

(B) Form of payment**(i) Projects in the United States and Canada**

The non-Federal share required to be paid for a project carried out in the United States or Canada shall be paid in cash.

(ii) Projects in Latin America and the Caribbean

The non-Federal share required to be paid for a project carried out in Latin America or the Caribbean may be paid in cash or in kind.

(Pub. L. 106-247, §5, July 20, 2000, 114 Stat. 594; Pub. L. 109-363, title III, §302(d), (e), Oct. 17, 2006, 120 Stat. 2076.)

AMENDMENTS

2006—Subsec. (c)(2). Pub. L. 109-363, §302(d), inserted “Canada,” after “United States.”

Subsec. (e)(2)(B). Pub. L. 109-363, §302(e), amended subpar. (B) generally. Prior to amendment, text read as follows:

“(i) PROJECTS IN THE UNITED STATES.—The non-Federal share required to be paid for a project carried out in the United States shall be paid in cash.

“(ii) PROJECTS IN FOREIGN COUNTRIES.—The non-Federal share required to be paid for a project carried out in a foreign country may be paid in cash or in kind.”

§ 6105. Duties of the Secretary

In carrying out this chapter, the Secretary shall—

(1) develop guidelines for the solicitation of proposals for projects eligible for financial assistance under section 6104 of this title;

(2) encourage submission of proposals for projects eligible for financial assistance under section 6104 of this title, particularly proposals from relevant wildlife management authorities;

(3) select proposals for financial assistance that satisfy the requirements of section 6104 of this title, giving preference to proposals that address conservation needs not adequately addressed by existing efforts and that are supported by relevant wildlife management authorities; and

(4) generally implement this chapter in accordance with its purposes.

(Pub. L. 106-247, §6, July 20, 2000, 114 Stat. 595.)

§ 6106. Cooperation**(a) In general**

In carrying out this chapter, the Secretary shall—

(1) support and coordinate existing efforts to conserve neotropical migratory bird species, through—

(A) facilitating meetings among persons involved in such efforts;

(B) promoting the exchange of information among such persons;

(C) developing and entering into agreements with other Federal agencies, foreign, State, and local governmental agencies, and nongovernmental organizations; and

(D) conducting such other activities as the Secretary considers to be appropriate; and

(2) coordinate activities and projects under this chapter with existing efforts in order to

enhance conservation of neotropical migratory bird species.

(b) Advisory group**(1) In general**

To assist in carrying out this chapter, the Secretary may convene an advisory group consisting of individuals representing public and private organizations actively involved in the conservation of neotropical migratory birds. The advisory group as a whole shall have expertise in the methods and procedures set forth in section 6103(2) of this title in each country and region of the Western Hemisphere¹

(2) Public participation**(A) Meetings**

The advisory group shall—

(i) ensure that each meeting of the advisory group is open to the public; and

(ii) provide, at each meeting, an opportunity for interested persons to present oral or written statements concerning items on the agenda.

(B) Notice

The Secretary shall provide to the public timely notice of each meeting of the advisory group.

(C) Minutes

Minutes of each meeting of the advisory group shall be kept by the Secretary and shall be made available to the public.

(3) Exemption from Federal Advisory Committee Act

The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the advisory group.

(Pub. L. 106-247, §7, July 20, 2000, 114 Stat. 595; Pub. L. 109-363, title III, §302(f)(1), Oct. 17, 2006, 120 Stat. 2076.)

REFERENCES IN TEXT

The Federal Advisory Committee Act, referred to in subsec. (b)(3), 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

2006—Subsec. (b)(1). Pub. L. 109-363 inserted at end “The advisory group as a whole shall have expertise in the methods and procedures set forth in section 6103(2) of this title in each country and region of the Western Hemisphere”.

ENCOURAGEMENT TO CONVENE

Pub. L. 109-363, title III, §302(f)(2), Oct. 17, 2006, 120 Stat. 2076, provided that: “The Secretary of the Interior is encouraged to convene an advisory group under section 7(b)(1) of such Act [Pub. L. 106-247, subsec. (b)(1) of this section] by not later than 6 months after the effective date of this Act [Oct. 17, 2006]. This paragraph shall not be considered to authorize delay of the schedule previously established by the United States Fish and Wildlife Service for the submission, judging, and awarding of grants.”

§ 6107. Report to Congress

Not later than 2 years after October 17, 2006, the Secretary shall submit to Congress a report

¹ So in original. Probably should be followed by a period.

on the results and effectiveness of the program carried out under this chapter, including recommendations concerning how the chapter might be improved and whether the program should be continued.

(Pub. L. 106-247, §8, July 20, 2000, 114 Stat. 596; Pub. L. 109-363, title III, §302(g), Oct. 17, 2006, 120 Stat. 2076.)

AMENDMENTS

2006—Pub. L. 109-363 substituted “2 years after October 17, 2006,” for “October 1, 2002.”

§ 6108. Neotropical Migratory Bird Conservation Fund

(a) Establishment

There is established in the Treasury a separate account, which shall be known as the “Neotropical Migratory Bird Conservation Fund”. The Fund shall consist of amounts deposited into the Fund by the Secretary of the Treasury under subsection (b).

(b) Deposits into the Fund

The Secretary of the Treasury shall deposit into the Fund—

- (1) all amounts received by the Secretary in the form of donations under subsection (d); and
- (2) other amounts appropriated to the Fund.

(c) Use

(1) In general

Subject to paragraph (2), the Secretary may use amounts in the Account,¹ without further Act of appropriation, to carry out this chapter.

(2) Administrative expenses

Of amounts in the Account¹ available for each fiscal year, the Secretary may expend not more than 3 percent or up to \$100,000, whichever is greater, to pay the administrative expenses necessary to carry out this chapter.

(d) Acceptance and use of donations

The Secretary may accept and use donations to carry out this chapter. Amounts received by the Secretary in the form of donations shall be transferred to the Secretary of the Treasury for deposit into the Fund.

(Pub. L. 106-247, §9, July 20, 2000, 114 Stat. 596; Pub. L. 109-363, title III, §302(h)(1), (2), (3)(B), Oct. 17, 2006, 120 Stat. 2076, 2077.)

AMENDMENTS

2006—Pub. L. 109-363, §302(h)(1), substituted “Neotropical Migratory Bird Conservation Fund” for “Neotropical Migratory Bird Conservation Account” in section catchline.

Subsecs. (a), (b). Pub. L. 109-363, §302(h)(1), added subsecs. (a) and (b) and struck out former subsecs. (a) and (b) which related to the establishment of and deposits into the Neotropical Migratory Bird Conservation Account.

Subsec. (c)(2). Pub. L. 109-363, §302(h)(2), substituted “\$100,000” for “\$80,000”.

Subsec. (d). Pub. L. 109-363, §302(h)(3)(B), substituted “Fund” for “Account”.

¹ So in original. Probably should be “Fund”.

TRANSFER OF FUNDS

Pub. L. 109-363, title III, §302(h)(4), Oct. 17, 2006, 120 Stat. 2077, provided that: “The Secretary of the Treasury may transfer to the Neotropical Migratory Bird Conservation Fund amounts that were in the Neotropical Migratory Bird Conservation Account immediately before the enactment of this Act [Oct. 17, 2006].”

§ 6109. Authorization of appropriations

(a) In general

There is authorized to be appropriated to the Account¹ to carry out this chapter for each of fiscal years 2006 through 2010 the amount specified for that fiscal year in subsection (b), to remain available until expended, of which not less than 75 percent of the amounts made available for each fiscal year shall be expended for projects carried out outside the United States.

(b) Authorized amount

The amount referred to in subsection (a) is—

- (1) \$5,000,000 for each of fiscal years 2006 and 2007;
- (2) \$5,500,000 for fiscal year 2008;
- (3) \$6,000,000 for fiscal year 2009; and
- (4) \$6,500,000 for fiscal year 2010.

(c) Availability

Amounts appropriated under this section may remain available until expended.

(d) Allocation

Of amounts appropriated under this section for each fiscal year, not less than 75 percent shall be expended for projects carried out outside the United States.

(Pub. L. 106-247, §10, July 20, 2000, 114 Stat. 597; Pub. L. 109-363, title III, §302(i), Oct. 17, 2006, 120 Stat. 2077.)

AMENDMENTS

2006—Pub. L. 109-363 designated existing provisions as subsec. (a), inserted heading, substituted “for each of fiscal years 2006 through 2010 the amount specified for that fiscal year in subsection (b)” for “\$5,000,000 for each of fiscal years 2001 through 2005”, and added subsecs. (b) to (d).

CHAPTER 81—USER FEES UNDER FOREST SYSTEM RECREATION RESIDENCE PROGRAM

Sec.

6201 to 6213. Repealed.

6214. Cabin user and transfer fees.

§§ 6201 to 6213. Repealed. Pub. L. 113-291, div. B, title XXX, §3024(k), Dec. 19, 2014, 128 Stat. 3766

Section 6201, Pub. L. 106-291, title VI, §602, Oct. 11, 2000, 114 Stat. 1014, set forth congressional findings.

Section 6202, Pub. L. 106-291, title VI, §603, Oct. 11, 2000, 114 Stat. 1014, related to purposes of chapter.

Section 6203, Pub. L. 106-291, title VI, §604, Oct. 11, 2000, 114 Stat. 1014, set forth definitions.

Section 6204, Pub. L. 106-291, title VI, §605, Oct. 11, 2000, 114 Stat. 1015, related to administration of recreation residence program.

Section 6205, Pub. L. 106-291, title VI, §606, Oct. 11, 2000, 114 Stat. 1015, related to appraisal process for determining cabin user fees.

¹ So in original. Probably should be “Fund”.