

Game and Fish of the Board of Commissioners of Agriculture and Forestry of Hawaii, removed the limitation of \$25,000 on the amount of funds which could be apportioned to Hawaii in any one year, and substituted "Territory of Alaska" for "Territories" in two places.

1950—Act Aug. 3, 1950, increased funds allocated annually to Alaska and Hawaii from \$25,000 to \$10,000, respectively, to \$75,000 and \$25,000.

#### EFFECTIVE DATE OF 1984 AMENDMENT

Pub. L. 98-347, §2(b), July 9, 1984, 98 Stat. 322, provided that: "The amendments made by subsection (a) [amending this section] shall take effect October 1, 1984."

#### EFFECTIVE DATE OF 1956 AMENDMENT

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

#### INCREASE OF ANNUAL APPORTIONMENTS

Act May 19, 1956, ch. 313, ch. VI, §601, 70 Stat. 169, authorized increases of not more than 20 percent in the annual appropriations for the former territories of Alaska and Hawaii, and Puerto Rico and the Virgin Islands.

### **§ 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.

(Sept. 2, 1937, ch. 899, §9, 50 Stat. 919; Pub. L. 106-408, title I, §111(b), Nov. 1, 2000, 114 Stat. 1764.)

## 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

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.

**§ 669h-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 669g(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 669c(c) of this title for the fiscal year 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.