

Amounts made available under paragraph (1) shall remain available for making grants only for the first fiscal year for which the amount is made available and the following fiscal year.

**(B) Apportionment**

At the end of the period of availability under subparagraph (A), the Secretary of the Interior shall apportion any amounts that remain available among the States in the manner specified in section 777c(c) of this title for use by the States in the same manner as funds apportioned under section 777c(c) of this title.

**(b) Selection of projects****(1) States or entities to be benefited**

A project shall not be eligible for a grant under this section unless the project will benefit—

- (A) at least 26 States;
- (B) a majority of the States in a region of the United States Fish and Wildlife Service; or
- (C) a regional association of State fish and game departments.

**(2) Use of submitted priority list of projects**

The Secretary of the Interior may make grants under this section only for projects identified on a priority list of sport fish restoration projects described in paragraph (3).

**(3) Priority list of projects**

A priority list referred to in paragraph (2) is a priority list of sport fish restoration projects that the International Association of Fish and Wildlife Agencies—

- (A) prepares through a committee comprised of the heads of State fish and game departments (or their designees), in consultation with—
  - (i) nongovernmental organizations that represent conservation organizations;
  - (ii) sportsmen organizations; and
  - (iii) industries that fund the sport fish restoration programs under this chapter;

(B) approves by vote of a majority of the heads of State fish and game departments (or their designees); and

(C) not later than October 1 of each fiscal year, submits to the Assistant Director for Wildlife and Sport Fish Restoration Programs.

**(4) Publication**

The Assistant Director for Wildlife and Sport Fish Restoration Programs shall publish in the Federal Register each priority list submitted under paragraph (3)(C).

**(c) Eligible grantees****(1) In general**

The Secretary of the Interior may make a grant under this section only to—

- (A) a State or group of States;
- (B) the United States Fish and Wildlife Service, or a State or group of States, for the purpose of carrying out the National Survey of Fishing, Hunting, and Wildlife-Associated Recreation; and
- (C) subject to paragraph (2), a nongovernmental organization.

**(2) Nongovernmental organizations****(A) In general**

Any nongovernmental organization that applies for a grant under this section shall submit with the application to the International Association of Fish and Wildlife Agencies a certification that the organization—

- (i) will not use the grant funds to fund, in whole or in part, any activity of the organization that promotes or encourages opposition to the regulated taking of fish; and
- (ii) will use the grant funds in compliance with subsection (d) of this section.

**(B) Penalties for certain activities**

Any nongovernmental organization that is found to use grant funds in violation of subparagraph (A) shall return all funds received under this section and be subject to any other applicable penalties under law.

**(d) Use of grants**

A grant under this section shall not be used, in whole or in part, for an activity, project, or program that promotes or encourages opposition to the regulated taking of fish.

**(e) Funding for other activities**

Of amounts made available under section 777c(b) of this title for each fiscal year—

- (1) \$200,000 shall be made available for each of—
  - (A) the Atlantic States Marine Fisheries Commission;
  - (B) the Gulf States Marine Fisheries Commission;
  - (C) the Pacific States Marine Fisheries Commission; and
  - (D) the Great Lakes Fisheries Commission; and

(2) \$400,000 shall be made available for the Sport Fishing and Boating Partnership Council established by the United States Fish and Wildlife Service.