

(c) Effect of termination

In the event of termination of the Trust, the Secretary shall assume all management and administrative functions over the Preserve, and it shall thereafter be managed as a part of the Santa Fe National Forest, subject to all laws applicable to the National Forest System.

(d) Assets

In the event of termination of the Trust, all assets of the Trust shall be used to satisfy any outstanding liabilities, and any funds remaining shall be transferred to the Secretary for use, without further appropriation, for the management of the Preserve.

(e) Valles Caldera Fund

In the event of termination, the Secretary shall assume the powers of the Trust over funds under section 698v-4(h) of this title, and the Valles Caldera Fund shall not terminate. Any balances remaining in the fund shall be available to the Secretary, without further appropriation, for any purpose consistent with the purposes of sections 698v to 698v-10 of this title.

(Pub. L. 106-248, title I, §110, July 25, 2000, 114 Stat. 611.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 698v, 698v-1, 698v-3, 698v-4, 698v-6, 698v-7, 698v-9, 698v-10 of this title.

§ 698v-9. Limitations on funding

(a) Authorization of appropriations

There is hereby authorized to be appropriated to the Secretary and the Trust such funds as are necessary for them to carry out the purposes of sections 698v to 698v-10 of this title for each of the 15 full fiscal years after the date of acquisition of the Baca ranch under section 698v-2(a) of this title.

(b) Schedule of appropriations

Within two years after the first meeting of the Board, the Trust shall submit to Congress a plan which includes a schedule of annual decreasing appropriated funds that will achieve, at a minimum, the financially self-sustained operation of the Trust within 15 full fiscal years after the date of acquisition of the Baca ranch under section 698v-2(a) of this title.

(Pub. L. 106-248, title I, §111, July 25, 2000, 114 Stat. 612.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 698v, 698v-1, 698v-3, 698v-4, 698v-6, 698v-7, 698v-8, 698v-10 of this title.

§ 698v-10. General Accounting Office study

(a) Initial study

Three years after the assumption of management by the Trust, the General Accounting Office shall conduct an interim study of the activities of the Trust and shall report the results of the study to the Committees of Congress. The study shall include, but shall not be limited to, details of programs and activities operated by the Trust and whether it met its obligations under sections 698v to 698v-10 of this title.

(b) Second study

Seven years after the assumption of management by the Trust, the General Accounting Of-

fice shall conduct a study of the activities of the Trust and shall report the results of the study to the Committees of Congress. The study shall provide an assessment of any failure to meet obligations that may be identified under subsection (a) of this section, and further evaluation on the ability of the Trust to meet its obligations under sections 698v to 698v-10 of this title.

(Pub. L. 106-248, title I, §112, July 25, 2000, 114 Stat. 612.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 698v, 698v-1, 698v-3, 698v-4, 698v-6, 698v-7, 698v-8, 698v-9 of this title.

CHAPTER 7—PROTECTION OF MIGRATORY GAME AND INSECTIVOROUS BIRDS

SUBCHAPTER I—GENERALLY

- Sec.
- 701. Game and wild birds; preservation.
- 702. Importation of eggs of game birds for propagation.

SUBCHAPTER II—MIGRATORY BIRD TREATY

- 703. Taking, killing, or possessing migratory birds unlawful.
- 704. Determination as to when and how migratory birds may be taken, killed, or possessed.
- 705. Transportation or importation of migratory birds; when unlawful.
- 706. Arrests; search warrants.
- 707. Violations and penalties; forfeitures.
- 708. State or Territorial laws or regulations.
- 709. Omitted.
- 709a. Authorization of appropriations.
- 710. Partial invalidity; short title.
- 711. Breeding and sale for food supply.
- 712. Treaty and convention implementing regulations; seasonal taking of migratory birds for essential needs of indigenous Alaskans to preserve and maintain stocks of the birds; protection and conservation of the birds.

SUBCHAPTER III—MIGRATORY BIRD CONSERVATION

- 715. Short title.
- 715a. Migratory Bird Conservation Commission; creation; composition; duties; approval of areas of land and water recommended for purchase or rental.
- 715b. Omitted.
- 715c. Areas recommended for approval; character.
- 715d. Purchase or rental of approved areas or interests therein; gifts and devises; United States lands.
- 715-1 to 715d-3. Repealed or Omitted.
- 715e. Examination of title; easements and reservations.
- 715e-1. Omitted.
- 715f. Consent of State to conveyance in fee.
- 715g. Jurisdiction of State over areas acquired.
- 715h. Operation of State game laws.
- 715i. Administration.
 - (a) Treaty obligations; rules and regulations.
 - (b) Management and public and private agency agreements authorization.
- 715j. "Migratory birds" defined.
- 715k. Authorization of appropriations for purposes of subchapter; disposal; reservation protectors.
- 715k-1. Expenditures for personal services.
- 715k-2. Omitted.
- 715k-3. Authorization of appropriations for the preservation of wetlands and other waterfowl habitat.

- Sec.
 715k-4. Accounting and use of appropriations.
 715k-5. Acquisition of lands.
 715l, 715m. Repealed.
 715n. "Take" defined.
 715o. National forest and power sites; use for migratory bird reservations.
 715p. Cooperation of State in enforcement of provisions.
 715q. Expenses of commission; authorization of appropriations.
 715r. Partial invalidity; validity of remainder.
 715s. Participation of local governments in revenue from areas administered by the United States Fish and Wildlife Service.
 (a) Separate fund in the United States Treasury; availability of funds until expended; "National Wildlife Refuge System" defined.
 (b) Deduction of expenses.
 (c) Payments to counties.
 (d) Authorization of appropriations equal to difference between amount of net receipts and aggregate amount of required payments.
 (e) Transfer and use of excess of net receipts over aggregate amount of required payments.
 (f) Terms, conditions, and regulations for execution of revenue producing activities; disposal of animals.
 (g) Definitions.

SUBCHAPTER IV—HUNTING AND CONSERVATION STAMP TAX

718. Definitions.
 718a. Hunting and conservation stamp for taking migratory waterfowl.
 718b. Issuance and sale of stamps; deposit of funds in migratory bird conservation fund; fees; validity; expiration; redemption; "retail dealers" and "hunting year" defined.
 (a) Sales; fund disposition; unsold stamps.
 (b) Cost of stamp.
 718b-1. Disposition of unsold stamps; collectors' supply; destruction of surplus.
 718c. Compliance with treaty or convention regulations and State game laws.
 718d. Disposition of receipts from sale of stamps.
 (a) Advance allotments to Postal Service.
 (b) Acquisition of bird refuges.
 (c) Waterfowl Production Areas.
 (d) Promotion of stamp sales.
 718e. Offenses.
 (a) Loan or transfer of stamp.
 (b) Alteration and counterfeiting of stamp.
 (c) Reproduction of migratory bird hunting stamps; regulation by Secretary of the Interior; disposition of proceeds.
 718f. Enforcement; authority of United States judges, magistrate judges, and employees of Department of the Interior.
 718g. Penalties.
 718h. Cooperation with States and Territories.
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 718j. Crediting of funds received as fees for entering migratory-bird hunting and conservation stamp contest.
 718k. Use of fees collected for Federal migratory bird permits.

SUBCHAPTER V—JUNIOR DUCK STAMP CONSERVATION AND DESIGN PROGRAM

719. Establishment of Program.
 (a) In general.
 (b) Program features.

- Sec.
 (c) Effort to conduct Program in all States.
 719a. Junior Duck Stamp.
 (a) Competition.
 (b) Licensing and marketing of design of Junior Duck Stamps.
 (c) Use of proceeds from licensing and marketing of Junior Duck Stamps and Junior Duck Stamp designs.
 719b. Acceptance of gifts, devises, and bequests.
 719b-1. Definition of State.
 719c. Authorization of appropriations.

SUBCHAPTER I—GENERALLY

§ 701. Game and wild birds; preservation

The duties and powers of the Department of the Interior include the preservation, distribution, introduction, and restoration of game birds and other wild birds. The Secretary of the Interior is authorized to adopt such measures as may be necessary to carry out the purposes of this Act, and to purchase such game birds and other wild birds as may be required therefor, subject, however, to the laws of the various States and Territories. The object and purpose of this Act is to aid in the restoration of such birds in those parts of the United States adapted thereto where the same have become scarce or extinct, and also to regulate the introduction of American or foreign birds or animals in localities where they have not heretofore existed.

The Secretary of the Interior shall from time to time collect and publish useful information as to the propagation, uses, and preservation of such birds.

And the Secretary of the Interior shall make and publish all needful rules and regulations for carrying out the purposes of this Act, and shall expend for said purposes such sums as Congress may appropriate therefor.

(May 25, 1900, ch. 553, §1, 31 Stat. 187; 1939 Reorg. Plan No. II, §4(f), eff. July 1, 1939, 4 F.R. 2731, 53 Stat. 1433.)

REFERENCES IN TEXT

This Act, referred to in text, is act May 25, 1900, section 1 of which is classified to this section. Sections 2 to 4 of the Act were repealed and restated by sections 241 to 244 of the Criminal Code of 1909 (approved Mar. 4, 1909, ch. 321) which were classified to sections 391 to 394 of former Title 18. Such sections were subsequently repealed and reenacted as sections 42 to 44 of Title 18, Crimes and Criminal Procedure. Section 5 of the Act which was classified to section 667e of this title was repealed by Pub. L. 97-79, §9(b)(2), Nov. 16, 1981, 95 Stat. 1079.

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.

EX. ORD. NO. 13186. RESPONSIBILITIES OF FEDERAL AGENCIES TO PROTECT MIGRATORY BIRDS

Ex. Ord. No. 13186, Jan. 10, 2001, 66 F.R. 3853, provided: By the authority vested in me as President by the Constitution and the laws of the United States of America, and in furtherance of the purposes of the migratory bird conventions, the Migratory Bird Treaty Act (16 U.S.C. 703-711), the Bald and Golden Eagle Protection Acts (16 U.S.C. 668-668d), the Fish and Wildlife