

- (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.

(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.
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;