

117TH CONGRESS  
1ST SESSION

# S. 2372

To amend the Pittman-Robertson Wildlife Restoration Act to make supplemental funds available for management of fish and wildlife species of greatest conservation need as determined by State fish and wildlife agencies, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

JULY 15, 2021

Mr. HEINRICH (for himself and Mr. BLUNT) introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

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## A BILL

To amend the Pittman-Robertson Wildlife Restoration Act to make supplemental funds available for management of fish and wildlife species of greatest conservation need as determined by State fish and wildlife agencies, 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 “Recovering America’s  
5 Wildlife Act of 2021”.

1 **TITLE I—WILDLIFE CONSERVA-**  
 2 **TION AND RESTORATION**

3 **SEC. 101. WILDLIFE CONSERVATION AND RESTORATION**  
 4 **SUBACCOUNT.**

5 (a) IN GENERAL.—Section 3 of the Pittman-Robert-  
 6 son Wildlife Restoration Act (16 U.S.C. 669b) is amended  
 7 in subsection (c)—

8 (1) by redesignating paragraphs (2) and (3) as  
 9 paragraphs (9) and (10); and

10 (2) by striking paragraph (1) and inserting the  
 11 following:

12 “(1) ESTABLISHMENT OF SUBACCOUNT.—

13 “(A) IN GENERAL.—There is established in  
 14 the fund a subaccount to be known as the  
 15 ‘Wildlife Conservation and Restoration Sub-  
 16 account’ (referred to in this section as the ‘Sub-  
 17 account’).

18 “(B) AVAILABILITY.—Amounts in the Sub-  
 19 account shall be available without further ap-  
 20 propriation, for each fiscal year, for apportion-  
 21 ment in accordance with this Act.

22 “(C) DEPOSITS INTO SUBACCOUNT.—

23 “(i) IN GENERAL.—Beginning in fis-  
 24 cal year 2022, and for each fiscal year  
 25 thereafter, the Secretary of the Treasury

1 shall transfer \$1,300,000,000 from the  
2 general fund of the Treasury to the Sub-  
3 account.

4 “(ii) FUNDING SOURCE.—

5 “(I) DEFINITION.—In this  
6 clause, the term ‘remaining natural  
7 resource or environmental-related vio-  
8 lation revenue’ means the amount of  
9 all civil or criminal penalties, fines,  
10 sanctions, forfeitures, or other reve-  
11 nues resulting from natural resource  
12 or environmental-related violations or  
13 enforcement actions by any Federal  
14 agency that are not directed to be de-  
15 posited in a fund other than the gen-  
16 eral fund of the Treasury or have oth-  
17 erwise been appropriated.

18 “(II) USE OF REVENUE.—Begin-  
19 ning in fiscal year 2022, and for each  
20 fiscal year thereafter, the total  
21 amount of the remaining natural re-  
22 source or environmental-related viola-  
23 tion revenue with respect to the pre-  
24 vious fiscal year—

1                   “(aa) shall be deposited in  
2                   the general fund of the Treasury;  
3                   and

4                   “(bb) shall be available for  
5                   the purposes of the transfer  
6                   under clause (i).

7                   “(2) SUPPLEMENT NOT SUPPLANT.—Amounts  
8                   transferred to the Subaccount shall supplement, but  
9                   not replace, existing funds available to the States  
10                  from—

11                  “(A) the funds distributed pursuant to the  
12                  Dingell-Johnson Sport Fish Restoration Act  
13                  (16 U.S.C. 777 et seq.); and

14                  “(B) the fund.

15                  “(3) INNOVATION GRANTS.—

16                  “(A) IN GENERAL.—The Secretary shall  
17                  distribute 10 percent of funds apportioned from  
18                  the Subaccount through a competitive grant  
19                  program to State fish and wildlife departments,  
20                  the District of Columbia fish and wildlife de-  
21                  partment, fish and wildlife departments of terri-  
22                  tories, or to regional associations of fish and  
23                  wildlife departments (or any group composed of  
24                  more than 1 such entity).

1           “(B) PURPOSE.—Such grants shall be pro-  
2           vided for the purpose of catalyzing innovation  
3           of techniques, tools, strategies, or collaborative  
4           partnerships that accelerate, expand, or rep-  
5           licate effective and measurable recovery efforts  
6           for species of greatest conservation need and  
7           species listed under the Endangered Species Act  
8           of 1973 (15 U.S.C. 1531 et seq.) and the habi-  
9           tats of such species.

10           “(C) REVIEW COMMITTEE.—The Secretary  
11           shall appoint a review committee comprised  
12           of—

13                   “(i) a State Director from each re-  
14                   gional association of State fish and wildlife  
15                   departments;

16                   “(ii) the head of a department respon-  
17                   sible for fish and wildlife management in a  
18                   territory; and

19                   “(iii) four individuals representing  
20                   four different nonprofit organizations each  
21                   of which is actively participating in car-  
22                   rying out wildlife conservation restoration  
23                   activities using funds apportioned from the  
24                   Subaccount.

1           “(D) SUPPORT FROM UNITED STATES FISH  
2           AND WILDLIFE SERVICE.—The United States  
3           Fish and Wildlife Service shall provide any per-  
4           sonnel or administrative support services nec-  
5           essary for such Committee to carry out its re-  
6           sponsibilities under this Act.

7           “(E) EVALUATION.—Such committee shall  
8           evaluate each proposal submitted under this  
9           paragraph and recommend projects for funding,  
10          giving preference to solutions that accelerate  
11          the recovery of species identified as priorities  
12          through regional scientific assessments of spe-  
13          cies of greatest conservation need.

14          “(4) USE OF FUNDS.—Funds apportioned from  
15          the Subaccount—

16                 “(A) shall be used to implement the Wild-  
17                 life Conservation Strategy of a State, territory,  
18                 or the District of Columbia, as required under  
19                 section 4(d), by carrying out, revising, or en-  
20                 hancing existing wildlife and habitat conserva-  
21                 tion and restoration programs and developing  
22                 and implementing new wildlife conservation and  
23                 restoration programs to recover and manage  
24                 species of greatest conservation need and the  
25                 key habitats and plant community types essen-

1           tial to the conservation of those species as de-  
2           termined by the appropriate State fish and  
3           wildlife department;

4           “(B) shall be used to develop, revise, and  
5           enhance the Wildlife Conservation Strategy of a  
6           State, territory, or the District of Columbia, as  
7           may be required by this Act;

8           “(C) shall be used to assist in the recovery  
9           of species found in the State, territory, or the  
10          District of Columbia that are listed as endan-  
11          gered species, threatened species, candidate spe-  
12          cies or species proposed for listing, or species  
13          petitioned for listing under the Endangered  
14          Species Act of 1973 (16 U.S.C. 1531 et seq.)  
15          or under State law;

16          “(D) may be used for wildlife conservation  
17          education and wildlife-associated recreation  
18          projects, especially in historically underserved  
19          communities;

20          “(E) may be used to manage a species of  
21          greatest conservation need whose range is  
22          shared with another State, territory, Indian  
23          Tribe, or foreign government and for the con-  
24          servation of the habitat of such species;

1           “(F) may be used to manage, control, and  
2           prevent invasive species, disease, and other  
3           risks to species of greatest conservation need;  
4           and

5           “(G) may be used for law enforcement ac-  
6           tivities that are directly related to the protec-  
7           tion and conservation of a species of greatest  
8           conservation need and the habitat of such spe-  
9           cies.

10          “(5) MINIMUM REQUIRED SPENDING FOR EN-  
11          DANGERED SPECIES RECOVERY.—Not less than an  
12          average of 15 percent over a 5-year period of  
13          amounts apportioned to a State, territory, or the  
14          District of Columbia from the Subaccount shall be  
15          used for purposes described in paragraph (4)(C).  
16          The Secretary may reduce the minimum requirement  
17          of a State, territory, or the District of Columbia on  
18          an annual basis if the Secretary determines that the  
19          State, territory, or the District of Columbia is meet-  
20          ing the conservation and recovery needs of all spe-  
21          cies described in paragraph (4)(C).

22          “(6) PUBLIC ACCESS TO PRIVATE LANDS NOT  
23          REQUIRED.—Funds apportioned from the Sub-  
24          account shall not be conditioned upon the provision  
25          of public access to private lands, waters, or holdings.



1           “(7) REQUIREMENTS FOR MATCHING FUNDS.—

2           “(A) For the purposes of the non-Federal  
3 fund matching requirement for a wildlife con-  
4 servation or restoration program or project  
5 funded by the Subaccount, a State, territory, or  
6 the District of Columbia may use as matching  
7 non-Federal funds—

8           “(i) funds from Federal agencies  
9 other than the Department of the Interior  
10 and the Department of Agriculture;

11           “(ii) donated private lands and  
12 waters, including privately owned ease-  
13 ments;

14           “(iii) in circumstances described in  
15 subparagraph (B), revenue generated  
16 through the sale of State hunting and fish-  
17 ing licenses; and

18           “(iv) other sources consistent with  
19 part 80 of title 50, Code of Federal Regu-  
20 lations, in effect on the date of enactment  
21 of the Recovering America’s Wildlife Act of  
22 2021.

23           “(B) Revenue described in subparagraph  
24 (A)(iii) may only be used to fulfill the require-

1           ments of such non-Federal fund matching re-  
2           quirement if—

3                   “(i) no Federal funds apportioned to  
4                   the State fish and wildlife department of  
5                   such State from the Wildlife Restoration  
6                   Program or the Sport Fish Restoration  
7                   Program have been reverted because of a  
8                   failure to fulfill such non-Federal fund  
9                   matching requirement by such State dur-  
10                  ing the previous 2 years; and

11                   “(ii) the project or program being  
12                   funded benefits the habitat of a hunted or  
13                   fished species and a species of greatest  
14                   conservation need.

15                  “(8) DEFINITIONS.—In this subsection, the fol-  
16                  lowing definitions apply:

17                   “(A) PARTNERSHIPS.—The term ‘partner-  
18                   ships’ may include collaborative efforts with  
19                   Federal agencies, State agencies, local agencies,  
20                   Indian Tribes, nonprofit organizations, aca-  
21                   demic institutions, industry groups, and private  
22                   individuals to implement a State’s Wildlife Con-  
23                   servation Strategy.

24                   “(B) SPECIES OF GREATEST CONSERVA-  
25                   TION NEED.—The term ‘species of greatest con-

1           servation need’ may be fauna or flora, and may  
 2           include terrestrial, aquatic, marine, and inverte-  
 3           brate species that are of low population, declin-  
 4           ing, rare, or facing threats and in need of con-  
 5           servation attention, as determined by each  
 6           State fish and wildlife department, with respect  
 7           to funds apportioned to such State.

8           “(C) TERRITORY AND TERRITORIES.—The  
 9           terms ‘territory’ and ‘territories’ mean the  
 10          Commonwealth of Puerto Rico, Guam, Amer-  
 11          ican Samoa, the Commonwealth of the North-  
 12          ern Mariana Islands, and the United States  
 13          Virgin Islands.

14          “(D) WILDLIFE.—The term ‘wildlife’  
 15          means any species of wild, freeranging fauna,  
 16          including fish, and also fauna in captive breed-  
 17          ing programs the object of which is to reintro-  
 18          duce individuals of a depleted indigenous spe-  
 19          cies into previously occupied range.”.

20          (b) ALLOCATION AND APPORTIONMENT OF AVAIL-  
 21          ABLE AMOUNTS.—Section 4 of the Pittman-Robertson  
 22          Wildlife Restoration Act (16 U.S.C. 669c) is amended—

23                 (1) in subsection (d)—

24                         (A) in paragraph (1)—

1 (i) in subparagraph (A), by striking  
2 “to the District of Columbia and to the  
3 Commonwealth of Puerto Rico, each” and  
4 inserting “To the District of Columbia”;

5 (ii) in subparagraph (B)—

6 (I) by striking “to Guam” and  
7 inserting “To Guam”; and

8 (II) by striking “not more than  
9 one-fourth of one percent” and insert-  
10 ing “not less than one-third of one  
11 percent”; and

12 (iii) by adding at the end the fol-  
13 lowing:

14 “(C) To the Commonwealth of Puerto  
15 Rico, a sum equal to not less than 1 percent  
16 thereof.”;

17 (B) in paragraph (2)(A)—

18 (i) by amending clause (i) to read as  
19 follows:

20 “(i) one-half of which is based on the ratio  
21 to which the land and water area of such State  
22 bears to the total land and water area of all  
23 such States;”;

24 (ii) in clause (ii)—

1 (I) by striking “two-thirds” and  
2 inserting “one-quarter”; and

3 (II) by striking the period and  
4 inserting “; and”; and

5 (iii) by adding at the end the fol-  
6 lowing:

7 “(iii) one-quarter of which is based upon  
8 the ratio to which the number of species listed  
9 as endangered or threatened under the Endan-  
10 gered Species Act of 1973 (15 U.S.C. 1531 et  
11 seq.) in such State bears to the total number of  
12 such species listed in all such States.”;

13 (C) by amending paragraph (2)(B) to read  
14 as follows:

15 “(B) The amounts apportioned under this  
16 paragraph shall be adjusted equitably so that  
17 no such State, unless otherwise designated,  
18 shall be apportioned a sum which is less than  
19 1 percent or more than 5 percent of the amount  
20 available for apportionment under—

21 “(i) subparagraph (A)(i);

22 “(ii) subparagraph (A)(ii); and

23 “(iii) the overall amount available for  
24 subparagraph (A).”; and

1 (D) in paragraph (3), by striking “3 per-  
2 cent” and inserting “1.85 percent”;

3 (2) in subsection (e)(4), as redesignated—

4 (A) by amending subparagraph (B) to read  
5 as follows:

6 “(B) Not more than an average of 15 percent  
7 over a 5-year period of amounts apportioned to each  
8 State, territory, or the District of Columbia under  
9 this section for a wildlife conservation and restora-  
10 tion program may be used for wildlife conservation  
11 education and wildlife-associated recreation.”; and

12 (B) by inserting after subparagraph (B),  
13 as so amended, the following:

14 “(C) \$55 million shall be reserved for  
15 States and territories that include plants among  
16 their species of greatest conservation need and  
17 in the conservation planning and habitat  
18 prioritization efforts of their Wildlife Conserva-  
19 tion Strategy. Each eligible State, territory, or  
20 the District of Columbia shall receive an addi-  
21 tional 5 percent of their apportioned amount.  
22 Any unallocated resources shall be allocated  
23 proportionally among all States and territories  
24 under the formulas of this section.”; and

25 (3) by adding at the end following:

1 “(f) MINIMIZATION OF PLANNING AND REPORT-  
2 ING.—Nothing in this Act shall be interpreted to require  
3 a State to create a comprehensive strategy related to con-  
4 servation education or outdoor recreation.

5 “(g) ACCOUNTABILITY.—Not more than one year  
6 after the date of enactment of the Recovering America’s  
7 Wildlife Act of 2021 and every 3 years thereafter, each  
8 State fish and wildlife department shall submit a 3-year  
9 work plan and budget for implementing its Wildlife Con-  
10 servation Strategy and a report describing the results de-  
11 rived from activities accomplished under subsection (e)(4)  
12 during the previous 3 years to—

13 “(1) the Committee on Environment and Public  
14 Works of the Senate;

15 “(2) the Committee on Natural Resources of  
16 the House of Representatives; and

17 “(3) the United States Fish and Wildlife Serv-  
18 ice.”.

19 **SEC. 102. TECHNICAL AMENDMENTS.**

20 (a) DEFINITIONS.—Section 2 of the Pittman-Robert-  
21 son Wildlife Restoration Act (16 U.S.C. 669a) is amend-  
22 ed—

23 (1) in paragraph (7), by striking “including  
24 fish,”;

1           (2) by redesignating paragraphs (6) through  
2           (9) as paragraphs (5) through (8), respectively; and  
3           (3) in paragraph (6), as redesignated by para-  
4           graph (2), by inserting “Indian Tribes, academic in-  
5           stitutions,” before “wildlife conservation organiza-  
6           tions”.

7           (b) CONFORMING AMENDMENTS.—The Pittman-Rob-  
8           ertson Wildlife Restoration Act (16 U.S.C. 669a et seq.)  
9           is amended—

10           (1) in section 3—

11           (A) in subsection (a)—

12           (i) by striking “(1) An amount equal  
13           to” and inserting “An amount equal to”;  
14           and

15           (ii) by striking paragraph (2);

16           (B) in subsection (c)—

17           (i) in paragraph (9), as redesignated  
18           by section 101(a)(1), by striking “or an  
19           Indian tribe”; and

20           (ii) in paragraph (10), as redesignated  
21           by section 101(a)(1), by striking “Wildlife  
22           Conservation and Restoration Account”  
23           and inserting “Subaccount”; and



1 (C) in subsection (d), by striking “Wildlife  
2 Conservation and Restoration Account” and in-  
3 serting “Subaccount”;

4 (2) in section 4 (16 U.S.C. 669c)—

5 (A) in subsection (d), as redesignated—

6 (i) in the heading, by striking “AC-  
7 COUNT” and inserting “SUBACCOUNT”;

8 and

9 (ii) by striking “Account” each place  
10 it appears and inserting “Subaccount”;

11 and

12 (B) in subsection (e)(1), as redesignated,  
13 by striking “Account” and inserting “Sub-  
14 account”; and

15 (3) in section 8 (16 U.S.C. 669g), in subsection  
16 (a), by striking “Account” and inserting “Sub-  
17 account”.

18 **SEC. 103. SAVINGS CLAUSE.**

19 The Pittman-Robertson Wildlife Restoration Act (16  
20 U.S.C. 669 et seq.) is amended—

21 (1) by redesignating section 13 as section 15;

22 and

23 (2) by inserting after section 12 the following:

1 **“SEC. 13. SAVINGS CLAUSE.**

2 “Nothing in this Act shall be construed to enlarge  
3 or diminish the authority, jurisdiction, or responsibility of  
4 a State to manage, control, or regulate fish and wildlife  
5 under the law and regulations of the State on lands and  
6 waters within the State, including on Federal lands and  
7 waters.

8 **“SEC. 14. STATUTORY CONSTRUCTION WITH RESPECT TO**  
9 **ALASKA.**

10 “If any conflict arises between any provision of this  
11 Act and any provision of the Alaska National Interest  
12 Lands Conservation Act (Public Law 46–487, 16 U.S.C.  
13 3101 et seq.), then the provision in the Alaska National  
14 Interest Lands Conservation Act shall prevail.”.

15 **TITLE II—TRIBAL WILDLIFE**  
16 **CONSERVATION AND RES-**  
17 **TORATION**

18 **SEC. 201. INDIAN TRIBES.**

19 (a) DEFINITIONS.—In this section:

20 (1) ACCOUNT.—The term “Account” means the  
21 Tribal Wildlife Conservation and Restoration Ac-  
22 count established by subsection (b)(1).

23 (2) INDIAN TRIBE.—The term “Indian Tribe”  
24 has the meaning given such term in section 4 of the  
25 Indian Self-Determination and Education Assistance  
26 Act (25 U.S.C. 5304).

1           (3) SECRETARY.—The term “Secretary” means  
2 the Secretary of the Interior.

3           (4) TRIBAL SPECIES OF GREATEST CONSERVA-  
4 TION NEED.—The term “Tribal species of greatest  
5 conservation need” means any species identified by  
6 an Indian Tribe as requiring conservation manage-  
7 ment because of declining population, habitat loss,  
8 or other threats, or because of their biological or cul-  
9 tural importance to such Tribe.

10          (5) WILDLIFE.—The term “wildlife” means—

11           (A) any species of wild flora or fauna in-  
12 cluding fish and marine mammals;

13           (B) flora or fauna in a captive breeding,  
14 rehabilitation, and holding or quarantine pro-  
15 gram, the object of which is to reintroduce indi-  
16 viduals of a depleted indigenous species into  
17 previously occupied range or to maintain a spe-  
18 cies for conservation purposes; and

19           (C) does not include game farm animals.

20          (b) TRIBAL WILDLIFE CONSERVATION AND RES-  
21 TINATION ACCOUNT.—

22           (1) IN GENERAL.—There is established in the  
23 Treasury an account to be known as the “Tribal  
24 Wildlife Conservation and Restoration Account”.

1           (2) AVAILABILITY.—Amounts in the Account  
2 shall be available for each fiscal year without further  
3 appropriation for apportionment in accordance with  
4 this title.

5           (3) DEPOSITS INTO ACCOUNT.—

6           (A) IN GENERAL.—Beginning in fiscal year  
7 2022, and for each fiscal year thereafter, the  
8 Secretary of the Treasury shall transfer  
9 \$97,500,000 from the general fund of the  
10 Treasury to the Account.

11           (B) FUNDING SOURCE.—

12           (i) DEFINITION.—In this subpara-  
13 graph, the term “remaining natural re-  
14 source or environmental-related violation  
15 revenue” means the amount of all civil or  
16 criminal penalties, fines, sanctions, forfeit-  
17 ures, or other revenues resulting from nat-  
18 ural resource or environmental-related vio-  
19 lations or enforcement actions by any Fed-  
20 eral agency that are not directed to be de-  
21 posited in a fund other than the general  
22 fund of the Treasury or have otherwise  
23 been appropriated.

24           (ii) USE OF REVENUE.—Beginning in  
25 fiscal year 2022, and for each fiscal year

1                   thereafter, the total amount of the remain-  
2                   ing natural resource or environmental-re-  
3                   lated violation revenue with respect to the  
4                   previous fiscal year—

5                                 (I) shall be deposited in the gen-  
6                                 eral fund of the Treasury; and

7                                 (II) shall be available for the  
8                                 purposes of the transfer under sub-  
9                                 paragraph (A).

10           (c) DISTRIBUTION OF FUNDS TO INDIAN TRIBES.—

11 Each fiscal year, the Secretary of the Treasury shall de-  
12 posit funds into the Account and distribute such funds  
13 through a noncompetitive application process according to  
14 guidelines and criteria, and reporting requirements deter-  
15 mined by the Secretary of the Interior, acting through the  
16 Director of the Bureau of Indian Affairs, in consultation  
17 with Indian Tribes. Such funds shall remain available  
18 until expended.

19           (d) WILDLIFE MANAGEMENT RESPONSIBILITIES.—

20 The distribution guidelines and criteria described in sub-  
21 section (c) shall be based, in part, upon Indian Tribes'  
22 wildlife management responsibilities.

23           (e) USE OF FUNDS.—

24                         (1) IN GENERAL.—Except as provided in para-  
25                         graph (2), the Secretary may distribute funds from

1 the Account to an Indian Tribe for any of the fol-  
2 lowing purposes:

3 (A) To develop, carry out, revise, or en-  
4 hance wildlife conservation and restoration pro-  
5 grams to manage Tribal species of greatest con-  
6 servation need and the habitats of such species  
7 as determined by the Indian Tribe.

8 (B) To assist in the recovery of species  
9 listed as an endangered or threatened species  
10 under the Endangered Species Act of 1973 (16  
11 U.S.C. 1531 et seq.).

12 (C) For wildlife conservation education and  
13 wildlife-associated recreation projects.

14 (D) To manage a Tribal species of greatest  
15 conservation need and the habitat of such spe-  
16 cies, the range of which may be shared with a  
17 foreign country, State, or other Indian Tribe.

18 (E) To manage, control, and prevent  
19 invasive species as well as diseases and other  
20 risks to wildlife.

21 (F) For law enforcement activities that are  
22 directly related to the protection and conserva-  
23 tion of wildlife.

1           (G) To develop, revise, and implement  
2 comprehensive wildlife conservation strategies  
3 and plans for such Tribe.

4           (H) For the hiring and training of wildlife  
5 conservation and restoration program staff.

6           (2) CONDITIONS ON THE USE OF FUNDS.—

7           (A) REQUIRED USE OF FUNDS.—In order  
8 to be eligible to receive funds under subsection  
9 (c), a Tribe's application must include a pro-  
10 posal to use funds for at least one of the pur-  
11 poses described in subparagraphs (A) and (B)  
12 of paragraph (1).

13           (B) IMPERILED SPECIES RECOVERY.—In  
14 distributing funds under this section, the Sec-  
15 retary shall distribute not less than 15 percent  
16 of the total funds distributed to proposals to  
17 fund the recovery of a species, subspecies, or  
18 distinct population segment listed as a threat-  
19 ened species, endangered species, or candidate  
20 species under the Endangered Species Act of  
21 1973 (16 U.S.C. 1531 et seq.) or Tribal law.

22           (C) LIMITATION.—In distributing funds  
23 under this section, the Secretary shall distribute  
24 not more than 15 percent of all funds distrib-

1           uted under this section for the purpose de-  
2           scribed in paragraph (1)(C).

3           (f) NO MATCHING FUNDS REQUIRED.—No Indian  
4 Tribe shall be required to provide matching funds to be  
5 eligible to receive funds under this Act.

6           (g) PUBLIC ACCESS NOT REQUIRED.—Funds appor-  
7 tioned from the Tribal Wildlife Conservation and Restora-  
8 tion Account shall not be conditioned upon the provision  
9 of public or non-Tribal access to Tribal or private lands,  
10 waters, or holdings.

11          (h) ADMINISTRATIVE COSTS.—Of the funds depos-  
12 ited under subsection (b)(3) for each fiscal year, not more  
13 than 3 percent shall be used by the Secretary for adminis-  
14 trative costs.

15          (i) SAVINGS CLAUSE.—Nothing in this Act shall be  
16 construed as modifying or abrogating a treaty with any  
17 Indian Tribe, or as enlarging or diminishing the authority,  
18 jurisdiction, or responsibility of an Indian Tribe to man-  
19 age, control, or regulate wildlife.

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