

Reorg. Plan No. II of 1939, see Transfer of Functions note set out under section 723 of this title.

FEDERAL RULES OF CIVIL PROCEDURE

Admiralty and maritime rules of practice (which included libel procedures) were superseded, and civil and admiralty procedures in United States district courts were unified, effective July 1, 1966, see rule 1 and Supplemental Rules for Certain Admiralty and Maritime Claims, Title 28, Appendix, Judiciary and Judicial Procedure.

§ 728. Expenditures

The Secretary of the Interior is authorized to make such expenditures for construction, equipment, maintenance, repairs, and improvements, including expenditures for personal services at the seat of government and elsewhere, as may be necessary to execute the functions imposed upon him by this chapter and as may be provided for by Congress from time to time.

(June 7, 1924, ch. 346, § 9, 43 Stat. 652; 1939 Reorg. Plan No. II, § 4(e), (f), eff. July 1, 1939, 4 F.R. 2731, 53 Stat. 1433.)

CODIFICATION

As originally enacted, this section contained an additional paragraph which appropriated a sum half of which was to be available, until expended, for the expenditures mentioned herein.

TRANSFER OF FUNCTIONS

Transfer of functions of Secretary of Agriculture and Secretary of Commerce to Secretary of the Interior, by Reorg. Plan No. II of 1939, see Transfer of Functions note set out under section 723 of this title.

§ 729. Price per acre

The Secretary of the Interior shall not pay for any land or land and water a price which shall exceed an average cost of \$10 per acre: *Provided*, That this provision shall not apply to any land or land and water prior to May 12, 1928, acquired or contracted for under the provisions of this chapter.

(June 7, 1924, ch. 346, § 10, 43 Stat. 652; Mar. 4, 1925, ch. 558, 43 Stat. 1354; May 12, 1928, ch. 534, 45 Stat. 502; 1939 Reorg. Plan No. II, § 4 (f), eff. July 1, 1939, 4 F.R. 2731, 53 Stat. 1433.)

CODIFICATION

Provisions of this section, which authorized an appropriation of \$1,500,000 for the acquisition of authorized areas and for all necessary expenses thereto, were omitted. The text set out above constituted the first and second provisos to the omitted provisions.

AMENDMENTS

1928—Act May 12, 1928, substituted “which shall exceed an average cost of \$10 per acre” for “which when added to the price of land or land and water theretofore purchased, shall exceed an average cost of \$5 per acre”, and inserted proviso making the provision of this section inapplicable to any land or land and water prior to May 12, 1928.

1925—Act Mar. 4, 1925, substituted proviso for restriction on availability of money for acquisition of areas.

TRANSFER OF FUNCTIONS

Transfer of functions of Secretary of Agriculture to Secretary of the Interior by Reorg. Plan No. II of 1939, see Transfer of Functions note set out under section 723 of this title.

§ 730. Violations of law or regulations; punishment

Any person who shall violate or fail to comply with any provision of or any regulation made pursuant to this chapter shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined not more than \$500 or be imprisoned not more than six months, or both.

(June 7, 1924, ch. 346, § 11, 43 Stat. 652.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 727 of this title.

§ 731. Effect on other laws

Nothing in this chapter shall be construed as exempting any portion of the Mississippi River from the provisions of Federal laws for the improvement, preservation, and protection of navigable waters, nor as authorizing any interference with the operations of the Department of the Army in carrying out any project now or hereafter adopted for the improvement of said river.

(June 7, 1924, ch. 346, § 13, 43 Stat. 652; July 26, 1947, ch. 343, title II, § 205(a), 61 Stat. 501.)

CHANGE IN NAME

Department of War designated Department of the Army and title of Secretary of War changed to Secretary of the Army by section 205(a) of act July 26, 1947, ch. 343, title II, 61 Stat. 501. Section 205(a) of act July 26, 1947, was repealed by section 53 of act Aug. 10, 1956, ch. 1041, 70A Stat. 641. Section 1 of act Aug. 10, 1956, enacted “Title 10, Armed Forces” which in sections 3010 to 3013 continued military Department of the Army under administrative supervision of Secretary of the Army.

CHAPTER 9—FISH AND WILDLIFE SERVICE

Sec.	
741, 742.	Repealed or Omitted.
742a.	Declaration of policy.
742b.	United States Fish and Wildlife Service. <ul style="list-style-type: none"> (a) Assistant Secretary for Fish and Wildlife. (b) Establishment; Director of United States Fish and Wildlife Service; appointment; qualifications. (c) Succession to United States Fish and Wildlife Service and Bureau of Sport Fisheries and Wildlife. (d) Functions and responsibilities of Secretary of the Interior.
742c.	Loans for financing or refinancing of cost of purchasing, constructing, equipping, maintaining, repairing, or operating commercial fishing vessels or gear. <ul style="list-style-type: none"> (a) Authorization. (b) Conditions. (c) Fisheries loan fund; interest payments on appropriations available as capital to fund less average undispersed cash balance. (d) Modification of loan contract. (e) Chartering vessels; loans to Alaskan earthquake victims; termination date.
742c-1.	Investment in obligations of the United States; proceeds to be used for fisheries.
742d.	Investigations; preparation and dissemination of information; reports.
742d-1.	Studies of effects in use of chemicals.
742e.	Transfer of functions to Secretary. <ul style="list-style-type: none"> (a) Functions of Secretaries of Agriculture, Commerce, etc.

- Sec. (b) Transfer of personnel, property, records, etc.
 (c) Cooperation of other departments and agencies.
- 742f. Powers of Secretaries of the Interior and Commerce.
 (a) Policies, procedures, and recommendations.
 (b) Gifts, devises, or bequests for performance of activities and services of United States Fish and Wildlife Service; restrictive or affirmative covenants or conditions of servitude; separate account in Treasury; disbursement orders; gifts or bequests to United States for Federal tax purposes.
 (c) Volunteer services; incidental expenses; Federal employee status; authorization of appropriations.
- 742g. Cooperation with State Department.
 (a) Representation at international meetings.
 (b) Consultation with officials responsible for technical and economic aid.
 (c) International negotiations.
 (d) Consultation with governmental, private nonprofit, and other organizations.
- 742h. Reports on fishery products.
- 742i. Effect on rights of States and international commissions.
- 742j. Authorization of appropriations.
- 742j-1. Airborne hunting.
 (a) Prohibition; penalty.
 (b) Exception; report of State to Secretary.
 (c) "Aircraft" defined.
 (d) Enforcement; regulations; arrest; search; issuance and execution of warrants and process; cooperative agreements.
 (e) Forfeiture.
 (f) Certain customs laws applied.
- 742j-2. Uniform allowance.
- 742k. Management and disposition of vessels and other property acquired and arising out of fishery loans or related type of activities.
- 742l. Enforcement authority for the protection of fish and wildlife resources.
 (a) Law enforcement training program.
 (b) Law enforcement cooperative agreement.
 (c) Disposal of abandoned or forfeited property.
 (d) Disclaimer.
 (e) to (j) Omitted.
 (k) Law enforcement operations.
- 742m. Relinquishment of exclusive legislative jurisdiction.
743. Repealed.
- 743a. Detail of personnel and loan of equipment to Director of Bureau of Sport Fisheries and Wildlife.
 (a) "Agency" defined.
 (b) Personnel and equipment available.
 (c) Reports to Congress.
744. Investigations; fish propagation; investigations of damages by predacious fishes; executive assistance.
745. Powers of Secretary.
746. Vessels of Fish and Wildlife Service.
747. Omitted.
748. Expenditure of appropriations for propagation of food fishes.
749. Omitted.
750. Station on Mississippi River for rescue of fishes and propagation of mussels.

- Sec. Personnel.
 751. Personnel.
 752. Omitted.
 753. Cooperative work.
 753a. Cooperative research and training programs for fish and wildlife resources.
 753b. Authorization of appropriations.
 754. Commutation of rations for officers and crews of vessels of Service.
 754a. Appropriations for United States Fish and Wildlife Service; purchases from.

CROSS REFERENCES

National Fish and Wildlife Foundation, activities relating to gifts of property in connection with the Fish and Wildlife Service, see section 3701 et seq. of this title.

§ 741. Repealed. Pub. L. 88-488, title IV, § 402(a)(3), Aug. 19, 1964, 78 Stat. 492

Section, R.S. § 4395; acts Jan. 20, 1888, ch. 1, 25 Stat. 1; Feb. 27, 1925, ch. 364, 43 Stat. 1046, related to appointment, etc. of a Commissioner of Fisheries.

§ 742. Omitted

CODIFICATION

Section, acts Mar. 4, 1911, ch. 285, § 1, 36 Stat. 1436; Mar. 4, 1913, ch. 141, § 1, 37 Stat. 736, provided for an acting Commissioner of Fisheries.

TRANSFER OF FUNCTIONS

Reorg. Plan No. II of 1939, § 4(e), (f), eff. July 1, 1939, 4 F.R. 2731, 53 Stat. 1433, set out in the Appendix to Title 5, transferred Bureau of Fisheries in Department of Commerce and its functions, and Bureau of Biological Survey in Department of Agriculture and its functions, to Department of the Interior, to be administered under direction and supervision of Secretary of the Interior.

Reorg. Plan No. III of 1940, § 3, eff. June 30, 1940, 5 F.R. 2108, 54 Stat. 1232, set out in the Appendix to Title 5, Government Organization and Employees, consolidated Bureau of Fisheries and Bureau of Biological Survey into one agency in Department of the Interior to be known as the Fish and Wildlife Service. It was further provided that functions of consolidated agency should be administered under direction and supervision of Secretary of the Interior by a director and assistants, and that offices of Commissioner and Deputy Commissioner of Fisheries and offices of Chief and Associate Chief of Bureau of Biological Survey should be abolished and their functions transferred to consolidated agency.

The Fish and Wildlife Service, created by Reorg. Plan No. III of 1940 was succeeded by United States Fish and Wildlife Service established by act Aug. 8, 1956, ch. 1036, § 3, 70 Stat. 1119. See section 742b of this title.

EX. ORD. NO. 9634. ESTABLISHMENT OF FISHERY CONSERVATION ZONES

Ex. Ord. No. 9634, Sept. 28, 1945, 10 F.R. 12305, provided in part:

By virtue of and pursuant to the authority vested in me as President of the United States, it is hereby ordered that the Secretary of State and the Secretary of the Interior shall from time to time jointly recommend the establishment by Executive orders of fishery conservation zones in areas of the high seas contiguous to the coasts of the United States, pursuant to the proclamation entitled "Policy of the United States With Respect to Coastal Fisheries in Certain Areas of the High Seas" [Proc. No. 2668, Sept. 28, 1945, 10 F.R. 12304], this day signed by me, and said Secretaries shall in each case recommend provisions to be incorporated in such orders relating to the administration, regulation and control of the fishery resources of and fishing activities in such zones, pursuant to authority of law heretofore or hereafter provided.

HARRY S TRUMAN.