

(2) \$1,000,000 to the Department of Commerce, to be used by the Under Secretary to carry out section 4722 of this title;

(3) \$1,625,000, which shall be made available from funds otherwise authorized to be appropriated if such funds are so authorized, to fund aquatic nuisance species prevention and control research under section 4722(i) of this title at the Great Lakes Environmental Research Laboratory of the National Oceanic and Atmospheric Administration, of which \$500,000 shall be made available for grants, to be competitively awarded and subject to peer review, for research relating to Lake Champlain;

(4) \$5,000,000 for competitive grants for university research on aquatic nuisance species under section 4722(f)(3) of this title as follows:

(A) \$2,800,000, which shall be made available from funds otherwise authorized to be appropriated if such funds are so authorized, to fund grants under section 1124 of title 33;

(B) \$1,200,000 to fund grants to colleges for the benefit of agriculture and the mechanic arts referred to in section 322 of title 7; and

(C) \$1,000,000 to fund grants through the Cooperative Fisheries and Wildlife Research Unit Program of the United States Fish and Wildlife Service;

(5) \$3,000,000 to the Department of the Army, to be used by the Assistant Secretary to carry out section 4722(i)(1)(B) of this title; and

(6) \$300,000 to the Department of the Interior, to be used by the Director to fund regional panels and similar entities under section 4723 of this title, of which \$100,000 shall be used to fund activities of the Great Lakes Commission.

(c) Grants for State management programs

There are authorized to be appropriated for each of fiscal years 1997 through 2002 \$4,000,000 to the Department of the Interior, to be used by the Director for making grants under section 4724 of this title, of which \$1,500,000 shall be used by the Director, in consultation with the Assistant Secretary, for management of aquatic nuisance vegetation species.

(d) Intentional introductions policy review

There are authorized to be appropriated for fiscal year 1991, \$500,000 to the Director and the Under Secretary to conduct the intentional introduction policy review under section 4727 of this title.

(e) Ballast water management demonstration program

There are authorized to be appropriated \$2,500,000 to carry out section 4714 of this title.

(f) Research

There are authorized to be appropriated to the Director \$1,000,000 to carry out research on the prevention, monitoring, and control of aquatic nuisance species in Narragansett Bay, Rhode Island. The funds shall be made available for use by the Department of Environmental Management of the State of Rhode Island.

(Pub. L. 101-646, title I, §1301, Nov. 29, 1990, 104 Stat. 4772; Pub. L. 102-186, §4(b)(2), Dec. 4, 1991, 105 Stat. 1283; Pub. L. 104-332, §2(f), (h)(1), Oct. 26, 1996, 110 Stat. 4090, 4091.)

CODIFICATION

“Section 322 of title 7” substituted in subsec. (b)(4)(B) for “the first section of the Act of August 30, 1890 (26 Stat. 417, chapter 841; 7 U.S.C. 322)”. Section 1 of the act of Aug. 30, 1890, is classified to sections 322 and 323 of Title 7, Agriculture, but only section 322 refers to agriculture and the mechanic arts.

AMENDMENTS

1996—Pub. L. 104-332, §2(h)(1), made technical amendment to Pub. L. 101-646, §1301, which enacted this section.

Subsec. (a)(3). Pub. L. 104-332, §2(f)(1)(B), added par. (3) and struck out former par. (3) which read as follows: “\$1,000,000 for each of fiscal years 1993, 1994, and 1995 to the Secretary for implementation and enforcement of the regulations promulgated under section 4711 of this title.”

Subsec. (a)(4), (5). Pub. L. 104-332, §2(f)(1)(A), (C), added pars. (4) and (5).

Subsec. (b). Pub. L. 104-332, §2(f)(2)(A), substituted “1997 through 2002” for “1991, 1992, 1993, 1994, and 1995” in introductory provisions.

Subsec. (b)(1) to (7). Pub. L. 104-332, §2(f)(2)(B), added pars. (1) to (6) and struck out former pars. (1) to (7) which read as follows:

“(1) \$7,000,000 to the Director to carry out sections 4722 and 4728 of this title;

“(2) \$5,000,000 to the Under Secretary to carry out section 4722 of this title;

“(3) \$1,125,000 to fund aquatic nuisance species prevention and control research under section 4722(i) of this title at the Great Lakes Environmental Research Laboratory of the National Oceanic and Atmospheric Administration;

“(4) \$5,000,000 for competitive grants for university research on aquatic nuisance species under section 4722(f)(3) of this title as follows:

“(A) \$3,375,000 to fund grants under the National Sea Grant College Program Act (33 U.S.C. 1121 et seq.), and of this amount, \$2,500,000 to fund grants in the Great Lakes region; and

“(B) \$1,675,000 to fund grants through the Cooperative Fisheries and Wildlife Research Unit Program of the United States Fish and Wildlife Service;

“(5) \$500,000 to fund Sea Grant Marine Advisory Services education and technical assistance related to infestations of zebra mussels under sections 4722(g) and (h) of this title;

“(6) \$200,000 to fund aquatic nuisance species prevention and control activities of the Great Lakes Commission; and

“(7) \$2,000,000 to the Assistant Secretary to carry out section 4722(i)(2) of this title.”

Subsec. (c). Pub. L. 104-332, §2(f)(3), added subsec. (c) and struck out heading and text of former subsec. (c). Text read as follows: “There are authorized to be appropriated for each of fiscal years 1991, 1992, 1993, 1994, and 1995 to make grants under section 4724 of this title—

“(1) \$2,500,000 to the Director; and

“(2) \$5,000,000 to the Assistant Secretary.”

Subsecs. (e), (f). Pub. L. 104-332, §2(f)(4), added subsecs. (e) and (f).

1991—Subsec. (b)(4)(A). Pub. L. 102-186 amended subpar. (A) generally. Prior to amendment, subpar. (A) read as follows: “\$3,375,000 to fund grants under section 1125 of title 33, and of this amount, \$2,500,000 to fund grants in the Great Lakes region; and”.

SUBCHAPTER V—COOPERATIVE ENVIRONMENTAL ANALYSES

§ 4751. Environmental impact analyses

The Secretary of State, in consultation with the Council on Environmental Quality, is encouraged to enter into negotiations with the governments of Canada and Mexico to provide

for reciprocal cooperative environmental impact analysis of major Federal actions which have significant transboundary effects on the quality of the human environment in the United States, Canada, and Mexico.

(Pub. L. 101-646, title I, §1401, Nov. 29, 1990, 104 Stat. 4773; Pub. L. 104-332, §2(h)(1), Oct. 26, 1996, 110 Stat. 4091.)

AMENDMENTS

1996—Pub. L. 104-332 made technical amendment to Pub. L. 101-646, §1401, which enacted this section.

CHAPTER 68—PACIFIC YEW CONSERVATION AND MANAGEMENT

§§ 4801 to 4805. Omitted

CODIFICATION

Sections 4801 to 4805 were omitted as expired pursuant to section 4807 of this title.

Section 4801, Pub. L. 102-335, §2, Aug. 7, 1992, 106 Stat. 859, related to findings, purposes, and definitions.

Section 4802, Pub. L. 102-335, §3, Aug. 7, 1992, 106 Stat. 860, related to Pacific yew conservation and management.

Section 4803, Pub. L. 102-335, §4, Aug. 7, 1992, 106 Stat. 861, related to research regarding ecology of Pacific yew, development of alternative methods of procuring taxol, and propagation of species.

Section 4804, Pub. L. 102-335, §5, Aug. 7, 1992, 106 Stat. 861, related to collection and sale of Pacific yew resources.

Section 4805, Pub. L. 102-335, §6, Aug. 7, 1992, 106 Stat. 862, related to construction of chapter with other laws.

SHORT TITLE

Pub. L. 102-335, §1(a), Aug. 7, 1992, 106 Stat. 859, provided that Pub. L. 102-335 (this chapter) could be cited as the “Pacific Yew Act”.

§ 4806. Repealed. Pub. L. 105-362, title IX, §901(a)(1), Nov. 10, 1998, 112 Stat. 3289

Section, Pub. L. 102-335, §7, Aug. 7, 1992, 106 Stat. 862; Pub. L. 103-437, §6(d)(43), Nov. 2, 1994, 108 Stat. 4585, related to report to Congress concerning sufficiency of Pacific yew harvests to supply taxol required for medicinal purposes and concerning Pacific yew inventory required by section 4802(d) of this title.

§ 4807. Omitted

CODIFICATION

Section, Pub. L. 102-335, §7, formerly §8, Aug. 7, 1992, 106 Stat. 862; renumbered §7 and amended Pub. L. 105-362, title IX, §901(a)(2), Nov. 10, 1998, 112 Stat. 3289, provided that if the Secretary of Health and Human Services, the Secretary of Agriculture, and the Secretary of the Interior concluded that quantities of taxol sufficient to satisfy medicinal demands were available from sources other than the Pacific yew, they were to jointly notify Congress, at which time the requirements of this chapter would expire. Such a conclusion was transmitted to Congress by the Secretaries in a letter dated Jan. 26, 1998.

A prior section 7 of Pub. L. 102-335 was classified to section 4806 of this title prior to repeal by Pub. L. 105-362.

CHAPTER 69—WILD EXOTIC BIRD CONSERVATION

Sec.	
4901.	Findings.
4902.	Statement of purpose.
4903.	Definitions.

Sec.	
4904.	Moratoria on imports of exotic birds covered by Convention.
4905.	List of approved species.
4906.	Qualifying facilities.
4907.	Moratoria for species not covered by Convention.
4908.	Call for information.
4909.	Petitions.
4910.	Prohibited acts.
4911.	Exemptions.
4912.	Penalties and regulations.
4913.	Exotic bird conservation assistance.
4914.	Marking and recordkeeping.
4915.	Authorization of appropriations.
4916.	Relationship to State law.

§ 4901. Findings

The Congress finds the following:

(1) In addition to habitat loss and local use, the international pet trade in wild-caught exotic birds is contributing to the decline of species in the wild, and the mortality associated with the trade remains unacceptably high.

(2) The United States, as the world's largest importer of exotic birds and as a Party to the Convention, should play a substantial role in finding effective solutions to these problems, including assisting countries of origin in implementing programs of wild bird conservation, and ensuring that the market in the United States for exotic birds does not operate to the detriment of the survival of species in the wild.

(3) Sustainable utilization of exotic birds has the potential to create economic value in them and their habitats, which will contribute to their conservation and promote the maintenance of biological diversity generally.

(4) Utilization of exotic birds that is not sustainable should not be allowed.

(5) Broad international attention has focused on the serious conservation and welfare problems which currently exist in the trade in wild-caught animals, including exotic birds.

(6) Many countries have chosen not to export their wild birds for the pet trade. Their decisions should be respected and their efforts should be supported.

(7) Several countries that allow for the export of their wild birds often lack the means to develop or effectively implement scientifically based management plans, and these countries should be assisted in developing and implementing management plans to enable them to ensure that their wild bird trade is conducted humanely and at sustainable levels.

(8) The major exotic bird exporting countries are Parties to the Convention.

(9) The Convention recognizes that trade in species that are threatened with extinction, or that may become so, should be subject to strict regulation.

(10) The necessary population assessments, monitoring programs, and appropriate remedial measures for species listed in Appendix II of the Convention are not always being undertaken in order to maintain species at levels above which they might become eligible for inclusion in Appendix I of the Convention.

(11) Resolutions adopted pursuant to the Convention recommend that the Parties to the Convention take appropriate measures regard-