

106TH CONGRESS
2D SESSION

H. R. 3671

To amend the Acts popularly known as the Pittman-Robertson Wildlife Restoration Act and the Dingell-Johnson Sport Fish Restoration Act to enhance the funds available for grants to States for fish and wildlife conservation projects and increase opportunities for recreational hunting, bow hunting, trapping, archery, and fishing, by eliminating opportunities for waste, fraud, abuse, maladministration, and unauthorized expenditures for administration and execution of those Acts, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 16, 2000

Mr. YOUNG of Alaska (for himself, Mr. DINGELL, Mr. DELAY, Mr. PICKETT, Mr. DUNCAN, Mr. JOHN, Mr. POMBO, Mrs. CHENOWETH-HAGE, Mr. RADANOVICH, Mr. THORNBERRY, Mr. SCHAFFER, Mr. HAYES, Mr. SIMPSON, Mr. TANCREDO, Mr. PETERSON of Pennsylvania, Mrs. CUBIN, and Mr. HILL of Montana) introduced the following bill; which was referred to the Committee on Resources

A BILL

To amend the Acts popularly known as the Pittman-Robertson Wildlife Restoration Act and the Dingell-Johnson Sport Fish Restoration Act to enhance the funds available for grants to States for fish and wildlife conservation projects and increase opportunities for recreational hunting, bow hunting, trapping, archery, and fishing, by eliminating opportunities for waste, fraud, abuse, maladministration, and unauthorized expenditures for ad-

ministration and execution of those Acts, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Wildlife and Sport
5 Fish Restoration Programs Improvement Act of 2000”.

6 **SEC. 2. DEFINITIONS.**

7 In this Act:

8 (1) WILDLIFE RESTORATION ACT.—The term
9 “Wildlife Restoration Act” means the Act of Sep-
10 tember 2, 1937 (chapter 899; 16 U.S.C. 669 et
11 seq.), popularly known as the Federal Aid in Wildlife
12 Restoration Act and as the Pittman-Robertson Wild-
13 life Restoration Act.

14 (2) SPORT FISH RESTORATION ACT.—The term
15 “Sport Fish Restoration Act” means the Act of Au-
16 gust 9, 1950 (chapter 658; 16 U.S.C. 777 et seq.),
17 popularly known as the Federal Aid in Fish Restora-
18 tion Act and as the Dingell-Johnson Sport Fish Res-
19 toration Act.

1 “(2)(A) The amount authorized to be used by the
2 Secretary under paragraph (1) each fiscal year shall re-
3 main available for obligation for such use until the expira-
4 tion of that fiscal year. Within 60 days after that fiscal
5 year, the Secretary shall apportion any of the amount that
6 remains unobligated at the end of the fiscal year, on the
7 same basis and in the same manner as other amounts au-
8 thorized by this Act are apportioned among the States for
9 the fiscal year in which the apportionment is made.

10 “(B) Within 30 days after the end of each fiscal year,
11 the Secretary shall—

12 “(i) certify in writing to the Secretary of the
13 Treasury and to each State fish and game
14 department—

15 “(I) the amount apportioned under sub-
16 paragraph (A) to each State in the most recent
17 apportionment under that subparagraph; and

18 “(II) amounts obligated by the Secretary
19 during the fiscal year for administration of this
20 Act; and

21 “(ii) publish in the Federal Register the
22 amounts so certified.”.

23 (3) in subsection (b), as designated by the
24 amendment made by paragraph (2), by striking
25 “after making the aforesaid deduction, shall appor-

1 tion, except as provided in subsection (b) of this sec-
2 tion,” and inserting “after deducting the amount au-
3 thorized to be used under subsection (a), the amount
4 apportioned under subsection (c), any amount ap-
5 portioned under section 8, and amounts provided as
6 grants under section 10 or 11, shall apportion”.

7 (b) REQUIREMENTS AND RESTRICTIONS REGARDING
8 USE OF AMOUNTS FOR ADMINISTRATION.—Section 9 of
9 the Wildlife Restoration Act (16 U.S.C. 669h) is amended
10 to read as follows:

11 “REQUIREMENTS AND RESTRICTIONS REGARDING USE OF
12 AMOUNTS FOR ADMINISTRATION

13 “SEC. 9. (a) AUTHORIZED ADMINISTRATIVE
14 COSTS.—The Secretary may use amounts under section
15 4(a)(1) only for administration expenses that directly sup-
16 port the implementation of this Act and that consist of
17 any of the following:

18 “(1) Personnel costs of any employee who di-
19 rectly administers this Act on a full-time basis.

20 “(2) Personnel costs of any employee who di-
21 rectly administers this Act on a part-time basis for
22 at least 20 hours each week, not to exceed the por-
23 tion of such costs incurred with respect to the work
24 hours of such employee during which the employee
25 directly administers this Act, as such hours are cer-
26 tified by the supervisor of the employee.

1 “(3) Support costs directly associated with per-
2 sonnel costs authorized under paragraphs (1) and
3 (2) of this subsection not including costs associated
4 with staffing and operation of regional offices of the
5 United States Fish and Wildlife Service and the De-
6 partment of the Interior, other than for purposes of
7 this Act.

8 “(4) Costs to evaluate, approve, disapprove, and
9 advise concerning comprehensive fish and wildlife re-
10 source management plans under section 6(a)(1) and
11 wildlife restoration projects under section 6(a)(2).

12 “(5) Overhead costs, including general adminis-
13 trative services, that are directly attributable to ad-
14 ministration of this Act based on—

15 “(A) actual costs, as determined by a di-
16 rect cost allocation methodology approved by
17 the Director of the Office of Management and
18 Budget for use by Federal agencies; and

19 “(B) for those costs not determinable pur-
20 suant to subparagraph (A), an amount per full-
21 time equivalent employee authorized pursuant
22 to paragraphs (1) and (2) that does not exceed
23 the amount charged or assessed for such costs
24 per full-time equivalent employee for any other

1 division or program of the United States Fish
2 and Wildlife Service.

3 “(6) Costs incurred in auditing the wildlife and
4 sportfish activities of each State fish and game de-
5 partment and the use of funds under section 6 by
6 each State fish and game department every 5 years.

7 “(7) Costs of audits under subsection (d).

8 “(8) Costs of necessary training of Federal and
9 State full-time personnel who administer this Act to
10 improve administration of this Act.

11 “(9) Costs of travel to the States, territories,
12 and Canada by personnel who administer this Act on
13 a full-time basis for purposes directly related to ad-
14 ministration of State programs and projects, and
15 who administer grants under section 6 and the
16 Multi-State Conservation Grant Program grants
17 under section 11.

18 “(10) Costs of travel outside of the United
19 States that relates directly to administration of this
20 Act and that is approved directly by the Assistant
21 Secretary for Fish and Wildlife and Parks.

22 “(11) Relocation expenses for personnel who,
23 after relocation, will administer this Act on a full-
24 time basis for at least 1 year, as certified by the Di-

1 rector of the United States Fish and Wildlife Service
2 at the time such relocation expenses are incurred.

3 “(12) Costs to audit, evaluate, approve, dis-
4 approve, and advise concerning grants under section
5 6, section 10, and the Multi-State Conservation
6 Grant Program grants under section 11.

7 “(b) UNAUTHORIZED COSTS.—Use of funds for a
8 cost to administer this Act shall not be authorized because
9 the cost is not expressly prohibited by this Act.

10 “(c) RESTRICTION ON USE TO SUPPLEMENT GEN-
11 ERAL APPROPRIATIONS.—The Secretary may not use
12 amounts under section 4(a)(1) to supplement any function
13 for which general appropriations are made for the United
14 States Fish and Wildlife Service or any other entity of
15 the Department of the Interior.

16 “(d) AUDIT REQUIREMENT.—(1) The Inspector Gen-
17 eral of the Department of the Interior shall procure the
18 conduct of biennial audits, in accordance with generally
19 accepted accounting principles, of expenditures of amounts
20 used by the Secretary for administration of this Act.

21 “(2) Audits under this subsection shall be performed
22 under contracts that are awarded under competitive proce-
23 dures (as that term is defined in section 4 of the Office
24 of Federal Procurement Policy Act (41 U.S.C. 403)), by

1 a person that is not associated in any way with the De-
2 partment of the Interior.

3 “(3) The auditor selected pursuant to paragraph (1)
4 shall report to, and be supervised by, the Inspector Gen-
5 eral of the Department of the Interior, except that the
6 auditor shall submit a copy of the biennial audit findings
7 to the Secretary at the time such findings are submitted
8 to the Inspector General of the Department of the Inte-
9 rior.

10 “(4) The Inspector General of the Department of the
11 Interior shall promptly report to the Committee on Re-
12 sources of the House of Representatives and the Com-
13 mittee on Environment and Public Works of the Senate
14 on the results of each such audit.

15 “(e) CERTIFICATION BY SECRETARY.—(1) The Sec-
16 retary, acting through the Assistant Secretary for Fish
17 and Wildlife and Parks of the Department of the Interior,
18 shall within 3 months after each fiscal year certify in writ-
19 ing to the Committee on Resources of the House of Rep-
20 resentatives and the Committee on Environment and Pub-
21 lic Works of the Senate the following for the fiscal year:

22 “(A) The amount of funds under section
23 4(a)(1) and a breakdown of categories for which
24 such funds were expended.

1 “(B) The amount of funds apportioned to
2 States under section 4(a)(2).

3 “(C) The results of the audits performed pursu-
4 ant to subsection (d).

5 “(D) That all funds expended under section
6 4(a)(1) were necessary for administration of this
7 Act.

8 “(E) The Secretary, the Assistant Secretary for
9 Fish and Wildlife and Parks, the Director of the
10 United States Fish and Wildlife Service, and the As-
11 sistant Director for Wildlife and Sport Fish Restora-
12 tion Programs each properly discharged their duties
13 under this Act.

14 “(2) Within 60 days after the start of each fiscal
15 year, the Assistant Director for Wildlife and Sport Fish
16 Restoration Programs shall provide to the Committee on
17 Resources of the House of Representatives and the Com-
18 mittee on Environment and Public Works of the Senate
19 the following for the fiscal year:

20 “(A) The amount of funds that will be ex-
21 pended in the fiscal year under section 4(a)(1) and
22 a breakdown of categories for which such funds will
23 be expended.

24 “(B) A description of how the funds to be ex-
25 pended are necessary for administration of this Act.

1 “(3) The Secretary shall promptly publish in the Fed-
2 eral Register each certification under this subsection.

3 “(f) CERTIFICATION BY ASSISTANT DIRECTOR FOR
4 WILDLIFE AND SPORT FISH RESTORATION PROGRAMS.—
5 Within 1 month after the end of each fiscal year, the As-
6 sistant Director for Wildlife and Sport Fish Restoration
7 Programs shall annually—

8 “(1) certify that—

9 “(A) all amounts expended to administer
10 this Act in agency headquarters and in regional
11 offices of the United State Fish and Wildlife
12 Service were used in accordance with this Act;
13 and

14 “(B) all such expenditures were necessary
15 to administer this Act; and

16 “(2) distribute such certifications to each State
17 fish and game department.”.

18 **SEC. 102. FIREARM AND BOW HUNTER EDUCATION AND**
19 **SAFETY PROGRAM GRANTS.**

20 The Wildlife Restoration Act is amended by redesi-
21 gnating section 10 as section 15, and by inserting after sec-
22 tion 9 the following:

23 “FIREARM AND BOW HUNTER EDUCATION AND SAFETY
24 PROGRAM GRANTS

25 “SEC. 10. (a) IN GENERAL.—Of the revenues covered
26 into the fund in each fiscal year, \$15,000,000, less the

1 amount used under section 4(a) and the amount granted
2 under section 11(a)(1), shall be allocated between and
3 among the States in the manner specified in section 4(b)
4 by the Secretary for the following:

5 “(A) Grants to States for hunter education pro-
6 grams, hunter and sporting firearm safety programs,
7 and hunter development programs.

8 “(B) Grants for interstate coordination and de-
9 velopment of hunter education programs.

10 “(C) Grants to States for bow hunter and arch-
11 ery education, safety, and development programs.

12 “(D) Grants to States for construction or en-
13 hancement of firearm shooting ranges and archery
14 ranges, and updating safety features of firearm
15 shooting ranges and archery ranges.

16 “(b) COST-SHARING.—The Federal share of the cost
17 of any activity carried out with a grant under this section
18 may not exceed 75 percent of the total cost of the activity
19 and the remainder of the cost shall come from a non-Fed-
20 eral source.

21 “(c) PERIOD OF AVAILABILITY; REAPPORTION-
22 MENT.—Amounts available under this subsection shall re-
23 main available for 1 fiscal year, after which all unobligated
24 balances shall be apportioned in the manner specified in
25 section 4(b).”.

1 **SEC. 103. MULTI-STATE CONSERVATION GRANT PROGRAM.**

2 The Wildlife Restoration Act is further amended by
3 inserting after section 10 the following:

4 “MULTI-STATE CONSERVATION GRANT PROGRAM

5 “SEC. 11. (a) IN GENERAL.—(1) Up to \$2,500,000
6 of the revenues covered into the fund each fiscal year shall
7 be available to the Secretary for making multi-State con-
8 servation grants in accordance with this section.

9 “(2) Amounts available under this subsection shall
10 remain available for two fiscal years, after which all unob-
11 ligated balances shall be apportioned in the manner speci-
12 fied in section 4(b).

13 “(b) SELECTION OF PROJECTS.—(1) A project shall
14 not be eligible for a grant under this section unless it will
15 benefit at least 26 States, a majority of the States in a
16 region of the United States Fish and Wildlife Service, or
17 a regional association of State fish and game departments.

18 “(2) The Secretary may award grants under this sec-
19 tion based only on a priority list of wildlife restoration
20 projects prepared and submitted by State fish and game
21 departments acting through the International Association
22 of Fish and Wildlife Agencies each fiscal year in accord-
23 ance with paragraph (3).

24 “(3)(A) The International Association of Fish and
25 Wildlife Agencies shall—

1 “(i) prepare each priority list through a com-
2 mittee comprised of the heads of State fish and
3 game departments (or their designees);

4 “(ii) approve each priority list by a majority of
5 the heads of all State fish and game departments (or
6 their designees); and

7 “(iii) submit each priority list by not later than
8 October 1 of each fiscal year to the Assistant Direc-
9 tor for Wildlife and Sport Fish Restoration Pro-
10 grams, who shall accept such list on behalf of the
11 Secretary.

12 “(B) In preparing any priority list under this para-
13 graph, the International Association of Fish and Wildlife
14 Agencies shall consult with nongovernmental organiza-
15 tions that represent conservation organizations, sportsmen
16 organizations, and industries that support or promote
17 hunting, trapping, recreational shooting, bow hunting, or
18 archery.

19 “(4) The Assistant Director for Wildlife and Sport
20 Fish Restoration Programs shall publish in the Federal
21 Register each priority list submitted under this subsection.

22 “(c) ELIGIBLE GRANTEES.—(1) The Secretary may
23 make a grant under this section only to—

24 “(A) a State or group of States; or

1 “(B) subject to paragraph (2), a nongovern-
2 mental organization.

3 “(2) Any nongovernmental organization applying for
4 a grant under this section shall submit with the applica-
5 tion to the International Association of Fish and Wildlife
6 Agencies a certification that the organization does not pro-
7 mote or encourage opposition to regulated hunting or
8 trapping of regulated wildlife, and will use any funds
9 awarded pursuant to this section in compliance with sub-
10 section (d).

11 “(3) Any nongovernmental organization that is found
12 to promote or encourage opposition to regulated hunting
13 or trapping of regulated wildlife or does not use funds in
14 compliance with subsection (d) shall return all funds re-
15 ceived and be subject to any other penalties under law.

16 “(d) USE OF GRANTS.—(1) Amounts provided as a
17 grant under this section may not be used for education,
18 activities, projects, or programs that promote or encourage
19 opposition to regulated hunting or trapping of regulated
20 wildlife.

21 “(e) CLARIFICATION.—No activities undertaken by
22 the personnel of State fish and game departments shall
23 constitute advice or recommendations for 1 or more agen-
24 cies or offices of the Federal Government.”.

1 **SEC. 104. MISCELLANEOUS PROVISIONS.**

2 Section 5 of the Wildlife Restoration Act (16 U.S.C.
3 669d) is further amended by inserting “at the time such
4 deduction or apportionment is made” after “he has appor-
5 tioned to each State”.

6 **TITLE II—SPORT FISH**
7 **RESTORATION**

8 **SEC. 201. MULTI-STATE GRANT PROGRAM.**

9 (a) ESTABLISHMENT OF PROGRAM.—The Sport Fish
10 Restoration Act is amended by striking the second section
11 13 (16 U.S.C. 777 note) and inserting the following:

12 “MULTI-STATE CONSERVATION GRANT PROGRAM

13 “SEC. 14. (a) IN GENERAL.—(1) Of the balance of
14 each annual appropriation made in accordance with sec-
15 tion 3 remaining after the distribution and use under sub-
16 sections (a), (b), and (c) of section 4 each fiscal year, up
17 to \$2,500,000 shall be available to the Secretary of the
18 Interior for making multi-State conservation grants in ac-
19 cordance with this section.

20 “(2) Amounts available under this subsection shall
21 remain available for 2 fiscal years, after which all unobli-
22 gated balances shall be apportioned in the manner speci-
23 fied in section 4(e).

24 “(b) SELECTION OF PROJECTS.—(1) A project shall
25 not be eligible for a grant under this section unless it will
26 benefit at least 26 States, a majority of the States in a

1 region of the Fish and Wildlife Service, or a regional asso-
2 ciation of State fish and game departments.

3 “(2) The Secretary of the Interior may award grants
4 under this section based only on a priority list of sportfish
5 restoration projects prepared and submitted by State fish
6 and game departments acting through the International
7 Association of Fish and Wildlife Agencies each fiscal year
8 in accordance with paragraph (3).

9 “(3)(A) The International Association of Fish and
10 Wildlife Agencies shall—

11 “(i) prepare each priority list through a com-
12 mittee comprised of the heads of State fish and
13 game departments (or their designees);

14 “(ii) approve each priority list by a majority of
15 the heads of State fish and game departments (or
16 their designees); and

17 “(iii) submit each priority list by not later than
18 October 1 of each fiscal year to the Assistant Direc-
19 tor for Wildlife and Sport Fish Restoration Pro-
20 grams, who shall accept such list on behalf of the
21 Secretary.

22 “(B) In preparing any priority list under this para-
23 graph, the International Association of Fish and Wildlife
24 Agencies shall consult with nongovernmental organiza-
25 tions that represent conservation organizations, sportsmen

1 organizations, and industries that fund the Sport Fish
2 Restoration Programs.

3 “(4) The Assistant Director for Wildlife and Sport
4 Fish Restoration Programs shall publish in the Federal
5 Register each priority list submitted under this subsection.

6 “(c) ELIGIBLE GRANTEES.—(1) The Secretary of the
7 Interior may make a grant under this section only to—

8 “(A) a State or group of States; or

9 “(B) subject to paragraph (2) a nongovern-
10 mental organization.

11 “(2) Any nongovernmental organization applying for
12 a grant under this section shall submit with the applica-
13 tion to the International Association of Fish and Wildlife
14 Agencies a certification that the organization does not pro-
15 mote or encourage opposition to the regulated taking of
16 fish and will use any funds awarded pursuant to this sec-
17 tion in compliance with subsection (d).

18 “(3) Any nongovernmental organization that is found
19 to promote or encourage opposition to the regulated taking
20 of fish or does not use funds in compliance with subsection
21 (d) shall return all funds received and be subject to any
22 other penalties under law.

23 “(d) USE OF GRANTS.—(1) Amounts provided as a
24 grant under this section may not be used for education,

1 activities, projects, or programs that promote or encourage
2 opposition to the regulated taking of fish.

3 “(e) CLARIFICATION.—No activities undertaken by
4 the personnel of State fish and game departments, other
5 State agencies or organizations of State fish and game de-
6 partments shall constitute advice or recommendations for
7 1 or more agencies or offices of the Government.

8 “(f) FUNDING FOR MARINE FISHERIES COMMIS-
9 SIONS.—Of the balance of each annual appropriation
10 made in accordance with section 3 remaining after the dis-
11 tribution and use under subsections (a), (b), and (c) of
12 section 4 each fiscal year and after deducting amounts
13 used for grants under subsection (a) of this section,
14 \$200,000 shall be available for each of—

15 “(1) the Atlantic States Marine Fisheries Com-
16 mission;

17 “(2) the Gulf States Marine Fisheries Commis-
18 sion;

19 “(3) the Pacific States Marine Fisheries Com-
20 mission; and

21 “(4) the Great Lakes Fisheries Commission.”.

22 (b) CONFORMING AMENDMENTS.—Section 4 of the
23 Sport Fish Restoration Act (16 U.S.C. 777c) is amended
24 in subsection (e) by inserting “of this section and section
25 14” after “subsections (a), (b), (c), and (d)”.

1 **SEC. 202. EXPENDITURES FOR ADMINISTRATION.**

2 (a) ANNUAL SET-ASIDE FOR ADMINISTRATION.—

3 Section 4(d) of the Sport Fish Restoration Act (16 U.S.C.
4 777c(d)) is further amended to read as follows:

5 “(d)(1) Of the balance of each such annual revenues
6 remaining after the distribution and use under subsections
7 (a), (b), and (c) of this section and section 14, up to
8 \$5,000,000 may be used by the Secretary of the Interior
9 for expenses in accordance with this subsection and sec-
10 tion 9 in each of the fiscal years 2001, 2002, and 2003.
11 Of the balance of such annual revenues remaining after
12 the distribution and use under subsections (a), (b), and
13 (c) of this section and section 14, beginning in fiscal year
14 2004, this amount shall be adjusted annually to reflect
15 the changes in the Consumer Price Index, shall not exceed
16 \$7,000,000, and may be used by the Secretary of the Inte-
17 rior for expenses in accordance with this subsection and
18 section 9.

19 “(2) The amount authorized to be used by the Sec-
20 retary under paragraph (1) each fiscal year shall remain
21 available for obligation for such use until the expiration
22 of that fiscal year. Within 60 days after the end of that
23 fiscal year, the Secretary shall apportion any of the
24 amount that remains unobligated at the end of the fiscal
25 year on the same basis and in the same manner as other
26 amounts authorized by this Act are apportioned among

1 the States under section 4(e) for the fiscal year in which
2 the apportionment is made.”.

3 (b) REQUIREMENTS AND RESTRICTIONS REGARDING
4 USE OF AMOUNTS FOR ADMINISTRATION.—Section 9 of
5 the Sport Fish Restoration Act (16 U.S.C. 777h) is
6 amended to read as follows:

7 “REQUIREMENTS AND RESTRICTIONS REGARDING USE OF
8 AMOUNTS FOR ADMINISTRATION

9 “SEC. 9. (a) AUTHORIZED ADMINISTRATION
10 COSTS.—The Secretary of the Interior may use amounts
11 under section 4(d) only for administration expenses that
12 directly support the implementation of this Act and that
13 consist of any of the following:

14 “(1) Personnel costs of any employee who di-
15 rectly administers this Act on a full-time basis.

16 “(2) Personnel costs of any employee who di-
17 rectly administers this Act on a part-time basis for
18 at least 20 hours each week, not to exceed the por-
19 tion of such costs incurred with respect to the work
20 hours of such employee during which the employee
21 directly administers this Act, as such hours are cer-
22 tified by the supervisor of the employee.

23 “(3) Support costs directly associated with per-
24 sonnel costs authorized under paragraphs (1) and
25 (2) of this subsection.

1 “(4) Costs to evaluate, approve, disapprove, and
2 advise concerning comprehensive fish and wildlife re-
3 source management plans under section 6(a)(1) and
4 fish restoration and management projects under sec-
5 tion 6(a)(2).

6 “(5) Overhead costs, including general adminis-
7 trative services, that are directly attributable to ad-
8 ministration of this Act based on—

9 “(A) actual costs, as determined by a di-
10 rect cost allocation methodology approved by
11 the Director of the Office of Management and
12 Budget for use by Federal agencies; and

13 “(B) for those costs not determinable pur-
14 suant to subparagraph (A), an amount per full-
15 time equivalent employee authorized pursuant
16 to paragraphs (1) and (2) that does not exceed
17 the amount charged or assessed for such costs
18 per full-time equivalent employee for any other
19 division or program of the United States Fish
20 and Wildlife Service.

21 “(6) Costs incurred in auditing the wildlife and
22 sport fish activities of each State fish and game de-
23 partment and the use of funds under section 6 by
24 each State fish and game department every 5 years.

25 “(7) Costs of audits under subsection (d).

1 “(8) Costs of necessary training of Federal and
2 State full-time personnel who administer this Act to
3 improve administration of this Act.

4 “(9) Costs of travel to the States, territories,
5 and Canada by personnel who administer this Act on
6 a full-time basis for purposes directly related to ad-
7 ministration of State programs and projects, and
8 who administer grants under section 6, and the
9 Multi-State Conservation Grant Program grants
10 under section 14.

11 “(10) Costs of travel outside of the United
12 States that relates to administration of this Act and
13 that is approved directly by the Assistant Secretary
14 for Fish and Wildlife and Parks.

15 “(11) Relocation expenses for personnel who,
16 after relocation, will administer this Act on a full-
17 time basis for at least 1 year, as certified by the Di-
18 rector of the United States Fish and Wildlife Service
19 at the time such relocation expenses are incurred.

20 “(12) Costs to audit, evaluate, approve, dis-
21 approve, and advise concerning grants under section
22 6 and the Multi-State Conservation Grant Program
23 grants under section 14.

1 “(b) UNAUTHORIZED COSTS.—Use of funds for a
2 cost to administer this Act shall not be authorized because
3 the cost is not expressly prohibited by this Act.

4 “(c) RESTRICTION ON USE TO SUPPLEMENT GEN-
5 ERAL APPROPRIATIONS.—The Secretary may not use
6 amounts under section 4(d) to supplement any function
7 for which general appropriations are made for the United
8 States Fish and Wildlife Service or any other entity of
9 the Department of the Interior.

10 “(d) AUDIT REQUIREMENT.—(1) The Inspector Gen-
11 eral of the Department of the Interior shall procure the
12 conduct of biennial audits, in accordance with generally
13 accepted accounting principles, of expenditures of amounts
14 used by the Secretary for administration of this Act.

15 “(2) Audits under this subsection shall be performed
16 under contracts that are awarded under competitive proce-
17 dures (as that term is defined in section 4 of the Office
18 of Federal Procurement Policy Act (41 U.S.C. 403)), by
19 a person that is not associated in any way with the De-
20 partment of the Interior.

21 “(3) The auditor selected pursuant to paragraph (1)
22 shall report to, and be supervised by, the Inspector Gen-
23 eral of the Department of the Interior, except that the
24 auditor shall submit a copy of the biennial audit findings
25 to the Secretary of the Interior at the time such findings

1 are submitted to the Inspector General of the Department
2 of the Interior.

3 “(4) The Inspector General of the Department of the
4 Interior shall promptly report to the Committee on Re-
5 sources of the House of Representatives and the Com-
6 mittee on Environment and Public Works of the Senate
7 on the results of each such audit.

8 “(e) CERTIFICATION BY SECRETARY.—(1) The Sec-
9 retary, acting through the Assistant Secretary for Fish
10 and Wildlife and Parks of the Department of the Interior,
11 shall within 3 months after each fiscal year certify in writ-
12 ing to the Committee on Resources of the House of Rep-
13 resentatives and the Committee on Environment and Pub-
14 lic Works of the Senate the following for the fiscal year:

15 “(A) The amount of funds used under section
16 4(d) and a breakdown of categories for which such
17 funds were expended.

18 “(B) The amount of funds apportioned to
19 States under section 4(d)(2)(A).

20 “(C) The results of the audits performed pursu-
21 ant to subsection (d).

22 “(D) That all funds expended under section
23 4(d) were necessary for administration of this Act.

24 “(2) The Secretary shall promptly publish in the Fed-
25 eral Register each certification under this subsection.

1 “(f) CERTIFICATION BY ASSISTANT DIRECTOR FOR
2 WILDLIFE AND SPORT FISH RESTORATION PROGRAMS.—
3 Within 1 month after the end of each fiscal year, the As-
4 sistant Director for Wildlife and Sport Fish Restoration
5 Programs shall annually—

6 “(1) certify that—

7 “(A) all amounts expended to administer
8 this Act in agency headquarters and in regional
9 offices of the United States Fish and Wildlife
10 Service were used in accordance with this Act;
11 and

12 “(B) all such expenditures were necessary
13 to administer this Act; and

14 “(2) distribute such certifications to each State
15 fish and game department.”.

16 **SEC. 203. CERTIFICATION BY THE SECRETARY OF THE IN-**
17 **TERIOR.**

18 Section 5 of the Sport Fish Restoration Act (16
19 U.S.C. 777d) is amended to read as follows:

20 “CERTIFICATION BY THE SECRETARY OF THE INTERIOR

21 “SEC. 5. (a) Within 30 days after the end of each
22 fiscal year, the Secretary of the Interior shall—

23 “(1) certify in writing to the Secretary of the
24 Treasury and to each State fish and game
25 department—

1 “(A) the amount apportioned under section
2 4(d)(2) to each State in the most recent appor-
3 tionment under that section; and

4 “(B) amounts obligated by the Secretary
5 during the fiscal year for administration of this
6 Act; and

7 “(2) publish in the Federal Register the
8 amounts so certified.

9 “(b)(1) Within 60 days after the start of each fiscal
10 year, the Assistant Director for Wildlife and Sport Fish
11 Restoration Programs shall provide to the Committee on
12 Resources of the House of Representatives and the Com-
13 mittee on Environment and Public Works of the Senate
14 the following for the fiscal year:

15 “(A) The amount of funds that will be ex-
16 pended in the fiscal year under section 4(d)(2) and
17 a breakdown of categories for which such funds will
18 be expended.

19 “(B) A description of how the funds to be ex-
20 pended are necessary for administration of this Act.

21 “(2) The Secretary of the Interior shall promptly
22 publish in the Federal Register each certification under
23 this subsection.”.

1 **SEC. 204. MISCELLANEOUS PROVISIONS.**

2 (a) PERIOD OF AVAILABILITY.—Section 4(f) of the
3 Sport Fish Restoration Act (16 U.S.C. 777c) is amended
4 by striking the first sentence.

5 (b) TIME FOR CERTIFICATION.—Section 5 of the
6 Sport Fish Restoration Act (16 U.S.C. 777d) is amended
7 by inserting “at the time such deduction or apportionment
8 is made” after “apportioned to each State for such fiscal
9 year”.

10 **TITLE III—WILDLIFE AND SPORT**
11 **FISH RESTORATION PROGRAMS**

12 **SEC. 301. DESIGNATION OF PROGRAMS.**

13 The programs established under the Wildlife Restora-
14 tion Act and the Sport Fish Restoration Act shall be col-
15 lectively known as the Federal Assistance Program for
16 State Wildlife and Sport Fish Restoration Programs.

17 **SEC. 302. ASSISTANT DIRECTOR FOR WILDLIFE AND SPORT**
18 **FISH RESTORATION PROGRAMS.**

19 (a) ESTABLISHMENT.—There is established within
20 the United States Fish and Wildlife Service of the Depart-
21 ment of the Interior an Assistant Director for Wildlife and
22 Sport Fish Restoration Programs.

23 (b) SUPERIOR.—The Assistant Director for Wildlife
24 and Sport Fish Restoration Programs shall report directly
25 to the Director of the United States Fish and Wildlife
26 Service.

1 (c) RESPONSIBILITIES.—The Assistant Director for
2 Wildlife and Sport Fish Restoration Programs shall be re-
3 sponsible for the administration, management, and over-
4 sight of the wildlife and sport fish restoration programs
5 under the Wildlife Restoration Act and the Sport Fish
6 Restoration Act.

7 **SEC. 303. CHIEF OF THE DIVISION OF FEDERAL AID.**

8 The Chief of the Division of Federal Aid of the De-
9 partment of the Interior, or any similar position, is abol-
10 ished and the duties of that position shall be the responsi-
11 bility of the Assistant Director for Wildlife and Sport Fish
12 Restoration Programs.

13 **SEC. 304. ASSISTANT SECRETARY FOR FISH AND WILDLIFE**
14 **AND PARKS.**

15 The Assistant Secretary for Fish and Wildlife and
16 Parks of the Department of the Interior, acting through
17 the Director of the United States Fish and Wildlife Serv-
18 ice, shall be ultimately responsible for the administration,
19 management, and oversight of the Wildlife and Sport Fish
20 Restoration Programs.

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