

comprehensive wildlife conservation and restoration plan;

“(3) to encourage State fish and wildlife agencies to participate with the Federal Government, other State agencies, wildlife conservation organizations and outdoor recreation and conservation interests through cooperative planning and implementation of this title [enacting section 1356a of Title 43, Public Lands, amending sections 669a, 669b, 669c, 669g, and 4406 of this title, and enacting provisions set out as notes under this section]; and

“(4) to encourage State fish and wildlife agencies to provide for public involvement in the process of development and implementation of a wildlife conservation and restoration program.

“(b) REFERENCE TO LAW.—In this section, the term ‘Federal Aid in Wildlife Restoration Act’ means the Act of September 2, 1937 (16 U.S.C. 669 et seq.), commonly referred to as the Federal Aid in Wildlife Restoration Act or the Pittman-Robertson Act.”

INAPPLICABILITY OF FEDERAL ADVISORY COMMITTEE ACT

Pub. L. 106-553, §1(a)(2) [title IX, §902(f)], Dec. 21, 2000, 114 Stat. 2762, 2762A-123, provided that: “Coordination with State fish and wildlife agency personnel or with personnel of other State agencies pursuant to the Federal Aid in Wildlife Restoration Act [16 U.S.C. 669 et seq.] or the Federal Aid in Sport Fish Restoration Act [16 U.S.C. 777 et seq.] shall not be subject to the Federal Advisory Committee Act (5 U.S.C. App.). Except for the preceding sentence, the provisions of this title [enacting section 1356a of Title 43, Public Lands, amending sections 669a, 669b, 669c, 669g, and 4406 of this title, and enacting provisions set out as notes under this section] relate solely to wildlife conservation and restoration programs and shall not be construed to affect the provisions of the Federal Aid in Wildlife Restoration Act relating to wildlife restoration projects or the provisions of the Federal Aid in Sport Fish Restoration Act relating to fish restoration and management projects.”

PROHIBITION AGAINST DIVERSION

Pub. L. 106-553, §1(a)(2) [title IX, §902(h)], Dec. 21, 2000, 114 Stat. 2762, 2762A-124, provided that: “No designated State agency shall be eligible to receive matching funds under this title [enacting section 1356a of Title 43, Public Lands, amending sections 669a, 669b, 669c, 669g, and 4406 of this title, and enacting provisions set out as notes under this section] if sources of revenue available to it after January 1, 2000, for conservation of wildlife are diverted for any purpose other than the administration of the designated State agency, it being the intention of Congress that funds available to States under this title be added to revenues from existing State sources and not serve as a substitute for revenues from such sources. Such revenues shall include interest, dividends, or other income earned on the foregoing.”

DESIGNATION OF PROGRAMS

Pub. L. 106-408, title I, §131, Nov. 1, 2000, 114 Stat. 1775, provided that: “The programs established under the Pittman-Robertson Wildlife Restoration Act (16 U.S.C. 669 et seq.) and the Dingell-Johnson Sport Fish Restoration Act (16 U.S.C. 777 et seq.) shall be known as the ‘Federal Assistance Program for State Wildlife and Sport Fish Restoration’.”

§ 669a. Definitions

As used in this chapter—

(1) the term “conservation” means the use of methods and procedures necessary or desirable to sustain healthy populations of wildlife, including all activities associated with scientific resources management such as research, census, monitoring of populations, acquisition, improvement and management of habitat, live

trapping and transplantation, wildlife damage management, and periodic or total protection of a species or population, as well as the taking of individuals within wildlife stock or population if permitted by applicable State and Federal law;

(2) for the purposes of determining the number of paid hunting-license holders in a State, the term “fiscal year” means the fiscal year or license year of the State;

(3) the term “hunter recruitment and recreational shooter recruitment” means any activity 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 practices;

(iv) to promote conservation and the responsible use of the wildlife resources of the United States; and

(v) to further safety in hunting and recreational shooting;

(B) providing education, mentoring, and field demonstrations;

(C) enhancing access for hunting and recreational 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, pistol, or shotgun shooting;

(5) the term “Secretary” means the Secretary of the Interior;

(6) the term “State fish and game department” or “State fish and wildlife department” means 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 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)¹ 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 on wildlife and their habitats), wildlife conservation organizations, and outdoor recreation and conservation education entities from funds apportioned under this chapter,¹ 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) [title IX, §902(c)], Dec. 21, 2000, 114 Stat. 2762, 2762A-119; Pub. L. 116-17, §4(a), May 10, 2019, 133 Stat. 867; Pub. L. 116-94, div. P, title V, §501(c), Dec. 20, 2019, 133 Stat. 3191.)

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(d)(2)(A), Dec. 20, 2019, 133 Stat. 3192.

This chapter, referred to in par. (9), was in the original “this title”, and was translated as reading “this Act”, meaning Act Sept. 2, 1937, ch. 899, to reflect the probable intent of Congress, because Act Sept. 2, 1937, ch. 899, which enacted this chapter, does not contain titles.

AMENDMENTS

2019—Pars. (2) to (11). Pub. L. 116-94 added pars. (2) and (3) and redesignated former pars. (2) to (9) as (4) to (11), respectively.

Pub. L. 116-17 added par. (2) and redesignated former pars. (2) to (8) as (3) to (9), respectively. Such pars. (2) to (9) were subsequently redesignated (4) to (11) by Pub. L. 116-94.

¹ See References in Text note below.

2000—Pub. L. 106-553 inserted section catchline and amended text generally. Prior to amendment, text read as follows: “For the purposes of this chapter the term ‘wildlife-restoration project’ shall be construed to 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.

1956—Act July 2, 1956, included definition of “State”.

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 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 for construction and 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) is identified by a governmental agency for recreational shooting;
“(2) is open to the public;
“(3) may be supervised; and
“(4) may accommodate archery or rifle, pistol, or shotgun shooting.”

§ 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).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.

¹So in original. Probably should be “paragraph (1) of subsection (b)”.

(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.

(Sept. 2, 1937, ch. 899, § 3, 50 Stat. 917; 1939 Reorg. Plan No. II, § 4(f), eff. July 1, 1939, 4 F.R. 2731, 53 Stat. 1433; Pub. L. 91–503, title I, § 101, Oct. 23, 1970, 84 Stat. 1097; Pub. L. 92–558, title I, § 101(a), Oct. 25, 1972, 86 Stat. 1172; Pub. L. 99–514, § 2, Oct. 22, 1986, 100 Stat. 2095; Pub. L. 101–233, § 7(a)(1), Dec. 13, 1989, 103 Stat. 1974; Pub. L. 106–553, § 1(a)(2) [title IX, § 902(d)], Dec. 21, 2000, 114 Stat. 2762, 2762A–120; Pub. L. 109–75, § 1, Sept. 29, 2005, 119 Stat. 2034; Pub. L. 114–113, div. G, title I, § 120, Dec. 18, 2015, 129 Stat. 2552.)

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

2015—Subsec. (b)(2)(C). Pub. L. 114–113 substituted “2026” for “2016”.

2005—Subsec. (b)(2)(C). Pub. L. 109–75 substituted “2016” for “2006”.

2000—Subsec. (a). Pub. L. 106–553, § 1(a)(2) [title IX, § 902(d)(1)], designated existing provisions as par. (1) and added par. (2).

Subsecs. (c), (d). Pub. L. 106–553, § 1(a)(2) [title IX, § 902(d)(2)], added subsecs. (c) and (d).