CHAPTER 5B—WILDLIFE RESTORATION

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§ 669. Cooperation of Secretary of the Interior with States; conditions

The Secretary of the Interior is authorized to cooperate with the States, through their respective State fish and game departments, in wildlife-restoration projects as hereinafter in this chapter set forth; but no money apportioned under this chapter to any State shall be expended therein until its legislature, or other State agency authorized by the State constitution to make laws governing the conservation of wildlife, shall have assented to the provision of this chapter and shall have passed laws for the conservation of wildlife which shall include a prohibition against the diversion of license fees paid by hunters for any other purpose than the administration of said State fish and game department, except that, until the final adjournment of the first regular session of the legislature held after September 2, 1937, the assent of the Governor of the State shall be sufficient. The Secretary of the Interior and the State fish and game department of each State accepting the benefits of this chapter, shall agree upon the wildlife-restoration projects to be aided in such State under the terms of this chapter and all projects shall conform to the standards fixed by the Secretary of the Interior. One of the purposes of this chapter is to provide financial and technical assistance to the States for the promotion of hunting and recreational shooting.”

SHORT TITLE 2019 AMENDMENT

Pub. L. 116–94, div. P, title V, § 501(a), Dec. 20, 2019, 133 Stat. 3191, provided that: “This title [amending this section and sections 669a, 669c, 669g, 669h–1, and 669h–2 of this title and enacting provisions set out as a note under section 669h–2 of this title] may be cited as the ‘Modernizing the Pittman-Robertson Fund for Tomorrow’s Needs Act’.”

Pub. L. 116–17, § 1, May 10, 2019, 133 Stat. 866, provided that: “This Act [amending sections 669a, 669g, and 669h–1 of this title and enacting provisions set out as a note under section 669a of this title] may be cited as the ‘Target Practice and Marksmanship Training Support Act’.”

SHORT TITLE 2000 AMENDMENT


Pub. L. 106–488, title I, § 101(a), Nov. 1, 2000, 114 Stat. 1763, provided that: “This title [enacting sections 669h–1, 669h–2, 669k, 742(b), and 777 of this title, amending sections 669c, 669d, 669f, 669h, 669i, 777c, 777d and 777f of this title and section 669 of Title 26, Internal Revenue Code, enacting provisions set out as notes under this section and section 777 of this title, and repealing provisions set out as a note under section 777 of this title] may be cited as the ‘Wildlife and Sport Fish Restoration Programs Improvement Act of 2000’.”

SHORT TITLE 1970 AMENDMENT


SHORT TITLE


Act Sept. 2, 1937, ch. 899, as amended, is also popularly known as the ‘Federal Aid in Wildlife Restoration Act’.

TRANSFER OF FUNCTIONS

Reorg. Plan No. II of 1939, set out in the Appendix to Title 5, Government Organization and Employees, transferred functions of Secretary of Agriculture relating to conservation of wildlife, game, and migratory birds to Secretary of the Interior.

STATEMENT OF PURPOSE AND DEFINITION IN PUB. L. 106–553

Pub. L. 106–553, § 1(a)(2) [title IX, § 902(a), (b)], Dec. 21, 2000, 114 Stat. 2762, 2762A–119, provided that:

“(a) PURPOSES.—The purposes of this section [amending sections 669a, 669b, 669c, 669g, and 4406 of this title, and enacting provisions set out as notes under this section] are—

“(1) to extend financial and technical assistance to the States under the Federal Aid to [in] Wildlife Restoration Act [16 U.S.C. 668 et seq.] for the benefit of a diverse array of wildlife and associated habitats, including species that are not hunted or fished, to fulfill unmet needs of wildlife within the States in recognition of the primary role of the States to conserve all wildlife;

“(2) to assure sound conservation policies through the development, revision, and implementation of a
going.''

States under this title be added to revenues from exist-

enue available to it after January 1, 2000, for conserva-

1775, provided that: ''The programs established under

ination of another name, or commission, or offi-

ment'' or ''State fish and game department''

member of paid hunting-license holders in a State,

ution if permitted by applicable State and Federal law;

the term “fiscal year” means the fiscal year or license year of the State;

(3) the term “hunter recruitment and recre-

ational shooter recruitment” means any ac-

ivity or project to recruit or retain hunters

and recreational shooters, including by—

(A) outreach and communications as a means—

(i) to improve communications with

hunters, recreational shooters, and the

general public with respect to hunting

and recreational shooting opportunities;

(ii) to reduce barriers to participation in

these activities;

(iii) to advance the adoption of sound

hunting and recreational shooting prac-

tices;

(iv) to promote conservation and the re-

sponsible use of the wildlife resources of

the United States; and

(v) to further safety in hunting and recre-

ational shooting;

(B) providing education, mentoring, and

field demonstrations;

(C) enhancing access for hunting and recre-

ational shooting, including through range

construction; and

(D) providing education to the public

about the role of hunting and recreational

shooting in funding wildlife conservation;

(4) the term “public target range” means a

specific location that—

(A) is identified by a governmental agency

for recreational shooting;

(B) is open to the public;

(C) may be supervised; and

(D) may accommodate archery or rifle, pis-

tol, or shotgun shooting;

(5) the term “Secretary” means the Secre-

tary of the Interior;

(6) the term “State fish and game depart-

ment” or “State fish and wildlife department”

means any department or division of depart-

ment of another name, or commission, or offi-

cial or officials, of a State empowered under

its laws to exercise the functions ordinarily

exercised by a State fish and game department

or State fish and wildlife department.

(7) the term “wildlife” means any species of

wild, free-ranging fauna including fish, and

also fauna in captive breeding programs the

object of which is to reintroduce individuals of

a depleted indigenous species into previously

occupied range;

(8) the term “wildlife-associated recreation”

means projects intended to meet the demand

for outdoor activities associated with wildlife

including, but not limited to, hunting and

fishing, wildlife observation and photography,

such projects as construction or restoration of

wildlife viewing areas, observation towers,

blinds, platforms, land and water trails, water
access, field trialing, trail heads, and access for such projects;

(9) the term "wildlife conservation and restoration program" means a program developed by a State fish and wildlife department and approved by the Secretary under section 669c(d) of this title, the projects that constitute such a program, which may be implemented in whole or part through grants and contracts by a State to other State, Federal, or local agencies (including those that gather, evaluate, and disseminate information about wildlife and their habitats), wildlife conservation organizations, and outdoor recreation and conservation education entities from funds apportioned under this chapter, and maintenance of such projects;

(10) the term "wildlife conservation education" means projects, including public outreach, intended to foster responsible natural resource stewardship; and

(11) the term "wildlife-restoration project" includes the wildlife conservation and restoration program and means the selection, restoration, rehabilitation, and improvement of areas of land or water adaptable as feeding, resting, or breeding places for wildlife, including acquisition of such areas or estates or interests therein as are suitable or capable of being made suitable therefor, and the construction thereon or therein of such works as may be necessary to make them available for such purposes and also including such research into problems of wildlife management as may be necessary to efficient administration affecting wildlife resources, and such preliminary or incidental costs and expenses as may be incurred in and about such projects.

(Sept. 2, 1937, ch. 899, § 2, 50 Stat. 917; July 2, 1956, ch. 489, § 1, 70 Stat. 473; Pub. L. 86–624, § 10, July 12, 1960, 74 Stat. 412; Pub. L. 106–553, § 1(a)(2) of this title, the projects that constitute such a program, which may be implemented in whole or part through grants and contracts by a State to other State, Federal, or local agencies (including those that gather, evaluate, and disseminate information about wildlife and their habitats), wildlife conservation organizations, and outdoor recreation and conservation education entities from funds apportioned under this chapter, and maintenance of such projects;

(10) the term "wildlife conservation education" means projects, including public outreach, intended to foster responsible natural resource stewardship; and

(11) the term "wildlife-restoration project" includes the wildlife conservation and restoration program and means the selection, restoration, rehabilitation, and improvement of areas of land or water adaptable as feeding, resting, or breeding places for wildlife, including acquisition of such areas or estates or interests therein as are suitable or capable of being made suitable therefor, and the construction thereon or therein of such works as may be necessary to make them available for such purposes and also including such research into problems of wildlife management as may be necessary to efficient administration affecting wildlife resources, and such preliminary or incidental costs and expenses as may be incurred in and about such projects.

References in Text

Section 669c(d) of this title, referred to in par. (9), was in the original "section 304(d)", and was translated as reading "section 4(d)", meaning section 4(d) of Act Sept. 2, 1937, ch. 899, to reflect the probable intent of Congress, because Act Sept. 2, 1937, ch. 899, does not contain a section 304(d), and section 4(d) relates to wildlife conservation and restoration programs. Section 669c(d) of this title was redesignated section 669c(e) of this title by Pub. L. 116–94, div. P, title V, § 501(c), Dec. 20, 2019, 133 Stat. 3191.

Amendments

2009—Pub. L. 106–553 inserted section catchline and amended text generally. Prior to amendment, text read as follows: "For the purposes of this Act, the term 'wildlife-restoration project' shall mean and include the selection, restoration, rehabilitation, and improvement of areas of land or water adaptable as feeding, resting, or breeding places for wildlife, including acquisition by purchase, condemnation, lease, or gift of such areas or estates or interests therein as are suitable or capable of being made suitable therefor, and the construction thereon or therein of such works as may be necessary to make them available for such purposes and also including such research into problems of wildlife management as may be necessary to efficient administration affecting wildlife resources, and such preliminary or incidental costs and expenses as may be incurred in and about such projects; the term 'State fish and game department' shall be construed to mean and include any department or division of department of another name, or commission, or official or officials, of a State empowered under its laws to exercise the functions ordinarily exercised by a State fish and game department."

1960—Pub. L. 86–624 struck out provisions which defined "State" as including the several States and the Territory of Hawaii.

Effective Date of 1956 Amendment

Act July 2, 1956, ch. 489, § 5, 70 Stat. 473, provided in part that: "The amendments made by this Act (amending this section and sections 669g–1, 777a, and 777k of this title) shall be applicable only with respect to fiscal years beginning after the passage of this Act [July 2, 1956]."

Findings, Purpose, and Definition Regarding Public Target Ranges

Pub. L. 116–17, §§ 2, 3, May 10, 2019, 133 Stat. 866, 867, provided that—

"SEC. 2. FINDINGS; PURPOSE.

"(a) FINDINGS.—Congress finds that—

"(1) the use of firearms and archery equipment for target practice and marksmanship training activities on Federal land is allowed, except to the extent that specific portions of that land have been closed to those activities;

"(2) in recent years preceding the date of enactment of this Act [May 10, 2019], portions of Federal land have been closed to target practice and marksmanship training for many reasons;

"(3) the availability of public target ranges on non-Federal land has been declining for a variety of reasons, including continued population growth and development near former ranges;

"(4) providing opportunities for target practice and marksmanship training at public target ranges on Federal and non-Federal land can help—

"(A) to promote enjoyment of shooting, recreational, and hunting activities; and

"(B) to ensure safe and convenient locations for those activities;

"(5) Federal law in effect on the date of enactment of this Act, including the Pittman-Robertson Wildlife Restoration Act (16 U.S.C. 669 et seq.), provides Federal support to facilitate the construction or expansion of public target ranges by making available to States amounts that may be used for construction, operation, and maintenance of public target ranges; and

"(6) it is in the public interest to provide increased Federal support to facilitate the construction or expansion of public target ranges.

"(b) PURPOSE.—The purpose of this Act [see Short Title of 2019 Amendment note set out under section 669 of this title] is to facilitate the construction and expansion of public target ranges, including ranges on Federal land managed by the Forest Service and the Bureau of Land Management.

"SEC. 3. DEFINITION OF PUBLIC TARGET RANGE.

"In this Act, the term 'public target range' means a specific location that—

1 See References in Text note below.
§ 669b. Authorization of appropriations

(a) In general

(1) An amount equal to all revenues accruing each fiscal year (beginning with the fiscal year 1975) from any tax imposed on specified articles by sections 4161(b) and 4181 of title 26, shall, subject to the exemptions in section 4182 of such title, be covered into the Federal aid to wildlife restoration fund in the Treasury (hereinafter referred to as the “fund”) and is authorized to be appropriated and made available until expended to carry out the purposes of this chapter. So much of such appropriations apportioned to any State for any fiscal year as remains unexpended at the close thereof is authorized to be made available for expenditure in that State until the close of the succeeding fiscal year. Any amount apportioned to any State under the provisions of this chapter which is unexpended or unobligated at the end of the period during which it is available for expenditure on any project is authorized to be made available for expenditure by the Secretary of the Interior in carrying out the provisions of the Migratory Bird Conservation Act [16 U.S.C. 715 et seq.].

(2) There is established in the Federal aid to wildlife restoration fund a subaccount to be known as the “Wildlife Conservation and Restoration Account”. There are authorized to be appropriated for the purposes of the Wildlife Conservation and Restoration Account $50,000,000 in fiscal year 2001 for apportionment in accordance with this chapter to carry out State wildlife conservation and restoration programs. Further, interest on amounts transferred shall be treated in a manner consistent with 16 U.S.C. 669(b)(1).

(b) Investment of unexpended amounts

(1) The Secretary of the Treasury shall invest in interest-bearing obligations of the United States such portion of the fund as is not, in his judgment, required for meeting a current year’s withdrawals. For purposes of such investment, the Secretary of the Treasury may—

(A) acquire obligations at the issue price and purchase outstanding obligations at the market price; and

(B) sell obligations held in the fund at the market price.

(2) The interest on obligations held in the fund—

(A) shall be credited to the fund;

(B) constitute the sums available for allocation by the Secretary under section 4407 of this title; and

(C) shall become available for apportionment under this chapter at the beginning of fiscal year 2026.

(c) Wildlife Conservation and Restoration Account

(1) Amounts transferred to the Wildlife Conservation and Restoration Account shall supplement, but not replace, existing funds available to the States from the sport fish restoration account and wildlife restoration account and shall be used for the development, revision, and implementation of wildlife conservation and restoration programs and should be used to address the unmet needs for a diverse array of wildlife and associated habitats, including species that are not hunted or fished, for wildlife conservation, wildlife conservation education, and wildlife-associated recreation projects. Such funds may be used for new programs and projects as well as to enhance existing programs and projects.

(2) Funds may be used by a State or an Indian tribe for the planning and implementation of its wildlife conservation and restoration program and wildlife conservation strategy, as provided in sections 669c(d) and (e) of this title, including wildlife conservation, wildlife conservation education, and wildlife-associated recreation projects. Such funds may be used for new programs and projects as well as to enhance existing programs and projects.

(3) Priority for funding from the Wildlife Conservation and Restoration Account shall be for those species with the greatest conservation need as defined by the State wildlife conservation and restoration program.

(d) Obligation of amounts in State

Notwithstanding subsections (a) and (b) of this section, with respect to amounts transferred to the Wildlife Conservation and Restoration Account, so much of such amounts apportioned to any State for any fiscal year as remains unexpended at the close thereof shall remain available for obligation in that State until the close of the second succeeding fiscal year.


REFERENCES IN TEXT

The Migratory Bird Conservation Act, referred to in subsec. (a), is act Feb. 18, 1929, ch. 257, 45 Stat. 1222, as amended, which is classified generally to subchapter III (§ 715 et seq.) of chapter 7 of this title. For complete classification of this Act to the Code, see section 715 of this title and Tables.

AMENDMENTS


Subsecs. (c), (d). Pub. L. 106–553, § 1(a)(2) [title IX, § 902(d)(2)], added subsec. (c) and (d).
§ 669b–1. Authorization of appropriation of accumulated unappropriated receipts

There is hereby authorized to be appropriated, out of the Federal aid to wildlife restoration fund established by the Act entitled ‘‘An Act to provide that the United States shall aid the States in wildlife-restoration projects, and for other purposes’’, approved September 2, 1937, as amended (16 U.S.C., secs. 669–669l), for the 1956 fiscal year and for each fiscal year thereafter, an amount equal to 20 per centum of the accumulated unappropriated receipts in such fund on August 12, 1955, until the accumulated unappropriated receipts in such fund on such date have been appropriated and expended. Funds appropriated under this authority shall be available to the States in accordance with the provisions of, and under the apportionment formula set forth in, such Act of September 2, 1937, and shall be in addition to the funds appropriated under section 3 of such Act (16 U.S.C. 669b).

(Aug. 12, 1955, ch. 861, §1, 69 Stat. 698.)

§ 669c. Allocation and apportionment of available amounts

(a) Set-aside for expenses for administration of this chapter

(1) In general

(A) Set-aside

For fiscal year 2001 and each fiscal year thereafter, of the revenues (excluding interest accruing under section 669h(b) of this title) covered into the fund for the fiscal year, the Secretary of the Interior may use not more than the available amount specified in subparagraph (B) for the fiscal year for expenses for administration incurred in implementation of this chapter, in accordance with this subsection and section 669h of this title.

(B) Available amounts

The available amount referred to in subparagraph (A) is—

(I) for each of fiscal years 2001 and 2002, $9,000,000;

(ii) for fiscal year 2003, $8,212,000; and

(iii) for fiscal year 2004 and each fiscal year thereafter, the sum of—

(I) the available amount for the preceding fiscal year; and

(II) the amount determined by multiplying—

(aa) the available amount for the preceding fiscal year; and

(bb) the change, relative to the preceding fiscal year, in the Consumer Price Index for All Urban Consumers published by the Department of Labor.

(2) Period of availability; apportionment of unobligated amounts

(A) Period of availability

For each fiscal year, the available amount under paragraph (1) shall remain available for obligation for use under that paragraph until the end of the fiscal year.

(B) Apportionment of unobligated amounts

Not later than 60 days after the end of a fiscal year, the Secretary of the Interior shall apportion among the States any of the available amount under paragraph (1) that remains unobligated at the end of the fiscal year, on the same basis and in the same manner as other amounts made available under this chapter are apportioned among the States for the fiscal year.

(b) Apportionment to States

The Secretary of the Interior, after deducting the available amount under subsection (a), the amount apportioned under subsection (c), any amount apportioned under section 669g–1 of this title, and amounts provided as grants under sections 669h–1 and 669h–2 of this title, shall apportion the remainder of the revenue in said fund for each fiscal year among the several States in the following manner: One-half in the ratio which the area of each State bears to the total area of all the States, and one-half in the ratio which the number of paid hunting-license holders of each State in the second fiscal year pre-
ceding the fiscal year for which such apportionment is made, as certified to said Secretary by the State fish and game departments, bears to the total number of paid hunting-license holders of all the States. Such apportionments shall be adjusted equitably so that no State shall receive less than one-half of 1 per cent nor more than 5 per cent of the total amount apportioned. The term fiscal year as used in this chapter shall be a period of twelve consecutive months from October 1 through the succeeding September 30, except that the period for enumeration of paid hunting-license holders shall be a State’s fiscal or license year.

(c) Apportionment of revenues from pistols, revolvers, bows, and arrows

(1) In general

Subject to paragraph (2), 1/2 of the revenues accruing to the fund under this chapter each fiscal year (beginning with the fiscal year 1975) from any tax imposed on pistols, revolvers, bows, and arrows shall be apportioned among the States in proportion to the ratio that the population of each State bears to the population of all the States.

(2) Condition

The amount apportioned to each State under paragraph (1) shall be not greater than 3 percent and not less than 1 percent of the revenues described in such paragraph and Guam, the Virgin Islands, American Samoa, Puerto Rico, and the Northern Mariana Islands shall each be apportioned one-sixth of 1 per centum of such revenues.

(3) Population determination

For the purpose of this subsection, population determination shall be determined on the basis of the latest decennial census for which figures are available, as certified by the Secretary of Commerce.

(4) Use of funds

In addition to other uses authorized under this chapter, amounts apportioned under this subsection may be used for hunter recruitment and recreational shooter recruitment.

(d) Apportionment of Wildlife Conservation and Restoration Account

(1) The Secretary of the Interior shall make the following apportionment from the Wildlife Conservation and Restoration Account:

(A) to the District of Columbia and to the Commonwealth of Puerto Rico, each a sum equal to not more than one-half of 1 percent thereof;

(B) to Guam, American Samoa, the Virgin Islands, and the Commonwealth of the Northern Mariana Islands, each a sum equal to not more than one-fourth of 1 percent thereof.

(2) (A) The Secretary of the Interior, after making the apportionment under paragraph (1), shall apportion the remaining amount in the Wildlife Conservation and Restoration Account for each fiscal year among the States in the following manner:

(i) one-third of which is based on the ratio to which the land area of such State bears to the total land area of all such States; and

(ii) two-thirds of which is based on the ratio to which the population of such State bears to the total population of all such States.

(B) The amounts apportioned under this paragraph shall be adjusted equitably so that no such State shall be apportioned a sum which is less than one percent of the amount available for apportionment under this paragraph for any fiscal year or more than five percent of such amount.

(3) Of the amounts transferred to the Wildlife Conservation and Restoration Account, not to exceed 3 percent shall be available for any Federal expenses incurred in the administration and execution of programs carried out with such amounts.

(e) Wildlife conservation and restoration programs

(1) Any State, through its fish and wildlife department, may apply to the Secretary of the Interior for approval of a wildlife conservation and restoration program, or for funds from the Wildlife Conservation and Restoration Account, to develop a program. To apply, a State shall submit a comprehensive plan that includes—

(A) provisions vesting in the fish and wildlife department of the State overall responsibility and accountability for the program;

(B) provisions for the development and implementation of—

(i) wildlife conservation projects that expand and support existing wildlife programs, giving appropriate consideration to all wildlife;

(ii) wildlife-associated recreation projects; and

(iii) wildlife conservation education projects pursuant to programs under section 669(a) of this title; and

(C) provisions to ensure public participation in the development, revision, and implementation of projects and programs required under this paragraph.

(D) WILDLIFE CONSERVATION STRATEGY.—Within five years of the date of the initial apportionment, develop and begin implementation of a wildlife conservation strategy based upon the best available and appropriate scientific information and data that—

(i) uses such information on the distribution and abundance of species of wildlife, including low population and declining species as the State fish and wildlife department deems appropriate, that are indicative of the diversity and health of wildlife of the State;

(ii) identifies the extent and condition of wildlife habitats and community types essential to conservation of species identified under paragraph (1);

(iii) identifies the problems which may adversely affect the species identified under paragraph (1) or their habitats, and provides for priority research and surveys to identify factors which may assist in restoration and more effective conservation of such species and their habitats;

(iv) determines those actions which should be taken to conserve the species identified under paragraph (1) and their habitats and
§ 669c establishes priorities for implementing such conservation actions;
(v) provides for periodic monitoring of species identified under paragraph (1) and their habitats and the effectiveness of the conservation actions determined under paragraph (4), and for adapting conservation actions as appropriate to respond to new information or changing conditions;
(vi) provides for the review of the State wildlife conservation strategy and, if appropriate, revision at intervals of not more than ten years;
(vii) provides for coordination to the extent feasible the State fish and wildlife department, during the development, implementation, review, and revision of the wildlife conservation strategy, with Federal, State, and local agencies and Indian tribes that manage significant areas of land or water within the State, or administer programs that significantly affect the conservation of species identified under paragraph (1) or their habitats.

(2) A State shall provide an opportunity for public participation in the development of the comprehensive plan required under paragraph (1).

(3) If the Secretary finds that the comprehensive plan submitted by a State complies with paragraph (1), the Secretary shall approve the wildlife conservation and restoration program of the State and set aside from the apportionment to the State made pursuant to subsection (d), as redesignated1 an amount that shall not exceed 75 percent of the estimated cost of developing and implementing the program.

(4)(A) Except as provided in subparagraph (B), after the Secretary approves a State’s wildlife conservation and restoration program, the Secretary may make payments on a project that is a segment of the State’s wildlife conservation and restoration program as the project progresses. Such payments, including previous payments on the project, if any, shall not be more than the United States pro rata share of such project. The Secretary, under such regulations as he may prescribe, may advance funds representing the United States pro rata share of a project that is a segment of a wildlife conservation and restoration program, including funds to develop such program.

(B) Not more than 10 percent of the amounts apportioned to each State under this section for a State’s wildlife conservation and restoration program may be used for wildlife-associated recreation.

(5) For purposes of this subsection, the term “State” shall include the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands.


1 See References in Text note below.
1966—Subsec. (b). Pub. L. 99–396 inserted “and Guam, the Virgin Islands, American Samoa, and the Northern Marianas Islands shall each be apportioned one-sixth of 1 per centum of such revenues”.


1972—Subsec. (b). Pub. L. 92–558 substituted “(beginning with the fiscal year 1971)” for “(beginning with the fiscal year 1975)” and “pistols, revolvers, bows, and arrows” for “pistols and revolvers”.

1970—Pub. L. 91–563 designated existing existing provisions as subsec. (a), subordinated “second fiscal year preceding” for “preceding fiscal year” in provision dealing with the apportionment by the Secretary of the Interior, defined “fiscal year”, and struck out provisions dealing with the maximum and minimum apportionments “to all the States”, and added subsec. (b).

1946—Act July 24, 1946, substituted proviso making apportionment upon a percentage basis for provisos providing for certain definite sums to be apportioned to each State.

Effective Date of 1989 Amendment

Effective Date of 1972 Amendment

Transfer of Functions
Reorg. Plan No. II of 1939, set out in the Appendix to Title 5, Government Organization and Employees, transferred functions of Secretary of Agriculture relating to conservation of wildlife, game, and migratory birds to Secretary of the Interior.

Suspension of Expense Limitation
The Interior Department Appropriation Act, 1945, act June 28, 1944, ch. 298, § 1, 58 Stat. 504, provided that the limitations in this chapter were waived to the extent necessary to provide overtime under the provisions of the War Overtime Pay Act, 1943, former sections 1401 to 1415 of the former Appendix to Title 50, War and National Defense, which act expired June 30, 1945.

§ 669d. Apportionment; certification to States and Secretary of the Treasury; acceptance by States; disposition of funds not accepted

For each fiscal year, the Secretary of the Interior shall certify, at the time at which a deduction or apportionment is made, to the Secretary of the Treasury and to each State fish and game department the sum which he has estimated to be deducted for administering this chapter and the Migratory Bird Conservation Act [16 U.S.C. 715 et seq.] and the sum which he has apportioned to each State. Any State desiring to avail itself of the benefits of this chapter shall, by its State fish and game department, submit programs or projects for wildlife restoration in either of the following two ways:

1. The State shall prepare and submit to the Secretary of the Interior a comprehensive fish and wildlife resource management plan which shall include provisions for updating at intervals of not more than five years and be based on projections of desires and needs of the people for a period of not less than fifteen years. It shall include provisions for implementing the purposes of this chapter from funds apportioned under this chapter upon its approval of an annual agreement submitted to him.

2. A State may elect to avail itself of the benefits of this chapter by its State fish and game department submitting to the Secretary of the Interior a full and detailed statement of any wildlife-restoration project proposed for that State. If the Secretary of the Interior finds that such project meets with the standards established by him and approves such plans, he may finance up to 75 per centum of the cost of the project, which sum shall be in addition to any sum so set aside as shall exceed 75 per centum of the total estimated cost thereof.

References in Text
The Migratory Bird Conservation Act, referred to in text, is act Feb. 18, 1929, ch. 257, 45 Stat. 1222, as amended, which is classified generally to subchapter III (§ 715 et seq.) of chapter 7 of this title. For complete classification of this Act to the Code, see section 715 of this title and Tables.

Amendments
2000—Pub. L. 106–408 in first sentence inserted “, at the time at which a deduction or apportionment is made,” after “certify” and struck out “and executing” after “for administering”.

1970—Pub. L. 91–563 struck out requirement that apportionments be made by February 20 of each year preceding commencement of fiscal year in which funds would be used.

Transfer of Functions
Reorg. Plan No. II of 1939, set out in the Appendix to Title 5, Government Organization and Employees, transferred functions of Secretary of Agriculture relating to conservation of wildlife, game, and migratory birds to Secretary of the Interior.

§ 669e. Submission and approval of plans and projects

(a) Setting aside funds
Any State desiring to avail itself of the benefits of this chapter shall, by its State fish and game department, submit programs or projects for wildlife restoration in either of the following two ways:

1. The State shall prepare and submit to the Secretary of the Interior a comprehensive fish and wildlife resource management plan which shall include provisions for updating at intervals of not more than five years and be based on projections of desires and needs of the people for a period of not less than fifteen years. It shall include provisions for implementing segments of those plans meeting the purposes of this chapter from funds apportioned under this chapter upon its approval of an annual agreement submitted to him.

2. A State may elect to avail itself of the benefits of this chapter by its State fish and game department submitting to the Secretary of the Interior a full and detailed statement of any wildlife-restoration project proposed for that State. If the Secretary of the Interior finds that such project meets with the standards established by him and approves such plans, he may finance up to 75 per centum of the cost of the project, which sum shall be in addition to any sum so set aside as shall exceed 75 per centum of the total estimated cost thereof.
§ 669f. Payment of funds to States; laws governing construction and labor

(a) When the Secretary of the Interior shall find that any project approved by him has been completed or, if involving research relating to wildlife, is being conducted, in compliance with said plans and specifications, he shall cause to be paid to the proper authority of said State the amount set aside for said project. The Secretary of the Interior may, in his discretion, from time to time, make payments on said project as the same progresses; but these payments, including previous payments, if any, shall not be more than the United States pro rata share of the project in conformity with said plans and specifications. If a State has elected to avail itself of the benefits of this chapter by preparing a comprehensive fish and wildlife plan as provided for under option (1) of subsection (a) of section 669e of this title, and this plan has been approved by the Secretary of the Interior, then the Secretary may, in his discretion, and under such rules and regulations as he may prescribe, advance funds to the State for financing the United States pro rata share agreed upon between the State fish and game department and the Secretary.

(b) Any construction work and labor in each State shall be performed in accordance with its laws and under the direct supervision of the State fish and game department, subject to the inspection and approval of the Secretary of the Interior and in accordance with rules and regulations made pursuant to this chapter. The Secretary of the Interior and the State fish and game department of each State may jointly determine at what times and in what amounts payments shall be made under this chapter. Such payments shall be made by the Secretary of the Treasury, on warrants drawn by the Secretary of the Interior against the said fund to such official or officials, or depository, as may be designated by the State fish and game department and authorized under the laws of the State to receive public funds of the State.


AMENDMENTS

1970—Subsec. (a). Pub. L. 91–503 inserted an alternative method of application for funds by the submission of a comprehensive fish and wildlife resource management plan for a period of five years based on projections for fifteen years, to be updated every three years, laid down a maximum limit of federal assistance of 75 percent of the estimated cost of the implementation of the plan and, in the existing method of application, now contained in par. (2), struck out reference to Secretary of the Treasury and the requirement that the State pay 10 percent of the costs.

Subsecs. (b), (c). Pub. L. 91–503 added subsecs. (b) and (c).

TRANSFER OF FUNCTIONS

Reorg. Plan No. II of 1939, set out in the Appendix to Title 5, Government Organization and Employees, transferred functions of Secretary of Agriculture relating to conservation of wildlife, game, and migratory birds to Secretary of the Interior.

§ 669g. Maintenance of projects; expenditures for management of wildlife areas and resources

(a) Maintenance of wildlife-restoration projects established under the provisions of this chapter shall be the duty of the States in accordance with their respective laws. Beginning July 1, 1945, the term “wildlife-restoration project” as defined in section 669a of this title, shall include maintenance of completed projects. Notwithstanding any other provisions of this chapter, funds apportioned to a State under this chapter may be expended by the State for management (exclusive of law enforcement) of wildlife areas and resources. Funds from the Wildlife Conservation and Restoration Account may be used for a wildlife conservation education program, except that no such funds may be used for education efforts, projects, or
programs that promote or encourage opposition to the regulated taking of wildlife.

(b) EXPENDITURES FOR MANAGEMENT OF WILDLIFE AREAS AND RESOURCES.—

(1) IN GENERAL.—Except as provided in paragraph (2), each State may use the funds apportioned to it under section 669c(c) of this title to pay up to 75 percent of the costs of a hunter safety program and the operation and maintenance of public target ranges.

(2) EXCEPTION.—Notwithstanding the limitation described in paragraph (1), a State may pay up to 90 percent of the cost of acquiring land for, expanding, or constructing a public target range.

(3) NON-FEDERAL SHARE.—The non-Federal share of such costs may be derived from license fees paid by hunters, but not from other Federal grant programs.

(4) REGULATIONS.—The Secretary shall issue regulations not later than the 120th day after the effective date of this subsection such regulations as he deems advisable relative to the criteria for the establishment of hunter safety programs and public target ranges under this subsection.

(Sept. 2, 1937, ch. 899, § 8, 50 Stat. 919; July 24, 1946, ch. 605, § 2, 60 Stat. 566; Aug. 12, 1955, ch. 901, § 2, 69 Stat. 598; Pub. L. 116–94, § 501(e)(1), struck out `subject to section 669c(c) of this title' for `subject to section 669c(b) of this title' in first sentence.


1970—Pub. L. 91–503 designated existing provisions as subsec. (a), struck out the 25 percent limitation on the use of Federal funds for wildlife restoration projects and the 30 percent limitation on the use of Federal funds for the management of wildlife areas and resources, and added subsec. (b).


1946—Act July 24, 1946, inserted proviso defining `wildlife-restoration project'.

§ 669g–1. Payment of funds to and cooperation with Puerto Rico, Guam, American Samoa, Commonwealth of the Northern Mariana Islands, and Virgin Islands

The Secretary of the Interior is authorized to cooperate with the Secretary of Agriculture of Puerto Rico, the Governor of Guam, the Governor of American Samoa, the Governor of the Commonwealth of the Northern Mariana Islands, and the Governor of the Virgin Islands, in the conduct of wildlife-restoration projects, as defined in section 669a of this title, and hunter safety programs as provided by section 669c(b) of this title, upon such terms and conditions as he shall deem fair, just, and equitable, and is authorized to apportion to Puerto Rico, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, and the Virgin Islands, out of the money available for apportionment under this chapter, such sums as he shall determine, not exceeding for Puerto Rico one-half of 1 per centum, for Guam one-sixth of 1 per centum, for American Samoa one-sixth of one per centum, for the Commonwealth of the Northern Mariana Islands one-sixth of 1 per centum, and for the Virgin Islands one-sixth of 1 per centum of the total amount apportioned, in any one year, but the Secretary shall in no event require any of said cooperating agencies to pay an amount which will exceed 25 per centum of the cost of any project. Any unexpended or un obliged balance of any apportionment made pursuant to this section shall be available for expenditure in Puerto Rico, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, or the Virgin Islands, as the case may be, in the succeeding year, on any approved project, and if unexpended or unobligated at the end of such year is authorized to be made available for expenditure by the Secretary of the Interior in carrying out the provisions of the Migratory Bird Conservation Act (16 U.S.C. 715 et seq.).


REFERENCES IN TEXT

The Migratory Bird Conservation Act, referred to in text, is act Feb. 18, 1929, ch. 257, 45 Stat. 1222, as amended, which is classified generally to subchapter III (§ 715 et seq.) of chapter 7 of this title. For complete classi-
§ 669h. Requirements and restrictions concerning use of amounts for expenses for administration

(a) Authorized expenses for administration

Except as provided in subsection (b), the Secretary of the Interior may use available amounts under section 669c(a)(1) of this title only for expenses for administration that directly support the implementation of this chapter that consist of—

(1) personnel costs of employees who directly administer this chapter on a full-time basis;

(2) personnel costs of employees who directly administer this chapter on a part-time basis for at least 20 hours each week, not to exceed the portion of those costs incurred with respect to the work hours of the employee during which the employee directly administers this chapter, as those hours are certified by the supervisor of the employee;

(3) support costs directly associated with personnel costs authorized under paragraphs (1) and (2), excluding costs associated with staffing and operation of regional offices of the United States Fish and Wildlife Service and the Department of the Interior other than for the purposes of this chapter;

(4) costs of determining under section 669e(a) of this title whether State comprehensive plans and projects are substantial in character and design;

(5) overhead costs, including the costs of general administrative services, that are directly attributable to administration of this chapter and are based on—

(A) actual costs, as determined by a direct cost allocation methodology approved by the Director of the Office of Management and Budget for use by Federal agencies; and

(B) in the case of costs that are not determinable under subparagraph (A), an amount per full-time equivalent employee authorized under paragraphs (1) and (2) that does not exceed the amount charged or assessed for costs per full-time equivalent employee for any other division or program of the United States Fish and Wildlife Service;

(6) costs incurred in auditing, every 5 years, the wildlife and sport fish activities of each State fish and game department and the use of funds under section 669e of this title by each State fish and game department;

(7) costs of audits under subsection (d);

(8) costs of necessary training of Federal and State full-time personnel who administer this chapter to improve administration of this chapter;

(9) costs of travel to States, territories, and Canada by personnel who—

(A) administer this chapter on a full-time basis for purposes directly related to administration of State programs or projects; or

(B) administer grants under section 669e, 669h–1, or 669h–2 of this title;

(10) costs of travel outside the United States (except travel to Canada), by personnel who administer this chapter on a full-time basis, for purposes that directly relate to administration of this chapter and that are approved directly by the Assistant Secretary for Fish and Wildlife and Parks;

(11) relocation expenses for personnel who, after relocation, will administer this chapter on a full-time basis for at least 1 year, as certified by the Director of the United States Fish and Wildlife Service at the time at which the relocation expenses are incurred; and

(12) costs to audit, evaluate, approve, disapprove, and advise concerning grants under sections 669e, 669h–1, and 669h–2 of this title.

(b) Reporting of other uses

(1) In general

Subject to paragraph (2), if the Secretary of the Interior determines that available amounts under section 669c(a)(1) of this title...
should be used for an expense for administration other than an expense for administration described in subsection (a), the Secretary—

(A) shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Resources of the House of Representatives a report describing the expense for administration and stating the amount of the expense; and

(B) may use any such available amounts for the expense for administration only after the end of the 30-day period beginning on the date of submission of the report under subparagraph (A).

(2) Maximum amount

For any fiscal year, the Secretary of the Interior may use under paragraph (1) not more than $25,000.

c) Restriction on use to supplement general appropriations

The Secretary of the Interior shall not use available amounts under subsection (b) to supplement the funding of any function for which general appropriations are made for the United States Fish and Wildlife Service or any other entity of the Department of the Interior.

d) Audit requirement

(1) In general

The Inspector General of the Department of the Interior shall procure the performance of biennial audits, in accordance with generally accepted accounting principles, of expenditures and obligations of amounts used by the Secretary of the Interior for expenses for administration incurred in implementation of this chapter.

(2) Auditor

(A) In general

An audit under this subsection shall be performed under a contract that is awarded under competitive procedures (as defined in section 132 of title 41) by a person or entity that is not associated in any way with the Department of the Interior (except by way of a contract for the performance of an audit or other review).

(B) Supervision of auditor

The auditor selected under subparagraph (A) shall report to, and be supervised by, the Inspector General of the Department of the Interior, except that the auditor shall submit a copy of the biennial audit findings to the Secretary of the Interior at the time at which the findings are submitted to the Inspector General of the Department of the Interior.

(3) Report to Congress

The Inspector General of the Department of the Interior shall promptly submit to the Committee on Resources of the House of Representatives and the Committee on Environment and Public Works of the Senate—

(A) a report on the results of each audit under this subsection; and

(B) a copy of each audit under this subsection.


Conspicuation


Amendments

2000—Pub. L. 106–408 amended section generally. Prior to amendment, section read as follows: “Out of the deductions set aside for administering and executing this chapter and the Migratory Bird Conservation Act, the Secretary of the Interior is authorized to employ such assistants, clerks, and other persons in the city of Washington and elsewhere, to be taken from the eligible lists of the Civil Service; to rent or construct buildings outside of the city of Washington; to purchase such supplies, materials, equipment, office fixtures, and apparatus; and to incur such travel and other expenses, including purchase, maintenance, and hire of passenger-carrying motor vehicles, as he may deem necessary for carrying out the purposes of this chapter.”

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.

§669b–1. Firearm and bow hunter education and safety program grants

(a) In general

(1) Grants

Of the revenues covered into the fund, $7,500,000 for each of fiscal years 2001 and 2002, and $8,000,000 for fiscal year 2003 and each fiscal year thereafter, shall be apportioned among the States in the manner specified in section 669c(c) of this title by the Secretary of the Interior and used to make grants to the States to be used for—

(A) in the case of a State that has not used all of the funds apportioned to the State under section 669c(c) of this title for the fiscal year in the manner described in section 669(b) of this title—

(i) the enhancement of hunter education programs, hunter and sporting firearm safety programs, and hunter development programs;

(ii) the enhancement of interstate coordination and development of hunter education and shooting range programs;

(iii) the enhancement of bow hunter and archery education, safety, and development programs;

(iv) the enhancement of construction or development of firearm shooting ranges and archery ranges, and the updating of safety features of firearm shooting ranges and archery ranges; and

(v) the enhancement of hunter recruitment and recreational shooter recruitment; and

(B) in the case of a State that has used all of the funds apportioned to the State under section 669(c) of this title for the fiscal year

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in the manner described in section 669g(b) of this title, any use authorized by this chapter (including hunter safety programs and the construction, operation, and maintenance of public target ranges).

(2) Limitation on use

Under paragraph (1), a State shall not be required to use more than the amount described in section 669g(b) of this title for hunter safety programs and the construction, operation, and maintenance of public target ranges.

(3) Allocation of additional amounts

Of the amount apportioned to a State for any fiscal year under section 669c(b) of this title, the State may elect to allocate not more than 10 percent, to be combined with the amount apportioned to the State under paragraph (1) for that fiscal year, for acquiring land for, expanding, or constructing a public target range.

(b) Cost sharing

(1) In general

Except as provided in paragraph (2), the Federal share of the cost of any activity carried out using a grant under this section shall not exceed 75 percent of the total cost of the activity.

(2) Public target range construction or expansion

The Federal share of the cost of acquiring land for, expanding, or constructing a public target range in a State on Federal or non-Federal land pursuant to this section or section 669g(b) of this title shall not exceed 90 percent of the cost of the activity.

(c) Period of availability; reapportionment

(1) Period of availability

(A) In general

Except as provided in subparagraph (B), amounts made available and apportioned for grants under this section shall remain available only for the fiscal year for which the amounts are apportioned.

(B) Exception

Amounts provided for acquiring land for, constructing, or expanding a public target range shall remain available for expenditure and obligation during the 5-fiscal-year period beginning on October 1 of the first fiscal year for which the amounts are made available.

(2) Reapportionment

At the end of the period of availability under paragraph (1), the Secretary of the Interior shall apportion amounts made available that have not been used to make grants under this section among the States described in subsection (a)(1)(B) for use by those States in accordance with this chapter.


Prior Provisions

A prior section 10 of act Sept. 2, 1937, was renumbered section 12 and is classified to section 669i of this title.

AMENDMENTS


Subsec. (c)(1). Pub. L. 116–17, § 4(c)(3), designated existing provisions as subpar. (A), inserted heading, substituted ‘‘Except as provided in subparagraph (B), amounts made’’ for ‘‘Amounts made’’, and added subpar. (B).

§ 669h–2. Multistate conservation grant program

(a) In general

(1) Amount for grants

(A) In general

Not more than $3,000,000 of the revenues covered into the fund for a fiscal year shall be available to the Secretary of the Interior for making multistate conservation project grants in accordance with this section.

(B) Availability for hunter and recreational shooter grants

Not more than $5,000,000 of the revenues covered into the fund from any tax imposed under section 4161(b) of title 26 for a fiscal year shall be available to the Secretary exclusively for making hunter recruitment and recreational shooter recruitment grants that promote a national hunting and shooting sport recruitment program, including related communication and outreach activities.

(2) Period of availability; apportionment

(A) Period of availability

Amounts made available under paragraph (1) shall remain available for making grants only for the first fiscal year for which the amount is made available and the following fiscal year.

(B) Apportionment

At the end of the period of availability under subparagraph (A), the Secretary of the Interior shall apportion any amounts that remain available among the States in the manner specified in section 669c(b) of this title for use by the States in the same manner as funds apportioned under section 669c(b) of this title.

(b) Selection of projects

(1) States or entities to be benefited

A project shall not be eligible for a grant under this section unless the project will benefit—

(A) at least 26 States;

(B) a majority of the States in a region of the United States Fish and Wildlife Service; or

(C) a regional association of State fish and game departments.

(2) Use of submitted priority list of projects

The Secretary of the Interior may make grants under this section only for projects identified on a priority list of wildlife restoration projects described in paragraph (3).
(3) Priority list of projects

A priority list referred to in paragraph (2) is a priority list of wildlife restoration projects that the Association of Fish and Wildlife Agencies—

(A) prepares through a committee comprised of the heads of State fish and game departments (or their designees), in consultation with—

(i) nongovernmental organizations that represent conservation organizations;

(ii) sportmen organizations; and

(iii) industries that support or promote hunting, trapping, recreational shooting, bow hunting, or archery;

(B) approves by vote of a majority of the heads of State fish and game departments (or their designees); and

(C) not later than October 1 of each fiscal year, submits to the Assistant Director for Wildlife and Sport Fish Restoration Programs.

(4) Publication

The Assistant Director for Wildlife and Sport Fish Restoration Programs shall publish in the Federal Register each priority list submitted under paragraph (3)(C).

(c) Eligible grantees

(1) In general

The Secretary of the Interior may make a grant under this section only to—

(A) a State or group of States;

(B) the United States Fish and Wildlife Service, or a State or group of States, for the purpose of carrying out the National Survey of Fishing, Hunting, and Wildlife-Associated Recreation; and

(C) subject to paragraph (2), a nongovernmental organization.

(2) Nongovernmental organizations

(A) In general

Any nongovernmental organization that applies for a grant under this section shall submit with the application to the Association of Fish and Wildlife Agencies a certification that the organization—

(i) will not use the grant funds to fund, in whole or in part, any activity of the organization that promotes or encourages opposition to the regulated hunting or trapping of wildlife or to recreational shooting activities; and

(ii) will use the grant funds in compliance with subsection (d).

(B) Penalties for certain activities

Any nongovernmental organization that is found to use grant funds in violation of subparagraph (A) shall return all funds received under this section and be subject to any other applicable penalties under law.

(d) Use of grants

A grant under this section shall not be used, in whole or in part, for an activity, project, or program that promotes or encourages opposition to the regulated hunting or trapping of wildlife or to recreational shooting activities.

(e) Nonapplicability of Federal Advisory Committee Act

The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to any activity carried out under this section.

References in Text

The Federal Advisory Committee Act, referred to in subsec. (e), is Pub. L. 92–463, Oct. 6, 1972, 86 Stat. 770, as amended, which is set out in the Appendix to Title 5, Government Organization and Employees.

Prior Provisions

A prior section 11 of act Sept. 2, 1937, was classified to section 669i of this title prior to repeal by act Aug. 7, 1946.

Amendments


Subsec. (d). Pub. L. 116–94, § 501(g)(1)(E), inserted “or to recreational shooting activities” after “wildlife”.

Study


“(A) review and evaluate the effects of the funds made available under subparagraph (B) of section 11(a)(1) of the Pittman-Robertson Wildlife Restoration Act (16 U.S.C. 669h–2(a)(1)) (as added by paragraph (1)(A)(ii)) on funds available for wildlife conservation; and

“(B) submit a report describing the results of the review and evaluation under paragraph (1) to—

“(i) the Committee on Environment and Public Works of the Senate; and

“(ii) the Committee on Natural Resources of the House of Representatives.”

§ 669i. Rules and regulations

The Secretary of the Interior is authorized to make rules and regulations for carrying out the provisions of this chapter.

Transfer of Functions

Reorg. Plan No. II of 1939, set out in the Appendix to Title 5, Government Organization and Employees, transferred functions of Secretary of Agriculture relating to conservation of wildlife, game, and migratory birds to Secretary of the Interior.


§ 669k. Reports and certifications

(a) Implementation report

(1) In general

At the time at which the President submits to Congress a budget request for the Department of the Interior for fiscal year 2002, the Secretary of the Interior shall submit to the Committee on Resources of the House of Representatives and the Committee on Environment and Public Works of the Senate a report on the steps that have been taken to comply with this title and the amendments made by this title.

(2) Contents

The report under paragraph (1) shall describe—

(A) the extent to which compliance with this title and the amendments made by this title has required a reduction in the number of personnel assigned to administer, manage, and oversee the Federal Assistance Programs for State Wildlife and Sport Fish Restoration;

(B) any revisions to this title or the amendments made by this title that would be desirable in order for the Secretary of the Interior to adequately administer the Program and ensure that funds provided to State agencies are properly used; and

(C) any other information concerning the implementation of this title and the amendments made by this title that the Secretary of the Interior considers appropriate.

(b) Projected spending report

At the time at which the President submits a budget request for the Department of the Interior for fiscal year 2002 and each fiscal year thereafter, the Secretary of the Interior shall report in writing that the amounts were expended by the State in accordance with each of those Acts; and

(c) Spending certification and report

Not later than 60 days after the end of each fiscal year, the Secretary of the Interior shall certify and report in writing that the amounts were expended by the State in accordance with those Acts; and

(d) Certifications by States

Not later than 60 days after the end of each fiscal year, the Secretary of the Interior shall certify to the Secretary of the Interior and certify to the Secretary of the Interior in writing that the amounts were expended by the State in accordance with each of those Acts.

(2) Transmission to Congress

Not later than December 31 of a fiscal year, the Secretary of the Interior shall transmit all certifications under paragraph (1) for the previous fiscal year to the Committee on Resources of the House of Representatives and the Committee on Environment and Public Works of the Senate—

(1) the amounts, broken down by category, that were used for the fiscal year under section 4(a)(1) of the Pittman-Robertson Wildlife Restoration Act (16 U.S.C. 777c(d)(1));


(3) the results of the audits performed under section 9(d) of the Pittman-Robertson Wildlife Restoration Act (16 U.S.C. 669h(d)) and section 9(d) of the Dingell-Johnson Sport Fish Restoration Act (16 U.S.C. 777h(d));

(4) that all amounts used for the fiscal year under section 4(a)(1) of the Pittman-Robertson Wildlife Restoration Act (16 U.S.C. 669c(a)(1)) and section 4(d)(1) of the Dingell-Johnson Sport Fish Restoration Act (16 U.S.C. 777c(d)(1)) were necessary for expenses for administration incurred in implementation of those Acts;

(5) that all amounts used for the fiscal year to administer those Acts by agency headquarters and by regional offices of the United States Fish and Wildlife Service were used in accordance with those Acts; and

(6) that the Secretary of the Interior, the Assistant Secretary for Fish and Wildlife and Parks, the Director of the United States Fish and Wildlife Service, and the Assistant Director for Wildlife and Sport Fish Restoration Programs each properly discharged their duties under those Acts.

(e) Limitation on delegation

The Secretary of the Interior shall not delegate the responsibility for making a certification under subsection (c) to any person except the Assistant Secretary for Fish and Wildlife and Parks.


REFERENCES IN TEXT

This title, referred to in subsec. (a), is title I of Pub. L. 106–408, Nov. 1, 2000, 114 Stat. 1762, known as the

1 See References in Text note below.

2 So in original. Probably should be followed by a second closing parenthesis.
Wildlife and Sport Fish Restoration Programs Improvement Act of 2000. For complete classification of title I to the Code, see Short Title of 2000 Amendment note set out under section 669 of this title and Tables.

The Pittman-Robertson Wildlife Restoration Act, referred to in subsecs. (c)(4) to (6) and (d)(1), is act Sept. 2, 1937, ch. 899, 50 Stat. 917, as amended, also known as the Federal Aid in Wildlife Restoration Act, which is classified generally to this chapter. For complete classification of this Act to the Code, see Short Title note set out under section 669 of this title and Tables.

The Dingell-Johnson Sport Fish Restoration Act, referred to in subsecs. (b), (c), and (d)(1), is act Aug. 9, 1950, ch. 658, 64 Stat. 430, as amended, also known as the Fish and Wildlife Restoration Act, which is classified generally to chapter 10B (§ 777 et seq.) of this title. Section 4(d) of the Act was redesignated section 4(b) by Pub. L. 106–554, title X, § 10113(1), Dec. 28, 2000, 114 Stat. 2890, and is set out as a Short Title note under section 777 of this title and Tables.

Codification Section was enacted as part of the Fish and Wildlife Programs Improvement and National Wildlife Refuge System Centennial Act of 2000, and not as part of the Pittman-Robertson Wildlife Restoration Act which comprises this chapter.

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.

§ 669f. Value of land Notwithstanding any other provision of law, any institution eligible to receive Federal funds under the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7601 et seq.) shall be allowed to use the value of any land owned by the institution as an in-kind match to satisfy any cost sharing requirement under this chapter.


Prior Provisions A prior section 13 of act Sept. 2, 1937, was renumbered section 14 and is set out as a Short Title note under section 669 of this title.

CHAPTER 5C—CONSERVATION PROGRAMS ON GOVERNMENT LANDS

SUBCHAPTER I—CONSERVATION PROGRAMS ON MILITARY INSTALLATIONS

Sec. 670. Definitions.

670a. Cooperative plan for conservation and rehabilitation.

670a–1. Repealed.

670b. Migratory game birds; hunting permits.

670c. Program for public outdoor recreation.

670c–1. Cooperative and interagency agreements for land management on installations.

670d. Liability for funds; accounting to Controller General.

Subchapter II—Conservation Programs on Public Lands

670e. Applicability to other laws; national forest lands.

670e–1. Federal enforcement of other laws.

670e–2. Natural resources management services.

670f. Appropriations and expenditures.

SUBCHAPTER II—CONSERVATION PROGRAMS ON PUBLIC LANDS

670g. Wildlife, fish, and game conservation and rehabilitation programs.

670h. Comprehensive plans for conservation and rehabilitation programs.

670i. Public land management area stamps for hunting, trapping, and fishing on public lands subject to programs.

670j. Enforcement provisions.

670k. Definitions.

670l. Stamp requirements not applicable to Forest Service and Bureau of Land Management lands; authorized fees.

670m. Indian rights; State or Federal jurisdiction regulating Indian rights.

670n. Repealed.

670o. Authorization of appropriations.

Subchapter I—Conservation Programs on Military Installations

§ 670. Definitions

In this subchapter:

(1) Military installation

The term “military installation”—

(A) means any land or interest in land owned by the United States and administered by the Secretary of Defense or the Secretary of a military department, except land under the jurisdiction of the Assistant Secretary of the Army having responsibility for civil works;

(B) includes all public lands withdrawn from all forms of appropriation under public land laws and reserved for use by the Secretary of Defense or the Secretary of a military department; and

(C) does not include any land described in subparagraph (A) or (B) that is subject to an approved recommendation for closure under the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101–510; 10 U.S.C. 2677 note).

(2) State

The term “State” means any of the several States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, the Commonwealth of the Northern Mariana Islands, American Samoa, and the Virgin Islands.

(3) State-owned National Guard installation

The term “State-owned National Guard installation” means land owned and operated by a State when such land is used for training the National Guard pursuant to chapter 5 of title 32, with funds provided by the Secretary of Defense or the Secretary of a military department, even though such land is not under the jurisdiction of the Department of Defense.

(4) State fish and wildlife agency

The term “State fish and wildlife agency” means the one or more agencies of State government that are responsible under State law for managing fish or wildlife resources.