

per centum, of the revenues (excluding interest accruing under section 669b(b) of this title) covered into said fund in each fiscal year as the Secretary of the Interior may estimate to be necessary for his expenses in the administration and execution of this chapter and the Migratory Bird Conservation Act shall be deducted for that purpose, and such sum is authorized to be made available therefor until the expiration of the next succeeding fiscal year, and within sixty days after the close of such fiscal year the Secretary of the Interior shall apportion such part thereof as remains unexpended by him, if any, and make certificate thereof to the Secretary of the Treasury and to the State fish and game departments on the same basis and in the same manner as is provided as to other amounts authorized by this chapter to be apportioned among the States for such current fiscal year.”, inserted subsec. (b) designation and heading, substituted “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” for “after making the aforesaid deduction, shall apportion, except as provided in subsection (b) of this section.”, redesignated former subsec. (b) as (c), and inserted “Puerto Rico,” after “American Samoa.”

Subsec. (c). Pub. L. 106-553 added subsec. (c) relating to apportionment of Wildlife Conservation and Restoration Account.

Subsec. (d). Pub. L. 106-553 added subsec. (d).

1989—Subsec. (a). Pub. L. 101-233 inserted “(excluding interest accruing under section 669b(b) of this title)” after “revenues” in first sentence.

1986—Subsec. (b). Pub. L. 99-396 inserted “and Guam, the Virgin Islands, American Samoa, and the Northern Mariana Islands shall each be apportioned one-sixth of 1 per centum of such revenues”.

1976—Subsec. (a). Pub. L. 94-273 substituted “September” for “June”, and “October” for “July”.

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

1970—Pub. L. 91-503 designated existing provisions as subsec. (a), substituted “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.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 1989 AMENDMENT

Amendment by Pub. L. 101-233 effective Oct. 1, 1989, see section 7(a)(3) of Pub. L. 101-233, set out as a note under section 669b of this title.

EFFECTIVE DATE OF 1972 AMENDMENT

Amendment by Pub. L. 92-558 effective Jan. 1, 1975, see section 101(c) of Pub. L. 92-558, set out as a note under section 669b of this title.

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.

Executive Documents

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.

§ 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 notify the Secretary of the Interior to this effect within sixty days after it has received the certification referred to in this section. The sum apportioned to any State which fails to notify the Secretary of the Interior as herein provided 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.

(Sept. 2, 1937, ch. 899, §5, 50 Stat. 918; 1939 Reorg. Plan No. II, §4(f), eff. July 1, 1939, 4 F.R. 2731, 53 Stat. 1433; Pub. L. 91-503, title I, §102, Oct. 23, 1970, 84 Stat. 1098; Pub. L. 106-408, title I, §114, Nov. 1, 2000, 114 Stat. 1769.)

Editorial Notes

REFERENCES IN TEXT

The Migratory Bird Conservation Act, referred to in text, is act Feb. 18, 1929, ch. 257, 45 Stat. 1222, 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. 91-503 struck out requirement that apportionments be made by February 20 of each year preceding commencement of fiscal year in which funds would be used.

Executive Documents

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