

which may be retained, liquidated or otherwise disposed of by the Secretary and such sums, to remain available until expended, or properties shall be utilized for the restoration of injured resources, and to conduct new damage assessment activities.

(Pub. L. 103-138, title I, Nov. 11, 1993, 107 Stat. 1383; Pub. L. 104-134, title I, §101(c) [title I], Apr. 26, 1996, 110 Stat. 1321-156, 1321-160; renumbered title I, Pub. L. 104-140, §1(a), May 2, 1996, 110 Stat. 1327; Pub. L. 105-83, title I, Nov. 14, 1997, 111 Stat. 1547; Pub. L. 113-287, §5(l)(4), Dec. 19, 2014, 128 Stat. 3271.)

REFERENCES IN TEXT

The Comprehensive Environmental Response, Compensation, and Liability Act, referred to in text, probably means the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, Pub. L. 96-510, Dec. 11, 1980, 94 Stat. 2767, as amended, which is classified principally to chapter 103 (§9601 et seq.) of Title 42, The Public Health and Welfare. For complete classification of this Act to the Code, see Short Title note set out under section 9601 of Title 42 and Tables.

The Federal Water Pollution Control Act, referred to in text, is act June 30, 1948, ch. 758, as amended generally by Pub. L. 92-500, §2, Oct. 18, 1972, 86 Stat. 816, which is classified generally to chapter 26 (§1251 et seq.) of Title 33, Navigation and Navigable Waters. For complete classification of this Act to the Code, see Short Title note set out under section 1251 of Title 33 and Tables.

The Oil Pollution Act of 1990, referred to in text, is Pub. L. 101-380, Aug. 18, 1990, 104 Stat. 484, as amended, which is classified principally to chapter 40 (§2701 et seq.) of Title 33. For complete classification of this Act to the Code, see Short Title note set out under section 2701 of Title 33 and Tables.

CODIFICATION

Provisions of this section preceding the proviso are from title I of Pub. L. 103-138, as amended, and the proviso is from section 101(c) [title I] of Pub. L. 104-134, as amended.

PRIOR PROVISIONS

Provisions similar to those in this section were contained in the following prior appropriation acts:

Pub. L. 103-332, title I, Sept. 30, 1994, 108 Stat. 2503.
 Pub. L. 103-138, title I, Nov. 11, 1993, 107 Stat. 1383.

AMENDMENTS

2014—Pub. L. 113-287, which directed that this section be “omitted” by substituting “subchapter II of chapter 1007 of title 54” for “the Act of July 27, 1990 (Public Law 101-337)”, was executed by amending this section by making the substitution, to reflect the probable intent of Congress.

1997—Pub. L. 105-83 inserted “, including transfers to Federal trustees and payments to non-Federal trustees,” after “account” and “, to remain available until expended,” after “and such sums” and substituted “heretofore and hereafter” for “in fiscal year 1996 and thereafter”.

§ 1474c. North American Wetlands Conservation Fund; availability of fines or forfeitures

In fiscal year 1992 and thereafter, amounts received during the immediately preceding fiscal year under section 707 of title 16 as penalties or fines or from forfeitures of property or collateral, to remain available until expended.

(Pub. L. 103-138, title I, Nov. 11, 1993, 107 Stat. 1384.)

PRIOR PROVISIONS

Provisions similar to those in this section were contained in the following prior appropriation acts:

Pub. L. 102-381, title I, Oct. 5, 1992, 106 Stat. 1381.
 Pub. L. 102-154, title I, Nov. 13, 1991, 105 Stat. 995.

§ 1474d. Environmental Improvement and Restoration Fund

(a) Fund

One half of the amounts awarded by the Supreme Court to the United States in the case of United States of America v. State of Alaska (117 S.Ct. 1888) shall be deposited in a fund in the Treasury of the United States to be known as the “Environmental Improvement and Restoration Fund” (referred to in this section as the “Fund”).

(b) Investments

(1) In general

The Secretary of the Treasury shall invest amounts in the Fund in interest bearing obligations of the United States.

(2) Acquisition of obligations

For the purpose of investments under paragraph (1), obligations may be acquired—

- (A) on original issue at the issue price; or
- (B) by purchase of outstanding obligations at the market price.

(3) Sale of obligations

Any obligations acquired by the Fund may be sold by the Secretary of the Treasury at the market price.

(4) Credits to Fund

The interest earned from investments of the Fund shall be covered into and form a part of the Fund.

(c) Transfer and availability of amounts earned

Each year, interest earned and covered into the Fund in the previous fiscal year shall be made available as follows:

(1) To the extent provided in the subsequent appropriations Acts, 80 percent of such amounts shall be made available to be equally divided among the Directors of the National Park Service, the United States Fish and Wildlife Service, the Bureau of Land Management, and the Chief of the Forest Service for high priority deferred maintenance and modernization of facilities that directly enhance the experience of visitors, including natural, cultural, recreational, and historic resources protection projects in National Parks, National Wildlife Refuges, and the public lands respectively as provided in subsection (d) and for payment to the State of Louisiana and its lessees for oil and gas drainage in the West Delta field. The Secretary shall submit with the annual budget submission to Congress a list of high priority maintenance and modernization projects for congressional consideration.

(2) 20 percent of such amounts shall be made available without further appropriation to the Secretary of Commerce for the purpose of carrying out marine research activities in the North Pacific in accordance with subsection (e).