

available for expenditure by the Secretary of the Interior to supplement the 58.012 percent of the balance of each annual appropriation to be apportioned among the States under section 777c(c) of this title.

(Aug. 9, 1950, ch. 658, §12, 64 Stat. 434; July 2, 1956, ch. 489, §4, 70 Stat. 473; Aug. 1, 1956, ch. 852, §8, 70 Stat. 908; Pub. L. 86-70, §16, June 25, 1959, 73 Stat. 143; Pub. L. 91-503, title II, §203, Oct. 23, 1970, 84 Stat. 1103; Pub. L. 96-597, title III, §302(a), Dec. 24, 1980, 94 Stat. 3477; Pub. L. 98-369, div. A, title X, §1014(a)(7), July 18, 1984, 98 Stat. 1016; Pub. L. 109-59, title X, §10117, Aug. 10, 2005, 119 Stat. 1929; Pub. L. 114-94, div. A, title X, §10001(e), Dec. 4, 2015, 129 Stat. 1621.)

AMENDMENTS

2015—Pub. L. 114-94 substituted “58.012 percent” for “57 percent” and “under section 777c(c) of this title” for “under section 777c(b) of this title”.

2005—Pub. L. 109-59 substituted “to supplement the 57 percent of the balance of each annual appropriation to be apportioned among the States under section 777c(b) of this title” for “in carrying on the research program of the Fish and Wildlife Service in respect to fish of material value for sport or recreation” before period at end.

1984—Pub. L. 98-369 inserted “the Mayor of the District of Columbia,” after “the Secretary of Agriculture of Puerto Rico,” “for the District of Columbia one-third of 1 per centum,” after “for Puerto Rico 1 per centum,” and “the District of Columbia,” after “Puerto Rico,” in two places.

1980—Pub. L. 96-597 inserted references to the Governor and the Commonwealth of the Northern Mariana Islands.

1970—Pub. L. 91-503 substituted “Secretary of Agriculture of Puerto Rico” for “Commissioner of Agriculture and Commerce of Puerto Rico”, added American Samoa to the list of recipients, and substituted maximum limits of apportionment of one percent for Puerto Rico, one-third of one percent for Guam, one-third of one percent for American Samoa and one-third of one percent for Virgin Islands for maximum limit of \$10,000 for Puerto Rico, Guam and Virgin Islands together.

1959—Pub. L. 86-70 struck out provisions which authorized cooperation with the Alaska Game Commission and permitted apportionment of not more than \$75,000 in any one year to the Territory of Alaska.

1956—Act Aug. 1, 1956, inserted “the Governor of Guam” after “Commissioner of Agriculture and Commerce of Puerto Rico,” and “Guam” after “Puerto Rico” in three remaining places those words appear.

Act July 2, 1956, struck out provisions which authorized the Secretary to cooperate with the Division of Game and Fish of the Board of Commissioners of Agriculture and Forestry of Hawaii, struck out limitation of \$25,000 on the amount of funds which could be apportioned to Hawaii in any one year, and substituted “Territory of Alaska” for “Territories” in two places.

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 2005 AMENDMENTS

From Aug. 10, 2005, to end of fiscal year 2005, 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.

EFFECTIVE DATE OF 1984 AMENDMENT

Amendment by Pub. L. 98-369 effective Oct. 1, 1984, and applicable with respect to fiscal years beginning after Sept. 30, 1984, see section 1014(b) of Pub. L. 98-369, set out as a note under section 777 of this title.

EFFECTIVE DATE OF 1956 AMENDMENT

Amendment by act July 2, 1956, as applicable only with respect to fiscal years beginning after July 2, 1956, see section 5 of act July 2, 1956, set out as a note under section 669a of this title.

TRANSFER OF FUNCTIONS

Transfer of functions to Secretary of Commerce from Secretary of the Interior by Reorg. Plan No. 4 of 1970, eff. Oct. 3, 1970, 35 F.R. 15627, 84 Stat. 2090, see note set out under section 777 of this title.

§ 777I. State use of contributions

A State may use contributions of funds, real property, materials, and services to carry out an activity under this chapter in lieu of payment by the State of the State share of the cost of such activity. Such a State share shall be considered to be paid in an amount equal to the fair market value of any contribution so used.

(Aug. 9, 1950, ch. 658, §13, as added Pub. L. 100-448, §6(c)(2), Sept. 28, 1988, 102 Stat. 1841.)

CODIFICATION

Another section 13 of act Aug. 9, 1950, ch. 658, which was classified as a note under section 777 of this title, was repealed by Pub. L. 106-408, title I, §122(a)(1), Nov. 1, 2000, 114 Stat. 1772.

EFFECTIVE DATE

Section effective Oct. 1, 1988, see section 6(e) of Pub. L. 100-448, set out as an Effective Date of 1988 Amendment note under section 777 of this title.

§ 777m. Multistate conservation grant program

(a) In general

(1) Amount for grants

Not more than \$3,000,000 shall be distributed to the Secretary of the Interior for making multistate conservation project grants in accordance with this section.

(2) Period of availability; apportionment

(A) Period of availability

Amounts made available under paragraph (1) shall remain available for making grants only for the first fiscal year for which the amount is made available and the following fiscal year.

(B) Apportionment

At the end of the period of availability under subparagraph (A), the Secretary of the Interior shall apportion any amounts that remain available among the States in the manner specified in section 777c(c) of this title for use by the States in the same manner as funds apportioned under section 777c(c) of this title.

(b) Selection of projects

(1) States or entities to be benefited

A project shall not be eligible for a grant under this section unless the project will benefit—

- (A) at least 26 States;
- (B) a majority of the States in a region of the United States Fish and Wildlife Service; or
- (C) a regional association of State fish and game departments.

(2) Use of submitted priority list of projects

The Secretary of the Interior may make grants under this section only for projects identified on a priority list of sport fish restoration projects described in paragraph (3).

(3) Priority list of projects

A priority list referred to in paragraph (2) is a priority list of sport fish restoration projects that the International Association of Fish and Wildlife Agencies—

- (A) prepares through a committee comprised of the heads of State fish and game departments (or their designees), in consultation with—
 - (i) nongovernmental organizations that represent conservation organizations;
 - (ii) sportsmen organizations; and
 - (iii) industries that fund the sport fish restoration programs under this chapter;
- (B) approves by vote of a majority of the heads of State fish and game departments (or their designees); and
- (C) not later than October 1 of each fiscal year, submits to the Assistant Director for Wildlife and Sport Fish Restoration Programs.

(4) Publication

The Assistant Director for Wildlife and Sport Fish Restoration Programs shall publish in the Federal Register each priority list submitted under paragraph (3)(C).

(c) Eligible grantees

(1) In general

The Secretary of the Interior may make a grant under this section only to—

- (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).

(B) Penalties for certain activities

Any nongovernmental organization that is found to use grant funds in violation of sub-

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