

expended," after "and such sums" and substituted "heretofore and hereafter" for "in fiscal year 1996 and thereafter".

**§ 1474c. North American Wetlands Conservation Fund; availability of fines or forfeitures**

In fiscal year 1992 and thereafter, amounts received during the immediately preceding fiscal year under section 707 of title 16 as penalties or fines or from forfeitures of property or collateral, to remain available until expended.

(Pub. L. 103-138, title I, Nov. 11, 1993, 107 Stat. 1384.)

PRIOR PROVISIONS

Provisions similar to those in this section were contained in the following prior appropriation acts:

- Pub. L. 102-381, title I, Oct. 5, 1992, 106 Stat. 1381.
- Pub. L. 102-154, title I, Nov. 13, 1991, 105 Stat. 995.

**§ 1474d. Environmental Improvement and Restoration Fund**

**(a) Fund**

One half of the amounts awarded by the Supreme Court to the United States in the case of *United States of America v. State of Alaska* (117 S.Ct. 1888) shall be deposited in a fund in the Treasury of the United States to be known as the "Environmental Improvement and Restoration Fund" (referred to in this section as the "Fund").

**(b) Investments**

**(1) In general**

The Secretary of the Treasury shall invest amounts in the Fund in interest bearing obligations of the United States.

**(2) Acquisition of obligations**

For the purpose of investments under paragraph (1), obligations may be acquired—

- (A) on original issue at the issue price; or
- (B) by purchase of outstanding obligations at the market price.

**(3) Sale of obligations**

Any obligations acquired by the Fund may be sold by the Secretary of the Treasury at the market price.

**(4) Credits to Fund**

The interest earned from investments of the Fund shall be covered into and form a part of the Fund.

**(c) Transfer and availability of amounts earned**

Each year, interest earned and covered into the Fund in the previous fiscal year shall be made available as follows:

- (1) To the extent provided in the subsequent appropriations Acts, 80 percent of such amounts shall be made available to be equally divided among the Directors of the National Park Service, the United States Fish and Wildlife Service, the Bureau of Land Management, and the Chief of the Forest Service for high priority deferred maintenance and modernization of facilities that directly enhance the experience of visitors, including natural, cultural, recreational, and historic resources protection projects in National Parks, National Wildlife Refuges, and the public lands

respectively as provided in subsection (d) of this section and for payment to the State of Louisiana and its lessees for oil and gas drainage in the West Delta field. The Secretary shall submit with the annual budget submission to Congress a list of high priority maintenance and modernization projects for congressional consideration.

(2) 20 percent of such amounts shall be made available without further appropriation to the Secretary of Commerce for the purpose of carrying out marine research activities in the North Pacific in accordance with subsection (e) of this section.

**(d) Projects**

A project referred to in subsection (c)(1) of this section shall be consistent with the laws governing the National Park System, the National Wildlife Refuge System, the public lands and Forest Service lands and management plan for such unit.

**(e) Marine research activities**

(1) Funds available under subsection (c)(2) of this section shall be used by the Secretary of Commerce according to this subsection to provide grants to Federal, State, private or foreign organizations or individuals to conduct research activities on or relating to the fisheries or marine ecosystems in the north Pacific Ocean, Bering Sea, and Arctic Ocean (including any lesser related bodies of water).

(2) Research priorities and grant requests shall be reviewed by a board to be known as the North Pacific Research Board (referred to in this subsection as the "Board"). The Board shall seek to avoid duplicating other research activities, and shall place a priority on cooperative research efforts designed to address pressing fishery management or marine ecosystem information needs.

(3) The Board shall be comprised of the following representatives or their designees—

- (A) the Secretary of Commerce;
- (B) the Secretary of State;
- (C) the Secretary of the Interior;
- (D) the Commandant of the Coast Guard;
- (E) the Director of the Office of Naval Research;
- (F) the Alaska Commissioner of Fish and Game;
- (G) the Chairman of the North Pacific Fishery Management Council;
- (H) the Chairman of the Arctic Research Commission;
- (I) the Director of the Oil Spill Recovery Institute;
- (J) the Director of the Alaska SeaLife Center;

(K) five members nominated by the Governor of Alaska and appointed by the Secretary of Commerce, one of whom shall represent fishing interests, one of whom shall represent Alaska Natives, one of whom shall represent environmental interests, one of whom shall represent academia, and one of whom shall represent oil and gas interests;

(L) three members nominated by the Governor of Washington and appointed by the Secretary of Commerce; and<sup>1</sup>

<sup>1</sup> So in original. The word "and" probably should not appear.