§ 760g. Authorization of appropriations for migratory game fish study

There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of sections 760e to 760g of this title: *Provided*, That no more than $2,700,000 be appropriated for this purpose in any one fiscal year.

(Pub. L. 86–359, §3, Sept. 22, 1959, 73 Stat. 643.)

§§ 760h to 760*l*. Omitted

Editorial Notes

CODIFICATION

Section 760h, Pub. L. 87–173, §1, Aug. 30, 1961, 75 Stat. 409, provided for establishment of shellfisheries research center at Milford, Connecticut and included a statement of purpose.

Section 760i, Pub. L. 87–173, §2, Aug. 30, 1961, 75 Stat. 409, authorized appropriation of $1,325,000 to carry out section 760h of this title.

Section 760j, Pub. L. 87–580, §1, Aug. 9, 1962, 76 Stat. 356, related to propagation of disease resistant oysters, acquisition of brood stock, transfer and distribution, and for State sharing of costs.

Section 760k, Pub. L. 87–580, §2, Aug. 9, 1962, 76 Stat. 356, authorized grants to States for research and other necessary activities in development and propagation of disease-resistant strains of oysters and conditions of such grants.

Section 760*l*, Pub. L. 87–580, §3, Aug. 9, 1962, 76 Stat. 357, authorized appropriation of $100,000 to carry out sections 760j to 760*l* of this title.

CHAPTER 9B—NATIONAL FISH HATCHERY SYSTEM ENHANCEMENT

Sec.
760aa. Findings and purposes.
760aa–1. Gifts to system and particular national fish hatcheries.
760aa–2. Volunteer enhancement pilot projects.
760aa–3. Community partnership enhancement.
760aa–4. Hatchery education program development.

§ 760aa. Findings and purposes

(a) Findings

Congress finds the following:

(1) The National Fish Hatchery System (in this chapter referred to as the ''System'')—

(A) consists of more than 60 hatcheries, seven fish technology centers, 9 fish health centers, and other fisheries program offices;

(B) plays an integral role in the recovery of more than 50 threatened species and endangered species and the restoration of over 100 native species;

(C) provides healthy fish populations that support recreational fishing opportunities, many of which are related to Federal water control structures; and

(D) works with over 250 partners to help mitigate the impacts of aquatic habitat loss and invasive species.

(2) The System faces many challenges, including aging facilities, some of which date back to the late 1800s, and maintenance of intensive infrastructures such as wells, pumps, valves, pipes, filters, heaters, chillers, and treatment systems that must keep clean water moving 24 hours a day, 365 days a year.

(3) By encouraging volunteer programs and donations and fostering non-Federal partnerships with hatchery facilities, Federal funding for the hatcheries can be supplemented.

(4) By encouraging hatchery educational programs, public awareness of the resources of the System and public participation in the conservation of aquatic resources can be promoted.

(b) Purposes

The purposes of this chapter are the following:

(1) To encourage the use of volunteers to assist the United States Fish and Wildlife Service in the management of hatcheries within the System.

(2) To facilitate partnerships between the System and non-Federal entities to promote public awareness of the resources of the System and public participation in the conservation of those resources.

(3) To encourage donations and other contributions by individuals and organizations to the System.

(Pub. L. 109–360, §2, Oct. 16, 2006, 120 Stat. 2058.)

Statutory Notes and Related Subsidiaries

SHORT TITLE

Pub. L. 109–360, §1, Oct. 16, 2006, 120 Stat. 2058, provided that: ''This Act [enacting this chapter] may be cited as the 'National Fish Hatchery System Volunteer Act of 2006'.''

§ 760aa–1. Gifts to system and particular national fish hatcheries

(a) Authorization of gifts, devises, and bequests for system

In furtherance of the purposes of this chapter, the Secretary of the Interior may accept any gifts, devises, or bequests of real and personal property, or proceeds therefrom, or interests therein, for the benefit of the National Fish Hatchery System. Such acceptance may be subject to the terms of any restrictive or affirmative covenant, or condition of servitude, if such terms are deemed by the Secretary to be in accordance with law and compatible with the purpose for which acceptance is sought.

(b) Use of gifts, devises, and bequests

(1) In general

Any gifts and bequests of money and proceeds from the sales of other property received as gifts or bequests pursuant to this subsection shall be deposited in a separate account in the Treasury and may be expended without further appropriation by the Secretary for the benefit of the System programs administered by the United States Fish and Wildlife Service.

(2) Gifts, devises, and bequests for particular facilities

(A) Disbursal

Any gift, devise, or bequest made for the benefit of a facility of the System shall be disbursed only for the benefit of that facility and without further appropriations.

(B) Matching

Subject to the availability of appropriations and the requirements of the Fish and

Wildlife Coordination Act (16 U.S.C. 661 et seq.) and other applicable law, the Secretary may provide funds to match gifts, devises, and bequests made for the benefit of a facility of the System. With respect to each gift, devise, or bequest, the amount of Federal funds may not exceed the amount (or, in the case of property or in-kind services, the fair market value) of the gift, devise, or bequest.

(Pub. L. 109–360, § 3, Oct. 16, 2006, 120 Stat. 2059.)

Editorial Notes

REFERENCES IN TEXT

The Fish and Wildlife Coordination Act, referred to in subsec. (b)(2)(B), is act Mar. 10, 1934, ch. 55, 48 Stat. 401, which is classified generally to sections 661 to 666c–1 of this title. For complete classification of this Act to the Code, see section 661(a) of this title, Short Title note set out under section 661 of this title, and Tables.

§ 760aa–2. Volunteer enhancement pilot projects

(a) In general

Subject to the availability of appropriations, the Secretary of the Interior shall carry out a pilot project at 1 or more facilities of the System. Each pilot project shall provide for a volunteer coordinator for the hatchery facility. The volunteer coordinator shall be responsible for recruiting, training, and supervising volunteers. The volunteer coordinator may be responsible for assisting partner organizations in developing projects and programs under cooperative agreements under section 742f(d) of this title and coordinating volunteer activities with partner organizations to carry out the projects and programs.

(b) Report

Not later than 3 years after October 16, 2006, the Secretary shall submit a report to the Committee on Resources of the House of Representatives and the Committee on Environment and Public Works of the Senate evaluating and making recommendations regarding the pilot projects.

(Pub. L. 109–360, § 4, Oct. 16, 2006, 120 Stat. 2059.)

Statutory Notes and Related Subsidiaries

CHANGE OF NAME

Committee on Resources of House of Representatives changed to Committee on Natural Resources of House of Representatives by House Resolution No. 6, One Hundred Tenth Congress, Jan. 5, 2007.

§ 760aa–3. Community partnership enhancement

(a) Projects and programs

Subject to the requirements of the Fish and Wildlife Coordination Act (16 U.S.C. 661 et seq.) and other applicable law, and such terms and conditions as the Secretary of the Interior determines to be appropriate, the Secretary may approve projects and programs for a facility of the System that—

(1) promote the stewardship of resources of the hatchery through habitat maintenance, restoration, and improvement, biological monitoring, or research;

(2) support the operation and maintenance of the hatchery through constructing, operating, maintaining, or improving the facilities and services of the hatchery;

(3) increase the awareness and understanding of the hatchery and the System, through the development, publication, or distribution of educational materials and products;

(4) advance education concerning the purposes of the hatchery and the mission of the System, through the use of the hatchery as an outdoor classroom and development of other educational programs; or

(5) contribute financial resources to the hatchery, under the terms that require that the net revenues be used exclusively for the benefit of the hatchery, through donation of net revenues from the sale of educational materials and products and through encouragement of gifts, devises, and bequests.

(b) Treasury account

Amounts received by the Secretary of the Interior as a result of projects and programs under subsection (a) shall be deposited in a separate account in the Treasury. Amounts in the account that are attributable to activities at a particular facility of the System shall be available to the Secretary of the Interior, without further appropriation, to pay the costs of incidental expenses related to volunteer activities, and to carry out cooperative agreements for the hatchery facility.

(Pub. L. 109–360, § 5, Oct. 16, 2006, 120 Stat. 2060.)

Editorial Notes

REFERENCES IN TEXT

The Fish and Wildlife Coordination Act, referred to in subsec. (a), is act Mar. 10, 1934, ch. 55, 48 Stat. 401, which is classified generally to sections 661 to 666c–1 of this title. For complete classification of this Act to the Code, see section 661(a) of this title, Short Title note set out under section 661 of this title, and Tables.

§ 760aa–4. Hatchery education program development

(a) Guidance

Not later than 1 year after October 16, 2006, the Secretary of the Interior shall develop guidance for the hatchery education programs to further the mission of the System and the purposes of individual hatcheries through—

(1) providing outdoor classroom opportunities for students on fish hatcheries that combine educational curricula with the personal experiences of students relating to fish, aquatic species, and their habitat, and to the cultural and historical resources of the hatcheries;

(2) promoting understanding and conservation of fish, aquatic species, and the cultural and historical resources of the hatcheries; and

(3) improving scientific literacy in conjunction with both formal and nonformal education programs.

(b) Hatchery programs

Based on the guidance developed under subsection (a), the Secretary of the Interior may, with assistance from the Fish and Wildlife Man-