

tration 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 777e and 777m 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 777c(b) of this title should be used for an expense for administration other than an expense for administration described in subsection (a) of this section, 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) of this section 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.

(Aug. 9, 1950, ch. 658, §9, 64 Stat. 433; Pub. L. 106-408, title I, §121(b), Nov. 1, 2000, 114 Stat. 1770; Pub. L. 109-59, title X, §10116, Aug. 10, 2005, 119 Stat. 1929.)

CODIFICATION

In subsec. (d)(2)(A), “section 132 of title 41” substituted for “section 4 of the Office of Federal Procurement Policy Act (41 U.S.C. 403)” on authority of Pub. L. 111-350, §6(c), Jan. 4, 2011, 124 Stat. 3854, which Act enacted Title 41, Public Contracts.

AMENDMENTS

2005—Subsecs. (a), (b)(1). Pub. L. 109-59 substituted “section 777c(b)” for “section 777c(d)(1)” in introductory provisions.

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 the Secretary of the Interior is authorized to employ such assistants, clerks, and other persons in the District of Columbia and elsewhere, to be taken from the eligible lists of the civil service; to rent or construct buildings outside of the District of Columbia; to purchase such supplies, materials, equipment, office fixtures, and apparatus; and to incur such travel and other expenses, including publication of technical and administrative reports, purchase, maintenance, and hire of passenger-carrying motor vehicles, as he may deem necessary for carrying out the provisions 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.

EFFECTIVE DATE OF 2005 AMENDMENTS

From Aug. 10, 2005, to end of fiscal year 2005, subsecs. (a) and (b)(1) of this section considered to read as immediately before enactment of Pub. L. 109-59, see section 101(b) of Pub. L. 109-74, set out as a note under section 777b of this title.

Amendment by Pub. L. 109-59 effective Oct. 1, 2005, see section 10102 of Pub. L. 109-59, set out as a note under section 777b of this title.

§ 777i. Rules and regulations

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

(Aug. 9, 1950, ch. 658, §10, 64 Stat. 434.)

TRANSFER OF FUNCTIONS

Transfer of functions to Secretary of Commerce from Secretary of the Interior by Reorg. Plan No. 4 of 1970,

eff. Oct. 3, 1970, 35 F.R. 15627, 84 Stat. 2090, see note set out under section 777 of this title.

§ 777j. Repealed. Pub. L. 89-348, § 1(14), Nov. 8, 1965, 79 Stat. 1311

Section, act Aug. 9, 1950, ch. 658, §11, 64 Stat. 434, required the Secretary of the Interior to make an annual report to the Congress giving detailed information as to the projects established under this chapter and expenditures therefor.

§ 777k. Payments of funds to and cooperation with Puerto Rico, the District of Columbia, 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 Mayor of the District of Columbia, 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 fish restoration and management projects, as defined in section 777a of this title, upon such terms and conditions as he shall deem fair, just, and equitable, and is authorized to apportion to Puerto Rico, the District of Columbia, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, and the Virgin Islands, out of money available for apportionment under this chapter, such sums as he shall determine, not exceeding for Puerto Rico 1 per centum, for the District of Columbia one-third of 1 per centum, for Guam one-third of 1 per centum, for American Samoa one-third of 1 per centum, for the Commonwealth of the Northern Mariana Islands one-third of 1 per centum, and for the Virgin Islands one-third 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 unobligated balance of any apportionment made pursuant to this section shall be made available for expenditure in Puerto Rico, the District of Columbia, Guam, the Commonwealth of the Northern Mariana Islands, or the Virgin Islands, as the case may be, in the succeeding year, on any approved projects, 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 to supplement the 57 percent of the balance of each annual appropriation to be apportioned among the States under section 777c(b) of this title.

(Aug. 9, 1950, ch. 658, §12, 64 Stat. 434; July 2, 1956, ch. 489, §4, 70 Stat. 473; Aug. 1, 1956, ch. 852, §8, 70 Stat. 908; Pub. L. 86-70, §16, June 25, 1959, 73 Stat. 143; Pub. L. 91-503, title II, §203, Oct. 23, 1970, 84 Stat. 1103; Pub. L. 96-597, title III, §302(a), Dec. 24, 1980, 94 Stat. 3477; Pub. L. 98-369, div. A, title X, §1014(a)(7), July 18, 1984, 98 Stat. 1016; Pub. L. 109-59, title X, §10117, Aug. 10, 2005, 119 Stat. 1929.)

AMENDMENTS

2005—Pub. L. 109-59 substituted “to supplement the 57 percent of the balance of each annual appropriation to be apportioned among the States under section 777c(b)

of this title” for “in carrying on the research program of the Fish and Wildlife Service in respect to fish of material value for sport or recreation” before period at end.

1984—Pub. L. 98-369 inserted “the Mayor of the District of Columbia,” after “the Secretary of Agriculture of Puerto Rico,” “for the District of Columbia one-third of 1 per centum,” after “for Puerto Rico 1 per centum,” and “the District of Columbia,” after “Puerto Rico,” in two places.

1980—Pub. L. 96-597 inserted references to the Governor and the Commonwealth of the Northern Mariana Islands.

1970—Pub. L. 91-503 substituted “Secretary of Agriculture of Puerto Rico” for “Commissioner of Agriculture and Commerce of Puerto Rico”, added American Samoa to the list of recipients, and substituted maximum limits of apportionment of one percent for Puerto Rico, one-third of one percent for Guam, one-third of one percent for American Samoa and one-third of one percent for Virgin Islands for maximum limit of \$10,000 for Puerto Rico, Guam and Virgin Islands together.

1959—Pub. L. 86-70 struck out provisions which authorized cooperation with the Alaska Game Commission and permitted apportionment of not more than \$75,000 in any one year to the Territory of Alaska.

1956—Act Aug. 1, 1956, inserted “the Governor of Guam” after “Commissioner of Agriculture and Commerce of Puerto Rico,” and “Guam” after “Puerto Rico” in three remaining places those words appear.

Act July 2, 1956, struck out provisions which authorized the Secretary to cooperate with the Division of Game and Fish of the Board of Commissioners of Agriculture and Forestry of Hawaii, struck out limitation of \$25,000 on the amount of funds which could be appropriated to Hawaii in any one year, and substituted “Territory of Alaska” for “Territories” in two places.

EFFECTIVE DATE OF 2005 AMENDMENTS

From Aug. 10, 2005, to end of fiscal year 2005, section considered to read as immediately before enactment of Pub. L. 109-59, see section 101(b) of Pub. L. 109-74, set out as a note under section 777b of this title.

Amendment by Pub. L. 109-59 effective Oct. 1, 2005, see section 10102 of Pub. L. 109-59, set out as a note under section 777b of this title.

EFFECTIVE DATE OF 1984 AMENDMENT

Amendment by Pub. L. 98-369 effective Oct. 1, 1984, and applicable with respect to fiscal years beginning after Sept. 30, 1984, see section 1014(b) of Pub. L. 98-369, set out as a note under section 777 of this title.

EFFECTIVE DATE OF 1956 AMENDMENT

Amendment by act July 2, 1956, as applicable only with respect to fiscal years beginning after July 2, 1956, see section 5 of act July 2, 1956, set out as a note under section 669a of this title.

TRANSFER OF FUNCTIONS

Transfer of functions to Secretary of Commerce from Secretary of the Interior by Reorg. Plan No. 4 of 1970, eff. Oct. 3, 1970, 35 F.R. 15627, 84 Stat. 2090, see note set out under section 777 of this title.

§ 777I. State use of contributions

A State may use contributions of funds, real property, materials, and services to carry out an activity under this chapter in lieu of payment by the State of the State share of the cost of such activity. Such a State share shall be considered to be paid in an amount equal to the fair market value of any contribution so used.

(Aug. 9, 1950, ch. 658, §13, as added Pub. L. 100-448, §6(c)(2), Sept. 28, 1988, 102 Stat. 1841.)