

**(f) Nonapplicability of Federal Advisory Committee Act**

The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to any activity carried out under this section.

(Aug. 9, 1950, ch. 658, §14, as added Pub. L. 106-408, title I, §122(a), Nov. 1, 2000, 114 Stat. 1772; amended Pub. L. 109-59, title X, §10118, Aug. 10, 2005, 119 Stat. 1929; Pub. L. 109-241, title IX, §901(r)(2), July 11, 2006, 120 Stat. 566; Pub. L. 111-281, title IX, §903(a)(3), Oct. 15, 2010, 124 Stat. 3010.)

REFERENCES IN TEXT

The Federal Advisory Committee Act, referred to in subsec. (f), is Pub. L. 92-463, Oct. 6, 1972, 86 Stat. 770, as amended, which is set out in the Appendix to Title 5, Government Organization and Employees.

AMENDMENTS

2010—Subsec. (a)(1). Pub. L. 111-281 made technical correction to directory language of Pub. L. 109-241, §901(r)(2). See 2006 Amendment note below.

2006—Subsec. (a)(1). Pub. L. 109-241, §901(r)(2), as amended by Pub. L. 111-281, substituted “Not more than” for “For each of fiscal years 2006 through 2009, not more than”.

2005—Subsec. (a)(1). Pub. L. 109-59, §10118(1), reenacted subsec. (a) and par. (1) headings without change and amended text of par. (1) generally. Prior to amendment, text read as follows: “Of the balance of each annual appropriation made under section 777b of this title remaining after the distribution and use under subsections (a), (b), and (c) of section 777c of this title in a fiscal year, not more than \$3,000,000 shall be available to the Secretary of the Interior for making multistate conservation project grants in accordance with this section.”

Subsec. (a)(2)(B). Pub. L. 109-59, §10118(2), substituted “section 777c(c)” for “section 777c(e)” in two places.

Subsec. (e). Pub. L. 109-59, §10118(3), added introductory provisions and struck out former introductory provisions which read as follows: “Of the balance of each annual appropriation made under section 777b of this title remaining after the distribution and use under subsections (a), (b), and (c) of section 777c of this title for each fiscal year and after deducting amounts used for grants under subsection (a) of this section—”.

EFFECTIVE DATE OF 2010 AMENDMENT

Pub. L. 111-281, title IX, §903(a), Oct. 15, 2010, 124 Stat. 3010, provided that the amendment by section 903(a)(3) is effective with enactment of Pub. L. 109-241.

EFFECTIVE DATE OF 2005 AMENDMENTS

From Aug. 10, 2005, to end of fiscal year 2005, subsecs. (a)(1), (2)(B) and (e) of this 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.

**§ 777n. Expenditure of remaining balance in Boat Safety Account**

Amounts remaining in the Boat Safety Account on October 1, 2005, and amounts thereafter credited to the Account under section 9602(b) of title 26, shall be available, without further appropriation, for making expenditures before October 1, 2010, to carry out the purposes of this section and shall be distributed as follows:

(1) In fiscal year 2006, \$28,155,000 shall be distributed—

(A) under section 777c of this title in the following manner:

(i) \$11,200,000 to be added to funds available under subsection (a)(2) of that section;

(ii) \$1,245,000 to be added to funds available under subsection (a)(3) of that section;

(iii) \$1,245,000 to be added to funds available under subsection (a)(4) of that section;

(iv) \$1,245,000 to be added to funds available under subsection (a)(5) of that section; and

(v) \$12,800,000 to be added to funds available under subsection (c) of that section; and

(B) under section 777m of this title, \$420,000, to be added to funds available under subsection (a)(1) of that section.

(2) In fiscal year 2007, \$22,419,000 shall be distributed—

(A) under section 777c of this title in the following manner:

(i) \$8,075,000 to be added to funds available under subsection (a)(2) of that section;

(ii) \$713,000 to be added to funds available under subsection (a)(3) of that section;

(iii) \$713,000 to be added to funds available under subsection (a)(4) of that section;

(iv) \$713,000 to be added to funds available under subsection (a)(5) of that section; and

(v) \$11,925,000 to be added to funds available under subsection (c) of that section; and

(B) under section 777m of this title, \$280,000 to be added to funds available under subsection (a)(1) of that section.

(3) In fiscal year 2008, \$17,139,000 shall be distributed—

(A) under section 777c of this title in the following manner:

(i) \$6,800,000 to be added to funds available under subsection (a)(2) of that section;

(ii) \$333,000 to be added to funds available under subsection (a)(3) of that section;

(iii) \$333,000 to be added to funds available under subsection (a)(4) of that section;

(iv) \$333,000 to be added to funds available under subsection (a)(5) of that section; and

(v) \$9,200,000 to be added to funds available under subsection (c) of that section; and

(B) under section 777m of this title, \$140,000, to be added to funds available under subsection (a)(1) of that section.

(4) In fiscal year 2009, \$12,287,000 shall be distributed—

(A) under section 777c of this title in the following manner:

(i) \$5,100,000 to be added to funds available under subsection (a)(2) of that section;

- (ii) \$48,000 to be added to funds available under subsection (a)(3) of that section;
- (iii) \$48,000 to be added to funds available under subsection (a)(4) of that section;
- (iv) \$48,000 to be added to funds available under subsection (a)(5) of that section; and
- (v) \$6,900,000 to be added to funds available under subsection (c) of that section; and

(B) under section 777m of this title, \$143,000, to be added to funds available under subsection (a)(1) of that section.

(5) In fiscal year 2010, all remaining funds in the Account shall be distributed under section 777c of this title in the following manner:

(A) one-third to be added to funds available under subsection (a)(2) of that section; and

(B) two-thirds to be added to funds available under subsection (c) of that section.

(Aug. 9, 1950, ch. 658, §15, as added Pub. L. 109-59, title X, §10119, Aug. 10, 2005, 119 Stat. 1929; amended Pub. L. 109-74, title I, §103, Sept. 29, 2005, 119 Stat. 2031.)

#### CODIFICATION

The amendments by Pub. L. 109-74 were directed to section 10119 of Pub. L. 109-59 “in the text proposed to be inserted as section 15 of the Dingell-Johnson Sport Fish Restoration Act” (this section). Those amendments were effective on enactment of Pub. L. 109-74 (Sept. 29, 2005) and were incorporated into the text of this section when it became effective on Oct. 1, 2005. See Effective Date notes below.

#### PRIOR PROVISIONS

A prior section 15 of act Aug. 9, 1950, was renumbered section 16 and is set out as a note under section 777 of this title.

#### AMENDMENTS

2005—Par. (1)(A)(v). Pub. L. 109-74, §103(2), substituted “subsection (c) of that section” for “subsection (b) of that section”.

Par. (2)(A)(v). Pub. L. 109-74, §103(1), (2), substituted “subsection (c) of that section” for “subsection (b) of this Act”.

Pars. (3)(A)(v), (4)(A)(v). Pub. L. 109-74, §103(2), substituted “subsection (c) of that section” for “subsection (b) of that section”.

Par. (5)(A). Pub. L. 109-74, §103(3)(A), substituted “subsection (a)(2) of that section” for “subsection (b)”.

Par. (5)(B). Pub. L. 109-74, §103(3)(B), substituted “subsection (c) of that section” for “subsection (h)”.

#### EFFECTIVE DATE

From Aug. 10, 2005, to the end of fiscal year 2005, the provisions of law amended by section 10119 of Pub. L. 109-59, which added section 15 (this section) to the Dingell-Johnson Sport Fish Restoration Act, to be considered to read as immediately before enactment of Pub. L. 109-59, see section 101(b) of Pub. L. 109-74, set out as an Effective Date of 2005 Amendment note under section 777b of this title.

Section effective Oct. 1, 2005, see section 10102 of Pub. L. 109-59, set out as an Effective Date of 2005 Amendments note under section 777b of this title.

### CHAPTER 10C—FISH RESEARCH AND EXPERIMENTATION PROGRAM

Sec.  
778. Establishment of experiment stations; purpose of research.

Sec.  
778a. Acquisition of lands; construction of buildings; employment of personnel; cooperation with other agencies; publication of results.  
778b. Cooperation with Secretary of the Interior.  
778c. Authorization of appropriations.  
778d to 778h. Omitted.

#### § 778. Establishment of experiment stations; purpose of research

The Secretary of Agriculture shall establish 1 or more centers for the purpose of carrying on a program of research and experimentation—

(1) to determine species of fishes most suitable for culture on a commercial basis in shallow reservoirs and flooded rice lands;

(2) to determine methods for production of fingerling fishes for stocking in commercial reservoirs;

(3) to develop methods for the control of parasites and diseases of brood fishes and of fingerlings prior to stocking;

(4) to develop economical methods for raising the more desirable species of fishes to a marketable size;

(5) to determine, in cooperation with the Secretary of the Interior, the effects of fish-rice rotations, including crops other than rice commonly grown on rice farms, upon both the fish and other crops; and

(6) to develop suitable methods for harvesting the fish crop and preparing it for marketing, including a study of sport fishing as a means of such harvest.

(Pub. L. 85-342, §1, Mar. 15, 1958, 72 Stat. 35; Pub. L. 104-127, title VIII, §889(a)(1), Apr. 4, 1996, 110 Stat. 1180.)

#### AMENDMENTS

1996—Pub. L. 104-127, in introductory provisions, substituted “Secretary of Agriculture shall” for “Secretary of the Interior is authorized and directed to” and “1 or more centers” for “an experiment station or stations” and, in par. (5), substituted “Secretary of the Interior” for “Department of Agriculture”.

#### § 778a. Acquisition of lands; construction of buildings; employment of personnel; cooperation with other agencies; publication of results

For the purpose of carrying out the provisions of this chapter, the Secretary of Agriculture is authorized (1) to acquire by purchase, condemnation, or otherwise such suitable lands, to construct such buildings, to acquire such equipment and apparatus, and to employ such officers and employees as he deems necessary; (2) to cooperate with State and other institutions and agencies upon such terms and conditions as he determines to be appropriate; and (3) to make public the results of such research and experiments conducted pursuant to section 778 of this title.

(Pub. L. 85-342, §2, Mar. 15, 1958, 72 Stat. 35; Pub. L. 104-127, title VIII, §889(a)(2), Apr. 4, 1996, 110 Stat. 1180.)

#### AMENDMENTS

1996—Pub. L. 104-127 substituted “the Secretary of Agriculture is authorized” for “the Secretary of the Interior is authorized”.