

the migratory-bird hunting and conservation stamp contest shall be credited first to the appropriation account from which expenditures for the administration of such contest are made, and second, to the extent such moneys exceed the expenditures for administration of the contest, to the migratory-bird conservation fund.

(Mar. 16, 1934, ch. 71, §10, as added Pub. L. 97-307, Oct. 14, 1982, 96 Stat. 1450.)

§ 718k. Use of fees collected for Federal migratory bird permits

On and after October 21, 1998, all fees collected for Federal migratory bird permits shall be available to the Secretary, without further appropriation, to be used for the expenses of the U.S. Fish and Wildlife Service in administering such Federal migratory bird permits, and shall remain available until expended.

(Pub. L. 105-277, div. A, §101(e) [title I], Oct. 21, 1998, 112 Stat. 2681-231, 2681-236.)

SUBCHAPTER V—JUNIOR DUCK STAMP
CONSERVATION AND DESIGN PROGRAM

§ 719. Establishment of Program

(a) In general

The Secretary of the Interior (in this subchapter referred to as the “Secretary”) may carry out in accordance with this subchapter a program to be known as the “Junior Duck Stamp Conservation and Design Program” (in this subchapter referred to as the “Program”) to accomplish the goals of—

- (1) providing to school children environmental education opportunities relating to the conservation and management of migratory birds; and
- (2) increasing the capacity for schools, States, and other educational programs to conduct conservation and education programs.

(b) Program features

The Program shall consist of—

- (1) conducting in all interested States the activities which on the day before October 6, 1994, are conducted under the program known as the Junior Duck Stamp Conservation and Design Program;
- (2) other activities authorized under the Program by this subchapter or any other Act; and
- (3) any other activity necessary to carry out the conservation and education goals of the Program.

(c) Effort to conduct Program in all States

(1) In general

The Secretary shall take appropriate steps to seek to conduct the Program in all of the 50 States.

(2) Annual report

The Secretary shall annually submit a report to the Congress on the status of the Program in each of the 50 States.

(Pub. L. 103-340, §2, Oct. 6, 1994, 108 Stat. 3119.)

SHORT TITLE

Section 1 of Pub. L. 103-340 provided that: “This Act [enacting this subchapter and provisions listed in a

table of National Wildlife Refuges set out under section 668dd of this title] may be cited as the ‘Junior Duck Stamp Conservation and Design Program Act of 1994.’”

§ 719a. Junior Duck Stamp

(a) Competition

As part of the Program, the Secretary may annually conduct a competition to—

- (1) solicit the submission by students at elementary and secondary schools of designs relating to conservation of migratory birds; and
- (2) select winning designs from among those submissions for use for licensing and marketing under subsection (b) of this section.

(b) Licensing and marketing of design of Junior Duck Stamps

As part of the Program, the Secretary may—

- (1) license and market winning designs selected in competitions under subsection (a) of this section; and
- (2) license and market stamps bearing those designs, which shall be known as Junior Duck Stamps.

(c) Use of proceeds from licensing and marketing of Junior Duck Stamps and Junior Duck Stamp designs

Amounts received under subsection (b) of this section—

- (1) shall be available to the Secretary until expended, without further appropriations, solely for—

(A) awards and scholarships to individuals who submit designs in competitions under subsection (a) of this section, that are—

- (i) selected in such a competition as winning designs; or
- (ii) otherwise determined in such a competition to be superior;

(B) awards to schools and other participants to further education activities related to the conservation education goals of the Program; and

(C) expenses for licensing and marketing under subsection (b) of this section; and

- (2) may not be used for administrative expenses of the Program.

(Pub. L. 103-340, §3, Oct. 6, 1994, 108 Stat. 3119.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 719b of this title.

§ 719b. Acceptance of gifts, devises, and bequests

The Secretary may accept and use any gift, devise, or bequest of personal property, or proceeds thereof, for the purpose of funding the activities described in section 719a(c)(1)(A) and (B) of this title.

(Pub. L. 103-340, §4, Oct. 6, 1994, 108 Stat. 3120.)

§ 719c. Authorization of appropriations

There are authorized to be appropriated to the Secretary for administrative expenses of the Program \$250,000 for each of the fiscal years 1995 through 2000.

(Pub. L. 103-340, §5, Oct. 6, 1994, 108 Stat. 3120.)

**CHAPTER 8—UPPER MISSISSIPPI RIVER
NATIONAL WILDLIFE AND FISH REFUGE**

Sec.

721. Short title: “person” defined.

Sec.	
722.	Acquisition of lands and water.
723.	Purposes of refuge; regulations by Secretary of the Interior.
724.	Consent of States to acquisition; existing rights-of-way, easements, etc.
725.	Regulations, etc., by Secretary of the Interior.
726.	Acts prohibited in refuge; commercial fishing.
727.	Powers of employees of Department of the Interior.
	(a) Arrest; execution of warrants; searches.
	(b) Seizures.
	(c) Reports of seizures; forfeiture and libel proceedings.
728.	Expenditures.
729.	Price per acre.
730.	Violations of law or regulations; punishment.
731.	Effect on other laws.

§ 721. Short title; "person" defined

This chapter may be cited as "The Upper Mississippi River National Wildlife and Fish Refuge Act." The term "person" as used therein includes an individual, partnership, association, or corporation.

(June 7, 1924, ch. 346, §§1, 12, 43 Stat. 650, 652; Pub. L. 105-312, title II, §202(b), Oct. 30, 1998, 112 Stat. 2957.)

CODIFICATION

Section is a combination provision, the first sentence being derived from section 1 and the last from section 12, of act June 7, 1924.

AMENDMENTS

1998—Pub. L. 105-312 substituted "National Wildlife" for "Wild Life".

§ 722. Acquisition of lands and water

The Secretary of the Interior is authorized to acquire, by purchase, gift, or lease, such areas of land, or of land and water, situated between Rock Island, Illinois, and Wabasha, Minnesota, on either side of or upon islands in the Mississippi River which are not used for agricultural purposes, as he determines suitable for the purposes of this chapter, and any such area when acquired shall become a part of the Upper Mississippi River National Wildlife and Fish Refuge (referred to in this chapter as the "refuge").

(June 7, 1924, ch. 346, §§2, 3, 43 Stat. 650; June 18, 1934, ch. 602, 48 Stat. 1015; 1939 Reorg. Plan No. II, §4(f), eff. July 1, 1939, 4 F.R. 2731, 53 Stat. 1433; Pub. L. 105-312, title II, §202(b), Oct. 30, 1998, 112 Stat. 2957.)

CODIFICATION

Section is a combination provision, the latter portion beginning with the words "and any such area," being from section 3, and the remainder of the section from section 2 of act June 7, 1924.

AMENDMENTS

1998—Pub. L. 105-312, which directed the amendment of section 2 of the Upper Mississippi River Wild Life and Fish Refuge Act by substituting "National Wildlife" for "Wild Life", was executed to the part of this section based on section 3 of the act, to reflect the probable intent of Congress. See Codification note above.

1934—Act June 18, 1934, struck out "which are subject to overflow by such river" after "Mississippi River".

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.

LAND CONVEYANCE, UPPER MISSISSIPPI RIVER WILDLIFE AND FISH REFUGE

Pub. L. 105-312, title II, §202(a), Oct. 30, 1998, 112 Stat. 2957, provided that: "In accordance with section 4(a)(5) of the National Wildlife Refuge System Administration Act of 1966 (16 U.S.C. 668dd(a)(5)), there are transferred to the Corps of Engineers, without reimbursement, approximately 37.36 acres of land of the Upper Mississippi River Wildlife and Fish Refuge in the State of Minnesota, as designated on the map entitled 'Upper Mississippi National Wildlife and Fish Refuge lands transferred to Corps of Engineers', dated January 1998, and available, with accompanying legal descriptions of the land, for inspection in appropriate offices of the United States Fish and Wildlife Service."

ADDITIONAL LANDS

Act June 13, 1944, ch. 243, 58 Stat. 274, provided for the acquisition of certain tracts of land situated in Wabasha County, Minnesota.

§ 723. Purposes of refuge; regulations by Secretary of the Interior

The refuge shall be established and maintained (a) as a refuge and breeding place for migratory birds included in the terms of the convention between the United States and Great Britain for the protection of migratory birds, concluded August 16, 1916, and (b) to such extent as the Secretary of the Interior may by regulations prescribe, as a refuge and breeding place for other wild birds, game animals, fur-bearing animals, and for the conservation of wild flowers and aquatic plants, and (c) to such extent as the Secretary of the Interior may by regulations prescribe as a refuge and breeding place for fish and other aquatic animal life.

(June 7, 1924, ch. 346, §3, 43 Stat. 650; 1939 Reorg. Plan No. II, §4(e), (f), eff. July 1, 1939, 4 F.R. 2731, 53 Stat. 1433.)

TRANSFER OF FUNCTIONS

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 Fish and Wildlife Service.

Reorg. Plan No. II of 1939, set out in the Appendix to Title 5, transferred Bureau of Fisheries in Department of Commerce and its functions to Department of the Interior; transferred functions of Secretary of Commerce relating to protection of fur-bearing animals to Secretary of the Interior; and transferred functions of Secretary of Agriculture relating to conservation of wildlife, game, and migratory birds to Secretary of the Interior.

§ 724. Consent of States to acquisition; existing rights-of-way, easements, etc.

(a) No such area shall be acquired by the Secretary of the Interior until the legislature of each State in which is situated any part of the areas to be acquired under this chapter has consented to the acquisition of such part by the United States for the purposes of this chapter, and, except in the case of a lease, no payment