

(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.

(2) Public target range construction or expansion

The Federal share of the cost of acquiring land for, expanding, or constructing a public target range in a State on Federal or non-Federal land pursuant to this section or section 669g(b) of this title shall not exceed 90 percent of the cost of the activity.

(c) Period of availability; reapportionment

(1) Period of availability

(A) In general

Except as provided in subparagraph (B), amounts made available and apportioned for

grants under this section shall remain available only for the fiscal year for which the amounts are apportioned.

(B) Exception

Amounts provided for acquiring land for, constructing, or expanding a public target range shall remain available for expenditure and obligation during the 5-fiscal-year period beginning on October 1 of the first fiscal year for which the amounts are made available.

(2) Reapportionment

At the end of the period of availability under paragraph (1), the Secretary of the Interior shall apportion amounts made available that have not been used to make grants under this section among the States described in subsection (a)(1)(B) for use by those States in accordance with this chapter.

(Sept. 2, 1937, ch. 899, §10, as added Pub. L. 106-408, title I, §112(2), Nov. 1, 2000, 114 Stat. 1766; amended Pub. L. 116-17, §4(c), May 10, 2019, 133 Stat. 867; Pub. L. 116-94, div. P, title V, §501(f), Dec. 20, 2019, 133 Stat. 3193.)

Editorial Notes

PRIOR PROVISIONS

A prior section 10 of act Sept. 2, 1937, was renumbered section 12 and is classified to section 669i of this title.

AMENDMENTS

2019—Subsec. (a)(1)(A)(v). Pub. L. 116-94 added cl. (v). Subsec. (a)(3). Pub. L. 116-17, §4(c)(1), added par. (3). Subsec. (b). Pub. L. 116-17, §4(c)(2), added subsec. (b) and struck out former subsec. (b). Prior to amendment, text read as follows: “The Federal share of the cost of any activity carried out with a grant under this section shall not exceed 75 percent of the total cost of the activity.”

Subsec. (c)(1). Pub. L. 116-17, §4(c)(3), designated existing provisions as subpar. (A), inserted heading, substituted “Except as provided in subparagraph (B), amounts made” for “Amounts made”, and added subpar. (B).

§ 669h-2. Multistate conservation grant program

(a) In general

(1) Amount for grants

(A) In general

Not more than \$3,000,000 of the revenues covered into the fund for a fiscal year shall be available to the Secretary of the Interior for making multistate conservation project grants in accordance with this section.

(B) Availability for hunter and recreational shooter grants

Not more than \$5,000,000 of the revenues covered into the fund from any tax imposed under section 4161(b) of title 26 for a fiscal year shall be available to the Secretary exclusively for making hunter recruitment and recreational shooter recruitment grants that promote a national hunting and shooting sport recruitment program, including related communication and outreach activities.

(2) Period of availability; apportionment

(A) Period of availability

Amounts made available under paragraph (1) shall remain available for making grants

only for the first fiscal year for which the amount is made available and the following fiscal year.

(B) Apportionment

At the end of the period of availability under subparagraph (A), the Secretary of the Interior shall apportion any amounts that remain available among the States in the manner specified in section 669c(b) of this title for use by the States in the same manner as funds apportioned under section 669c(b) of this title.

(b) Selection of projects

(1) States or entities to be benefited

A project shall not be eligible for a grant under this section unless the project will benefit—

- (A) at least 26 States;
- (B) a majority of the States in a region of the United States Fish and Wildlife Service; or
- (C) a regional association of State fish and game departments.

(2) Use of submitted priority list of projects

The Secretary of the Interior may make grants under this section only for projects identified on a priority list of wildlife restoration projects described in paragraph (3).

(3) Priority list of projects

A priority list referred to in paragraph (2) is a priority list of wildlife restoration projects that the Association of Fish and Wildlife Agencies—

(A) prepares through a committee comprised of the heads of State fish and game departments (or their designees), in consultation with—

- (i) nongovernmental organizations that represent conservation organizations;
- (ii) sportsmen organizations; and
- (iii) industries that support or promote hunting, trapping, recreational shooting, bow hunting, or archery;

(B) approves by vote of a majority of the heads of State fish and game departments (or their designees); and

(C) not later than October 1 of each fiscal year, submits to the Assistant Director for Wildlife and Sport Fish Restoration Programs.

(4) Publication

The Assistant Director for Wildlife and Sport Fish Restoration Programs shall publish in the Federal Register each priority list submitted under paragraph (3)(C).

(c) Eligible grantees

(1) In general

The Secretary of the Interior may make a grant under this section only to—

- (A) a State or group of States;
- (B) the United States Fish and Wildlife Service, or a State or group of States, for the purpose of carrying out the National Survey of Fishing, Hunting, and Wildlife-Associated Recreation; and
- (C) subject to paragraph (2), a nongovernmental organization.

(2) Nongovernmental organizations

(A) In general

Any nongovernmental organization that applies for a grant under this section shall submit with the application to the Association of Fish and Wildlife Agencies a certification that the organization—

(i) will not use the grant funds to fund, in whole or in part, any activity of the organization that promotes or encourages opposition to the regulated hunting or trapping of wildlife or to recreational shooting activities; and

(ii) will use the grant funds in compliance with subsection (d).

(B) Penalties for certain activities

Any nongovernmental organization that is found to use grant funds in violation of subparagraph (A) shall return all funds received under this section and be subject to any other applicable penalties under law.

(d) Use of grants

A grant under this section shall not be used, in whole or in part, for an activity, project, or program that promotes or encourages opposition to the regulated hunting or trapping of wildlife or to recreational shooting activities.

(e) Nonapplicability of Federal Advisory Committee Act

The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to any activity carried out under this section.

(Sept. 2, 1937, ch. 899, §11, as added Pub. L. 106-408, title I, §113, Nov. 1, 2000, 114 Stat. 1767; amended Pub. L. 116-94, div. P, title V, §501(g)(1), Dec. 20, 2019, 133 Stat. 3193.)

Editorial Notes

REFERENCES IN TEXT

The Federal Advisory Committee Act, referred to in subsec. (e), is Pub. L. 92-463, Oct. 6, 1972, 86 Stat. 770, as amended, which is set out in the Appendix to Title 5, Government Organization and Employees.

PRIOR PROVISIONS

A prior section 11 of act Sept. 2, 1937, was classified to section 669j of this title prior to repeal by act Aug. 7, 1946.

AMENDMENTS

2019—Subsec. (a)(1). Pub. L. 116-94, §501(g)(1)(A), designated existing provisions as subpar. (A), inserted heading, and added subpar. (B).

Subsec. (b)(3). Pub. L. 116-94, §501(g)(1)(B), struck out “International” before “Association” in introductory provisions.

Subsec. (c)(2)(A). Pub. L. 116-94, §501(g)(1)(C), struck out “International” before “Association” in introductory provisions.

Subsec. (c)(2)(A)(i). Pub. L. 116-94, §501(g)(1)(D), inserted “or to recreational shooting activities” after “wildlife”.

Subsec. (d). Pub. L. 116-94, §501(g)(1)(E), inserted “or to recreational shooting activities” after “wildlife”.

Statutory Notes and Related Subsidiaries

STUDY

Pub. L. 116-94, div. P, title V, §501(g)(2), Dec. 20, 2019, 133 Stat. 3193, provided that: “Not later than 10 years

after the date of enactment of this Act [Dec. 20, 2019], the Secretary of the Interior, acting through the Director of the United States Fish and Wildlife Service, shall—

“(A) review and evaluate the effects of the funds made available under subparagraph (B) of section 11(a)(1) of the Pittman-Robertson Wildlife Restoration Act (16 U.S.C. 669h-2(a)(1)) (as added by paragraph (1)(A)(ii)) on funds available for wildlife conservation; and

“(B) submit a report describing the results of the review and evaluation under paragraph (1) to—

“(i) the Committee on Environment and Public Works of the Senate; and

“(ii) the Committee on Natural Resources of the House of Representatives.”

§ 669i. Rules and regulations

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

(Sept. 2, 1937, ch. 899, §12, formerly §10, 50 Stat. 919; 1939 Reorg. Plan No. II, §4(f), eff. July 1, 1939, 4 F.R. 2731, 53 Stat. 1433; renumbered §12, Pub. L. 106-408, title I, §112(1), Nov. 1, 2000, 114 Stat. 1766.)

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.

§ 669j. Repealed. Aug. 7, 1946, ch. 770, §1(14), 60 Stat. 867

Section, act Sept. 2, 1937, ch. 899, §11, 50 Stat. 919; Reorg. Plan No. II, §4(f) of 1939, eff. July 1, 1939, 4 F.R. 2731, 53 Stat. 1433, related to annual report to Congress by the Secretary of the Interior.

§ 669k. Reports and certifications

(a) Implementation report

(1) In general

At the time at which the President submits to Congress a budget request for the Department of the Interior for fiscal year 2002, the Secretary of the Interior shall submit to the Committee on Resources of the House of Representatives and the Committee on Environment and Public Works of the Senate a report on the steps that have been taken to comply with this title¹ and the amendments made by this title.¹

(2) Contents

The report under paragraph (1) shall describe—

(A) the extent to which compliance with this title¹ and the amendments made by this title¹ has required a reduction in the number of personnel assigned to administer, manage, and oversee the Federal Assistance Program for State Wildlife and Sport Fish Restoration;

(B) any revisions to this title¹ or the amendments made by this title¹ that would be desirable in order for the Secretary of the

Interior to adequately administer the Program and ensure that funds provided to State agencies are properly used; and

(C) any other information concerning the implementation of this title¹ and the amendments made by this title¹ that the Secretary of the Interior considers appropriate.

(b) Projected spending report

At the time at which the President submits a budget request for the Department of the Interior for fiscal year 2002 and each fiscal year thereafter, the Secretary of the Interior shall report in writing to the Committee on Resources of the House of Representatives and the Committee on Environment and Public Works of the Senate the amounts, broken down by category, that are intended to be used for the fiscal year under section 4(a)(1) of the Pittman-Robertson Wildlife Restoration Act (16 U.S.C. 669c(a)(1)) and section 4(d)(1) of the Dingell-Johnson Sport Fish Restoration Act (16 U.S.C. 777c(d)(1)).¹

(c) Spending certification and report

Not later than 60 days after the end of each fiscal year, the Secretary of the Interior shall certify and report in writing to the Committee on Resources of the House of Representatives and the Committee on Environment and Public Works of the Senate—

(1) the amounts, broken down by category, that were used for the fiscal year under section 4(a)(1) of the Pittman-Robertson Wildlife Restoration Act (16 U.S.C. 669c(a)(1)) and section 4(d)(1) of the Dingell-Johnson Sport Fish Restoration Act (16 U.S.C. 777c(d)(1));¹

(2) the amounts apportioned to States for the fiscal year under section 4(a)(2) of the Pittman-Robertson Wildlife Restoration Act (16 U.S.C. 669c(a)(2)) and section 4(d)(2)(A) of the Dingell-Johnson Sport Fish Restoration Act (16 U.S.C. 777c(d)(2)(A));¹

(3) the results of the audits performed under section 9(d) of the Pittman-Robertson Wildlife Restoration Act (16 U.S.C. 669h(d))² and section 9(d) of the Dingell-Johnson Sport Fish Restoration Act (16 U.S.C. 777h(d));

(4) that all amounts used for the fiscal year under section 4(a)(1) of the Pittman-Robertson Wildlife Restoration Act (16 U.S.C. 669c(a)(1)) and section 4(d)(1) of the Dingell-Johnson Sport Fish Restoration Act (16 U.S.C. 777c(d)(1))¹ were necessary for expenses for administration incurred in implementation of those Acts;

(5) that all amounts used for the fiscal year to administer those Acts by agency headquarters and by regional offices of the United States Fish and Wildlife Service were used in accordance with those Acts; and

(6) that the Secretary of the Interior, the Assistant Secretary for Fish and Wildlife and Parks, the Director of the United States Fish and Wildlife Service, and the Assistant Director for Wildlife and Sport Fish Restoration Programs each properly discharged their duties under those Acts.

¹ See References in Text note below.

² So in original. Probably should be followed by a second closing parenthesis.