

United States extend to any obligation of the Foundation.

(Pub. L. 98-244, §8, Mar. 26, 1984, 98 Stat. 110.)

§ 3708. Reservation of right to amend or repeal chapter

The Congress expressly reserves the right to repeal or amend this chapter at any time.

(Pub. L. 98-244, §9, Mar. 26, 1984, 98 Stat. 110.)

§ 3709. Authorization of appropriations

(a) Authorization of appropriations

(1) In general

There are authorized to be appropriated to carry out this Act for each of fiscal years 2021 through 2025—

(A) \$15,000,000 to the Secretary of the Interior;

(B) \$5,000,000 to the Secretary of Agriculture; and

(C) \$5,000,000 to the Secretary of Commerce.

(2) Requirement of advance payment

The amount made available for a fiscal year under paragraph (1) shall be provided to the Foundation in an advance payment of the entire amount on October 1, or as soon as practicable thereafter, of the fiscal year.

(3) Use of appropriated funds

Subject to paragraph (4), amounts made available under paragraph (1) shall be provided to the Foundation for use for matching, on a 1-to-1 basis, contributions (whether in currency, services, or property) made to the Foundation, or to a recipient of a grant provided by the Foundation, by private persons and State and local government agencies.

(4) Prohibition on use for administrative expenses

No Federal funds made available under paragraph (1) shall be used by the Foundation for administrative expenses of the Foundation, including for salaries, travel and transportation expenses, and other overhead expenses.

(b) Additional authorization

(1) Amounts from Federal agencies

(A) In general

In addition to the amounts authorized to be appropriated under subsection (a), Federal departments, agencies, or instrumentalities are authorized to provide funds to the Foundation through Federal financial assistance grants and cooperative agreements, subject to the condition that the amounts are used for purposes that further the conservation and management of fish, wildlife, plants, and other natural resources in accordance with this Act.

(B) Advances

Federal departments, agencies, or instrumentalities may advance amounts described in subparagraph (A) to the Foundation in a lump sum without regard to when the expenses for which the amounts are used are incurred.

(C) Management fees

The Foundation may assess and collect fees for the management of amounts received under this paragraph.

(2) Use of amounts accepted from Federal agencies

Federal funds provided to the Foundation under paragraph (1) may be used by the Foundation for matching, in whole or in part, contributions (whether in currency, services, or property) made to the Foundation by private persons, State and local government agencies, and other entities.

(3) Administration of amounts

(A) In general

In entering into contracts, agreements, or other partnerships pursuant to this Act, a Federal department, agency, or instrumentality shall have discretion to waive any competitive process applicable to the department, agency, or instrumentality for entering into contracts, agreements, or partnerships with the Foundation if the purpose of the waiver is—

(i) to address an environmental emergency resulting from a natural or other disaster; or

(ii) as determined by the head of the applicable Federal department, agency, or instrumentality, to reduce administrative expenses and expedite the conservation and management of fish, wildlife, plants, and other natural resources.

(B) Reports

The Foundation shall include in the annual report submitted under section 3706(b) of this title a description of any use of the authority under subparagraph (A) by a Federal department, agency, or instrumentality in that fiscal year.

(c) Prohibition on use of grant amounts for litigation and lobbying expenses

Amounts provided as a grant by the Foundation shall not be used for—

(1) any expense related to litigation; or

(2) any activity the purpose of which is to influence legislation pending before Congress.

(d) Use of gifts, devises, or bequests of money or other property

Any gifts, devises, or bequests of amounts or other property, or any other amounts or other property, transferred to, deposited with, or otherwise in the possession of the Foundation pursuant to this Act, may be made available by the Foundation to Federal departments, agencies, or instrumentalities and may be accepted and expended (or the disposition of the amounts or property directed), without further appropriation, by those Federal departments, agencies, or instrumentalities, subject to the condition that the amounts or property be used for purposes that further the conservation and management of fish, wildlife, plants, and other natural resources.

(Pub. L. 98-244, §10, Mar. 26, 1984, 98 Stat. 110; Pub. L. 100-240, §4, Jan. 11, 1988, 101 Stat. 1786; Pub. L. 101-593, title I, §110(c), Nov. 16, 1990, 104