

Stat. 2960; Pub. L. 103-232, title I, §104, Apr. 11, 1994, 108 Stat. 337; Pub. L. 106-408, title II, § 207, Nov. 1, 2000, 114 Stat. 1781; Pub. L. 107-141, § 6, Feb. 12, 2002, 116 Stat. 14; Pub. L. 109-363, title II, §§202, 204, Oct. 17, 2006, 120 Stat. 2075; Pub. L. 116-188, title I, §107(c), Oct. 30, 2020, 134 Stat. 919.)

#### Editorial Notes

##### REFERENCES IN TEXT

This Act, referred to in subsecs. (a)(1), (b)(1)(A), (3)(A), and (d), is Pub. L. 116-188, Oct. 30, 2020, 134 Stat. 905, known as the America's Conservation Enhancement Act. For complete classification of this Act to the Code, see Short Title note set out under section 8201 of this title and Tables.

##### AMENDMENTS

2020—Subsec. (a)(1). Pub. L. 116-188, §107(c)(1), added par. (1) and struck out former par. (1) which related to authorization of appropriations for fiscal years 2006 through 2010.

Subsec. (b)(1). Pub. L. 116-188, §107(c)(2)(A), added par. (1) and struck out former par. (1). Prior to amendment, text read as follows: "In addition to the amounts authorized to be appropriated under subsection (a), the Foundation may accept Federal funds from a Federal agency under any other Federal law for use by the Foundation to further the conservation and management of fish, wildlife, plants, and other natural resources in accordance with the requirements of this chapter."

Subsec. (b)(2). Pub. L. 116-188, §107(c)(2)(B), substituted, in heading, "amounts" for "funds" and, in text, "may be used" for "shall be used" and "State and local government agencies, and other entities" for "and State and local government agencies".

Subsec. (b)(3). Pub. L. 116-188, §107(c)(2)(C), added par. (3).

Subsec. (d). Pub. L. 116-188, §107(c)(3), added subsec. (d).

2006—Subsec. (a)(1). Pub. L. 109-363, §202, substituted "fiscal years 2006 through 2010" for "fiscal years 2001 through 2005".

Subsec. (a)(3). Pub. L. 109-363, §204, inserted "or to a recipient of a grant provided by the Foundation," after "made to the Foundation".

2002—Subsec. (a)(1). Pub. L. 107-141, §6(1), substituted "2005" for "2003".

Subsec. (a)(1)(A). Pub. L. 107-141, §6(2), substituted "\$25,000,000" for "\$20,000,000".

2000—Pub. L. 106-408 added text of section and struck out former text which read as follows:

"(a) AUTHORIZATION.—There are authorized to be appropriated to the Department of the Interior \$25,000,000 for each of fiscal years 1994, 1995, 1996, 1997, and 1998.

"(b) USE OF AMOUNTS APPROPRIATED.—(1) Subject to paragraph (2), amounts appropriated under this section shall be made available to the Foundation for use for matching, in whole or in part, contributions (whether in currency, services, or property) made to the Foundation by private persons and State and local government agencies.

"(2) No Federal funds authorized under this section shall be used by the Foundation for administrative expenses of the Foundation, including for salaries, travel and transportation expenses, and other overhead expenses.

"(c) ADDITIONAL AUTHORIZATION.—The amounts authorized to be appropriated under this section are in addition to any amounts provided or available to the Foundation under any other Federal law."

1994—Subsec. (a). Pub. L. 103-232, §104(a)(1), substituted "\$25,000,000 for each of fiscal years 1994, 1995, 1996, 1997, and 1998" for "not to exceed \$15,000,000 for fiscal year 1991, not to exceed \$20,000,000 for fiscal year 1992, and not to exceed \$25,000,000 for fiscal year 1993".

Subsec. (b). Pub. L. 103-232, §104(b), substituted "paragraph (2)" for "paragraphs (2) and (3)".

Subsec. (c). Pub. L. 103-232, §104(a)(2), added subsec. (c).

1990—Pub. L. 101-593 amended section generally. Prior to amendment, section read as follows: "There are authorized to be appropriated to the Department of the Interior for each of fiscal years 1988 through 1993, inclusive, not to exceed \$5,000,000 to be made available to the Foundation—

"(1) to match partially or wholly the amount or value of contributions (whether in currency, services, or property) made to the Foundation by private persons and State and local government agencies; and

"(2) to provide administrative services under section 3704 of this title."

1988—Pub. L. 100-240 amended section generally. Prior to amendment, section read as follows: "For the ten-year period beginning on October 1, 1984, there are authorized to be appropriated to the Department of the Interior not to exceed \$1,000,000 to be made available to the Foundation—

"(1) to match, on a one-for-one basis, private contributions made to the Foundation; and

"(2) to provide administrative services under section 3704 of this title."

#### § 3710. Limitation on authority

Nothing in this chapter authorizes the Foundation to perform any function the exclusive authority for which is provided to the National Park Foundation by subchapter II of chapter 1011 of title 54.

(Pub. L. 98-244, §11, as added Pub. L. 106-408, title II, §208, Nov. 1, 2000, 114 Stat. 1781; amended Pub. L. 113-287, §5(d)(35), Dec. 19, 2014, 128 Stat. 3267; Pub. L. 116-188, title I, §107(d), Oct. 30, 2020, 134 Stat. 920.)

#### Editorial Notes

##### AMENDMENTS

2020—Pub. L. 116-188 inserted "exclusive" before "authority".

2014—Pub. L. 113-287 substituted "subchapter II of chapter 1011 of title 54" for "Public Law 90-209 (16 U.S.C. 19e et seq.)".

#### CHAPTER 57A—PARTNERSHIPS FOR WILDLIFE

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#### § 3741. Findings

The Congress finds the following:

(1) Three-fourths of all American children and adults participate in wildlife-related recreational activities other than hunting, fishing and trapping.

(2) In 1985, Americans spent over \$14 billion on non-consumptive wildlife-related recreation.

(3) The United States and Canada are inhabited by approximately two thousand six hundred vertebrate species of native fish and wildlife, which have provided food, clothing, and other essentials to a rapidly expanding human population.

(4) Over 80 percent of vertebrate fish and wildlife species in North America are not harvested for human use.

(5) The continued well-being of this once-abundant fish and wildlife resource, and even the very existence of many species, is in peril.

(6) In 1967, the United States Fish and Wildlife Service reported that forty-five common migratory bird species, which are not hunted, had exhibited significant declines in abundance, and that thirteen of these species have experienced widespread, systematic declines of 46.9 percent during a twenty-year study period.

(7) There have been nationwide declines in frogs and other amphibians.

(8) Over two hundred and seventy-five of vertebrate fish and wildlife species in the United States are now officially classified as threatened or endangered by the Federal Government.

(9) During the past decade, fish and wildlife species, including invertebrates, were added to the rapidly growing list of threatened and endangered species in North America at the average rate of over one per month.

(10) Currently, eighty-two species of invertebrates in the United States are listed as threatened or endangered under the Endangered Species Act [16 U.S.C. 1531 et seq.], and another nine hundred and fifty-one United States invertebrate species are candidates for listing under that Act.

(11) Proper management of fish and wildlife, before species become threatened or endangered with extinction, is the key to reversing the increasingly desperate status of fish and wildlife.

(12) Proper fish and wildlife conservation includes not only management of fish and wildlife species taken for recreation and protection of endangered and threatened species, but also management of the vast majority of species which fall into neither category.

(13) Partnerships in fish and wildlife conservation, such as the Federal Aid in Wildlife Restoration Program, the Federal Aid in Sport Fish Restoration Program, and the North American Wetlands Conservation Act [16 U.S.C. 4401 et seq.] have benefitted greatly the conservation of fish and wildlife and their habitats.

(14) A program that encourages partnerships among Federal and State governments and private entities to carry out wildlife conservation and appreciation projects would benefit all species of fish and wildlife through such activities as management, research, and inter-agency coordination.

(15) Many States, which are experiencing declining revenues, are finding it increasingly difficult to carry out projects to conserve the entire array of diverse fish and wildlife species and to provide opportunities for the public to associate with, enjoy, and appreciate fish and wildlife through nonconsumptive activities.

(Pub. L. 102-587, title VII, §7102, Nov. 4, 1992, 106 Stat. 5094.)

#### Editorial Notes

##### REFERENCES IN TEXT

The Endangered Species Act referred to in par. (10), probably means the Endangered Species Act of 1973,

Pub. L. 93-205, Dec. 28, 1973, 87 Stat. 884, as amended, which is classified generally to chapter 35 (§1531 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 1531 of this title and Tables.

The North American Wetlands Conservation Act, referred to in par. (13), is Pub. L. 101-233, Dec. 13, 1989, 103 Stat. 1968, as amended, which is classified principally to chapter 64 (§4401 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 4401 of this title and Tables.

#### Statutory Notes and Related Subsidiaries

##### SHORT TITLE

Pub. L. 102-587, title VII, §7101, Nov. 4, 1992, 106 Stat. 5094, provided that: "This Title [enacting this chapter] may be cited as the 'Partnerships for Wildlife Act'."

#### § 3742. Purposes

The purposes of this chapter are to establish a partnership among the United States Fish and Wildlife Service, designated State agencies, and private organizations and individuals—

(1) to carry out wildlife conservation and appreciation projects to conserve the entire array of diverse fish and wildlife species in the United States and to provide opportunities for the public to use and enjoy these fish and wildlife species through nonconsumptive activities;

(2) to enable designated State agencies to respond more fully and utilize their statutory and administrative authorities by carrying out wildlife conservation and appreciation projects; and

(3) to encourage private donations, under the leadership of the States and of the National Fish and Wildlife Foundation, to carry out wildlife conservation and appreciation projects.

(Pub. L. 102-587, title VII, §7103, Nov. 4, 1992, 106 Stat. 5095; Pub. L. 103-375, §6(1), Oct. 19, 1994, 108 Stat. 3495.)

#### Editorial Notes

##### AMENDMENTS

1994—Par. (3). Pub. L. 103-375 inserted "the States and of" after "under the leadership of".

#### § 3743. Definitions

As used in this chapter—

(1) The terms "conserve" and "conservation" mean to use, and the use of, such methods and procedures which are necessary to ensure, to the maximum extent practicable, the well being and enhancement of fish and wildlife and their habitats for the educational, aesthetic, cultural, recreational, scientific, and ecological enrichment of the public. Such methods and procedures may include, but are not limited to, any activity associated with scientific resources management, such as research, census, law enforcement, habitat acquisition, maintenance, development, information, education, population manipulation, propagation, technical assistance to private landowners, live trapping, and translocation.

(2) The term "designated State agency" means the government agency, department, or