

(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.)

Editorial Notes

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).

1989—Pub. L. 101-233 designated existing provisions as subsec. (a) and added subsec. (b).

1986—Pub. L. 99-514 substituted “Internal Revenue Code of 1986” for “Internal Revenue Code of 1954”, which for purposes of codification was translated as “title 26” thus requiring no change in text.

1972—Pub. L. 92-558 substituted “(beginning with the fiscal year 1975)” for “(beginning with the fiscal year 1971)” and inserted reference to section 4161(b) of title 26.

1970—Pub. L. 91-503 inserted provisions for the deposit of the 10 per cent tax on pistols and revolvers under section 4181 of title 26 into the Federal aid to wildlife restoration fund beginning in fiscal year 1971.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 1989 AMENDMENT

Pub. L. 101-233, § 7(a)(3), Dec. 13, 1989, 103 Stat. 1975, provided that: “The amendments made by this subsection of this Act [amending this section and section 669c of this title] take effect October 1, 1989.”

EFFECTIVE DATE OF 1972 AMENDMENT

Pub. L. 92-558, title I, § 101(c), Oct. 25, 1972, 86 Stat. 1172, as amended by Pub. L. 93-313, June 8, 1974, 88 Stat. 238, provided that: “The amendments made by subsections (a) and (b) [amending this section and section 669c of this title] of this section shall take effect January 1, 1975.”

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.

§ 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. 669-669i), 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 the authority of this section shall be made 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.)

Editorial Notes

REFERENCES IN TEXT

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, referred to in text, is act Sept. 2, 1937, ch. 899, 50 Stat. 917, known as the Pittman-Robertson Wildlife

Restoration Act and also popularly 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.

CODIFICATION

Section was not enacted as part of the Pittman-Robertson Wildlife Restoration Act which comprises this chapter.

§ 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 669b(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 the fiscal year that includes November 15, 2021, the sum obtained by adding—

(I) the available amount specified in this subparagraph for the preceding fiscal year; and

(II) \$979,500; and

(ii) for each fiscal year thereafter, the sum obtained by adding—

(I) the available amount specified in this subparagraph for the preceding fiscal year; and

(II) the product obtained by multiplying—

(aa) the available amount specified in this subparagraph 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 subsequent fiscal year.

(B) Apportionment of unobligated amounts

(i) In general

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 remained available for obligation pursuant to subparagraph (A) during that fis-

cal year and remains unobligated at the end of that fiscal year.

(ii) Requirement

The available amount apportioned under clause (i) shall be apportioned on the same basis and in the same manner as other amounts made available under this chapter were apportioned among the States for the fiscal year in which the amount was originally made available.

(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 preceding 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 centum nor more than 5 per centum 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), $\frac{1}{2}$ 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 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