

paragraph (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**

Not more than \$1,200,000 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 use as follows:

(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.

(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; Pub. L. 114-94, div. A, title X, §10001(f), Dec. 4, 2015, 129 Stat. 1621.)

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

2015—Subsec. (a)(1). Pub. L. 114-94, §10001(f)(1), struck out “of each annual appropriation made in accordance with the provisions of section 777b of this title” after “\$3,000,000”.

Subsec. (e). Pub. L. 114-94, §10001(f)(2)(A), in introductory provisions, substituted “Not more than \$1,200,000 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 use as follows:” for “Of amounts made available under section 777c(b) of this title for each fiscal year—”.

Subsec. (e)(1)(D). Pub. L. 114-94, §10001(f)(2)(B), substituted period at end for “; and”.

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 amend-

ment, 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 2015 AMENDMENT

Amendment by Pub. L. 114-94 effective Oct. 1, 2015, see section 1003 of Pub. L. 114-94, set out as a note under section 5313 of Title 5, Government Organization and Employees.

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. Repealed. Pub. L. 114-94, div. A, title X, § 10001(g)(1), Dec. 4, 2015, 129 Stat. 1621**

Section, act 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, related to expenditure of remaining balance in the Boat Safety Account.

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.

EFFECTIVE DATE OF REPEAL

Repeal by Pub. L. 114-94 effective Oct. 1, 2015, see section 1003 of Pub. L. 114-94, set out as an Effective Date of 2015 Amendment note under section 5313 of Title 5, Government Organization and Employees.

**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;

(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”.

#### § 778b. Cooperation with Secretary of the Interior

The Secretary of the Interior is authorized to cooperate in carrying out the provisions of this chapter by furnishing such information and assistance as may be requested by the Secretary of Agriculture.

(Pub. L. 85-342, §3, Mar. 15, 1958, 72 Stat. 35; Pub. L. 104-127, title VIII, §889(a)(3), Apr. 4, 1996, 110 Stat. 1180.)

#### AMENDMENTS

1996—Pub. L. 104-127 substituted “the Secretary of the Interior” for “The Department of Agriculture” and

“requested by the Secretary of Agriculture” for “requested by the Secretary of the Interior”.

#### § 778c. Authorization of appropriations

There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this chapter.

(Pub. L. 85-342, §4, Mar. 15, 1958, 72 Stat. 35.)

#### §§ 778d to 778h. Omitted

#### CODIFICATION

Sections, Pub. L. 89-701, §§1-5, Nov. 2, 1966, 80 Stat. 1089, 1090, related to fish protein concentrate and authorized the Secretary of the Interior to promote studies, conduct research and experiments, and construct and lease experiment and demonstration plants. The authority of the Secretary under these sections expired at the expiration of five years from Nov. 2, 1966 by the express terms of section 778h of this title.

Section 778f was amended by Pub. L. 90-549, Oct. 4, 1968, 82 Stat. 936.

#### CHAPTER 10D—STATE COMMERCIAL FISHERIES RESEARCH AND DEVELOPMENT PROJECTS

#### §§ 779 to 779f. Repealed. Pub. L. 99-659, title III, § 309, Nov. 14, 1986, 100 Stat. 3736

Section 779, Pub. L. 88-309, §2, May 20, 1964, 78 Stat. 197; 1970 Reorg. Plan No. 4, eff. Oct. 3, 1970, 35 F.R. 15627, 84 Stat. 2090; Pub. L. 94-273, §4(3), Apr. 21, 1976, 90 Stat. 377; Pub. L. 94-485, §1(1), Oct. 12, 1976, 90 Stat. 2326, defined terms used in this chapter.

Section 779a, Pub. L. 88-309, §3, May 20, 1964, 78 Stat. 197; 1970 Reorg. Plan No. 4, eff. Oct. 3, 1970, 35 F.R. 15627, 84 Stat. 2090, related to cooperation with States on projects for the research and development of commercial fisheries resources, joint projects between States, consent to interstate compacts, and reservation of right to alter, amend or repeal consent.

Section 779b, Pub. L. 88-309, §4, May 20, 1964, 78 Stat. 197; Pub. L. 90-551, §§1-3, Oct. 4, 1968, 82 Stat. 957; 1970 Reorg. Plan No. 4, eff. Oct. 3, 1970, 35 F.R. 15627, 84 Stat. 2090; Pub. L. 92-590, §§1-3, Oct. 27, 1972, 86 Stat. 1303; Pub. L. 95-53, June 22, 1977, 91 Stat. 249; Pub. L. 96-262, §1, June 5, 1980, 94 Stat. 437; Pub. L. 97-389, title I, §101, Dec. 29, 1982, 96 Stat. 1949, authorized appropriations to carry out this chapter.

Section 779c, Pub. L. 88-309, §5, May 20, 1964, 78 Stat. 198; Pub. L. 94-273, §3(3), Apr. 21, 1976, 90 Stat. 376; Pub. L. 94-485, §1(2), (3), Oct. 12, 1976, 90 Stat. 2326, provided for apportionment among States of funds appropriated under former section 779b of this title.

Section 779d, Pub. L. 88-309, §6, May 20, 1964, 78 Stat. 198; Pub. L. 94-485, §1(4), Oct. 12, 1976, 90 Stat. 2326, provided for approval of projects for funding, and payment of benefits, under this chapter.

Section 779e, Pub. L. 88-309, §7, May 20, 1964, 78 Stat. 199, related to working conditions on projects funded, and to disposal of property acquired, under this chapter.

Section 779f, Pub. L. 88-309, §8, May 20, 1964, 78 Stat. 199, authorized promulgation of rules and regulations.

#### EFFECTIVE DATE OF REPEAL

Repeal effective Oct. 1, 1987, see section 310 of Pub. L. 99-659, set out as an Effective Date note under section 4101 of this title.