

ocean observing, and other programs and activities carried out in coordination with Federal and State departments or agencies.

**(b) Prohibition on use of funds for litigation or other purposes**

No funds made available under this chapter may be used to—

- (1) fund litigation against the Federal Government; or
- (2) fund the creation of national marine monuments and marine protected areas, marine spatial planning, or the National Ocean Policy.

(Pub. L. 114–113, div. O, title IX, §905, Dec. 18, 2015, 129 Stat. 3032.)

**§ 7505. Grants**

**(a) Administration of grants**

**(1) In general**

Not later than 90 days after funds are deposited into the Fund and made available to the Foundation for administrative purposes, the Foundation shall establish the following:

(A) Application and review procedures for the awarding of grants under this section, including requirements ensuring that any amounts awarded under such subsections may only be used for an eligible use described under section 7504 of this title.

(B) Selection procedures and criteria for the awarding of grants under this section that—

- (i) require consultation with the Administrator and the Secretary of the Interior; and
- (ii) prioritize the projects or activities where non-Federal partners have committed to share the cost of the project.

(C) Eligibility criteria for awarding grants—

- (i) under subsection (b) to coastal States; and
- (ii) under subsection (c) to—
  - (I) entities including States, local governments, and Indian tribes; and
  - (II) the research and restoration work of associations, nongovernmental organizations, public-private partnerships, and academic institutions.

(D) Performance accountability and monitoring measures for programs and activities funded by a grant awarded under subsection (b) or (c).

(E) Procedures and methods to ensure accurate accounting and appropriate administration of grants awarded under this section, including standards of recordkeeping.

(F) Procedures to carry out audits of the Fund as necessary, but not less frequently than once every year if grants have been awarded in that year.

(G) Procedures to carry out audits of the recipients of grants under this section.

(H) Procedures to make publicly available on the Internet a list of all projects funded by the Fund, that includes at a minimum the grant recipient, grant amount, project description, and project status.

**(2) Approval**

The Foundation shall submit to the Administrator for approval each procedure, measure, method, and standard established under paragraph (1).

**(b) Grants to coastal States**

**(1) In general**

The Administrator and the Foundation may award grants according to the procedures established in subsection (a) to coastal States and United States territories to support activities consistent with section 7503<sup>1</sup> of this title. In determining distribution of grants, the Foundation may—

- (A) consider for each State—
  - (i) percent of total United States shoreline miles;
  - (ii) coastal population density; and
  - (iii) other factors;

(B) establish criteria for States, including the requirement for a State to establish a plan to distribute the funds; and

(C) establish a maximum and minimum percentage of funding to be awarded to each State or United States territory.

**(2) Indian tribes**

As a condition on receipt of a grant under this subsection, a State that receives a grant under this subsection shall ensure that Indian tribes in the State are eligible to participate in any competitive grants established in this chapter.

**(c) National grants for oceans, coasts, and Great Lakes**

**(1) In general**

The Administrator and the Foundation may award grants according to the procedures established in subsection (a) to support activities consistent with section 7504 of this title.

**(2) Advisory panel**

**(A) In general**

The Foundation may establish an advisory panel to conduct reviews of applications for grants under paragraph (1) and the Foundation may consider the recommendations of the advisory panel with respect to such applications.

**(B) Membership**

The advisory panel described under subparagraph (A) shall include persons representing—

- (i) ocean and coastal dependent industries;
- (ii) geographic regions as defined by the Foundation; and
- (iii) academic institutions.

(Pub. L. 114–113, div. O, title IX, §906, Dec. 18, 2015, 129 Stat. 3032.)

REFERENCES IN TEXT

Section 7503 of this title, referred to in subsec. (b), was in the original “section 904”, meaning section 904 of div. O of Pub. L. 114–113, which is classified to section 7503 of this title, but probably should have been a

<sup>1</sup> See References in Text note below.

reference to section 905 of div. O of Pub. L. 114-113, which is classified to section 7504 of this title. See subsec. (c)(1) of this section.

### § 7506. Annual report

#### (a) Requirement for annual report

Subject to subsection (c),<sup>1</sup> beginning with fiscal year 2017, not later than 60 days after the end of each fiscal year, the Foundation shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Natural Resources of the House of Representatives a report on the operation of the Fund during that fiscal year.

#### (b) Content

Each annual report submitted under subsection (a) for a fiscal year shall include—

- (1) a full and complete statement of the receipts, including the source of all receipts, expenditures, and investments of the Fund;
- (2) a statement of the amounts deposited in the Fund and the balance remaining in the Fund at the end of the fiscal year; and
- (3) a description of the expenditures made from the Fund for the fiscal year, including the purpose of the expenditures.

(Pub. L. 114-113, div. O, title IX, §907, Dec. 18, 2015, 129 Stat. 3034.)

### § 7507. Funding

There is authorized to be appropriated such sums as are necessary for fiscal years 2017, 2018, and 2019 for this chapter.

(Pub. L. 114-113, div. O, title IX, §908, Dec. 18, 2015, 129 Stat. 3034.)

## CHAPTER 95—ELIMINATE, NEUTRALIZE, AND DISRUPT WILDLIFE TRAFFICKING

|       |  |
|-------|--|
| Sec.  |  |
| 7601. | Definitions.   |
|       | SUBCHAPTER I—PURPOSES AND POLICY   |
| 7611. | Purposes.  |
| 7612. | Statement of United States policy.   |
|       | SUBCHAPTER II—REPORT ON MAJOR WILDLIFE TRAFFICKING COUNTRIES                 |
| 7621. | Report.  |
|       | SUBCHAPTER III—FRAMEWORK FOR INTERAGENCY RESPONSE                            |
| 7631. | Presidential Task Force on Wildlife Trafficking.                             |
|       | SUBCHAPTER IV—PROGRAMS TO ADDRESS THE ESCALATING WILDLIFE TRAFFICKING CRISIS |
| 7641. | Anti-poaching programs.  |
| 7642. | Anti-trafficking programs.   |
| 7643. | Engagement of United States diplomatic missions.                             |
| 7644. | Community conservation.  |

### § 7601. Definitions

In this chapter:

#### (1) Appropriate congressional committees

The term “appropriate congressional committees” means—

- (A) the Committee on Foreign Relations and the Committee on Appropriations of the Senate; and

(B) the Committee on Foreign Affairs and the Committee on Appropriations of the House of Representatives.

#### (2) Co-Chairs of the Task Force

The term “Co-Chairs of the Task Force” means the Secretary of State, the Secretary of the Interior, and the Attorney General, as established pursuant to Executive Order 13648.

#### (3) Community conservation

The term “community conservation” means an approach to conservation that recognizes the rights of local people to manage, or benefit directly and indirectly from wildlife and other natural resources in a long-term biologically viable manner and includes—

- (A) devolving management and governance to local communities to create positive conditions for resource use that takes into account current and future ecological requirements; and
- (B) building the capacity of communities for conservation and natural resource management.

#### (4) Country of concern

The term “country of concern” refers to a foreign country specially designated by the Secretary of State pursuant to subsection (b) of section 7621 of this title as a major source of wildlife trafficking products or their derivatives, a major transit point of wildlife trafficking products or their derivatives, or a major consumer of wildlife trafficking products, in which the government has actively engaged in or knowingly profited from the trafficking of endangered or threatened species.

#### (5) Focus country

The term “focus country” refers to a foreign country determined by the Secretary of State to be a major source of wildlife trafficking products or their derivatives, a major transit point of wildlife trafficking products or their derivatives, or a major consumer of wildlife trafficking products.

#### (6) Defense article; defense service; significant military equipment; training

The terms “defense article”, “defense service”, “significant military equipment”, and “training” have the meanings given such terms in section 2794 of title 22.

#### (7) Implementation Plan

The term “Implementation Plan” means the Implementation Plan for the National Strategy for Combating Wildlife Trafficking released on February 11, 2015, a modification of that plan, or a successor plan.

#### (8) National Strategy

The term “National Strategy” means the National Strategy for Combating Wildlife Trafficking published on February 11, 2014, a modification of that strategy, or a successor strategy.

#### (9) National wildlife services

The term “national wildlife services” refers to the ministries and government bodies designated to manage matters pertaining to wildlife management, including poaching or trafficking, in a focus country.

<sup>1</sup> So in original.