

AMENDMENTS

2000—Pub. L. 106-408 substituted “Secretary of the Interior or the Secretary of Commerce” for “Secretary” and inserted “or the Department of Commerce” after “Department of the Interior”.

§ 3706. Audits, report requirements, and petition of Attorney General for equitable relief

(a) Audits

For purposes of section 10101 of title 36, the Foundation shall be treated as a Corporation in part B of subtitle II of title 36.

(b) Report

The Foundation shall, as soon as practicable after the end of each fiscal year, transmit to the Committee on Resources of the House of Representatives and the Committee on Environment and Public Works of the Senate a report of its proceedings and activities during such year, including a full and complete statement of its receipts, expenditures, and investments; and a description of all acquisition and disposal of real property that is subject to section 3703(e) of this title. The report shall include a detailed statement of the recipient, amount, and purpose of each grant made by the Foundation in the fiscal year.

(c) Relief with respect to certain Foundation acts or failure to act

If the Foundation—

(1) engages in, or threatens to engage in, any act, practice, or policy that is inconsistent with its purposes set forth in section 3701(b) of this title; or

(2) refuses, fails, or neglects to discharge its obligations under this chapter, or threatens to do so;

the Attorney General of the United States may petition in the United States District Court for the District of Columbia for such equitable relief as may be necessary or appropriate.

(Pub. L. 98-244, § 7, Mar. 26, 1984, 98 Stat. 110; Pub. L. 100-240, § 2(b)(2), Jan. 11, 1988, 101 Stat. 1786; Pub. L. 106-408, title II, § 205, Nov. 1, 2000, 114 Stat. 1780.)

CODIFICATION

In subsec. (a), “section 10101 of title 36” substituted for “the Act entitled ‘An Act for audit of accounts of private corporations established under Federal law’, approved August 30, 1964 (Public Law 88-504, 36 U.S.C. 1101-1103)” and “a corporation in part B of subtitle II of title 36” substituted for “a private corporation established under Federal law” on authority of Pub. L. 105-225, § 5(b), Aug. 12, 1998, 112 Stat. 1499, the first section of which enacted Title 36, Patriotic and National Observances, Ceremonies, and Organizations.

AMENDMENTS

2000—Subsec. (b). Pub. L. 106-408 substituted “the Committee on Resources of the House of Representatives and the Committee on Environment and Public Works of the Senate” for “Congress” and inserted at end “The report shall include a detailed statement of the recipient, amount, and purpose of each grant made by the Foundation in the fiscal year.”

1988—Subsec. (b). Pub. L. 100-240 inserted “; and a description of all acquisition and disposal of real property that is subject to section 3703(e) of this title” before period at end.

TERMINATION OF REPORTING REQUIREMENTS

For termination, effective May 15, 2000, of provisions of law requiring submittal to Congress of any annual, semiannual, or other regular periodic report listed in House Document No. 103-7 (in which a report required under subsec. (b) of this section is listed on page 203), see section 3003 of Pub. L. 104-66, as amended, set out as a note under section 1113 of Title 31, Money and Finance.

§ 3707. United States release from liability

The United States shall not be liable for any debts, defaults, acts, or omissions of the Foundation nor shall the full faith and credit of the 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 chapter for each of fiscal years 2001 through 2003—

(A) \$20,000,000 to the Department of the Interior; and

(B) \$5,000,000 to the Department 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 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) In general

In addition to the amounts authorized to be appropriated under subsection (a) of this section, 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.

(2) Use of funds accepted from Federal agencies

Federal funds provided to the Foundation under paragraph (1) shall 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 and State and local government agencies.

(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.

(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 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.)

AMENDMENTS

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 authority for which is provided to the National Park Foundation by Public Law 90-209 (16 U.S.C. 19e et seq.).

(Pub. L. 98-244, §11, as added Pub. L. 106-408, title II, §208, Nov. 1, 2000, 114 Stat. 1781.)

REFERENCES IN TEXT

Public Law 90-209, referred to in text, is Pub. L. 90-209, Dec. 18, 1967, 81 Stat. 656, as amended, popularly known as the National Park Foundation Act, which is classified generally to subchapter III (§19e et seq.) of chapter 1 of this title. For complete classification of this Act to the Code, see Short Title note set out under section 19e of this title and Tables.

CHAPTER 57A—PARTNERSHIPS FOR WILDLIFE

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(d) Limitations on Federal payment.

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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