

AMENDMENTS

1972—Pub. L. 92-535 substituted “poison, wound, kill, capture, trap, collect, molest” for “wound, kill, capture, trap, collect, or otherwise willfully molest”.

§ 668d. Availability of appropriations for Migratory Bird Treaty Act

Moneys now or hereafter available to the Secretary of the Interior for the administration and enforcement of the Migratory Bird Treaty Act of July 3, 1918 [16 U.S.C. 703 et seq.], shall be equally available for the administration and enforcement of this subchapter.

(June 8, 1940, ch. 278, § 5, 54 Stat. 251.)

REFERENCES IN TEXT

The Migratory Bird Treaty Act, referred to in text, is act July 3, 1918, ch. 128, 40 Stat. 755, as amended, which is classified generally to subchapter II (§ 703 et seq.) of chapter 7 of this title. For complete classification of this Act to the Code, see section 710 of this title and Tables.

SUBCHAPTER III—ENDANGERED SPECIES OF FISH AND WILDLIFE

§§ 668aa to 668cc—6. Repealed. Pub. L. 93-205, § 14, Dec. 28, 1973, 87 Stat. 903

The provisions of sections 668aa to 668cc-6, which, pursuant to section 12(d) of Pub. L. 91-135, Dec. 5, 1969, 83 Stat. 283, were known as the “Endangered Species Conservation Act of 1969”, are covered by section 1531 et seq. of this title.

Section 668aa, Pub. L. 89-669, § 1, Oct. 15, 1966, 80 Stat. 926; Pub. L. 91-135, § 12(a), (e), Dec. 5, 1969, 83 Stat. 282, 283, set out the Congressional findings, declaration of policy, and statement of purposes in seeking the protection of endangered species of fish and wildlife.

Section 668bb, Pub. L. 89-669, § 2, Oct. 15, 1966, 80 Stat. 926; Pub. L. 91-135, § 12(b), (c), Dec. 5, 1969, 83 Stat. 282, set out the powers and duties of the Secretary of the Interior in carrying out the mandate of the Endangered Species Conservation Act of 1969.

Section 668cc, Pub. L. 89-669, § 3, Oct. 15, 1966, 80 Stat. 927, covered the Secretary’s duty to cooperate with the States, area administration, management agreements, and disposition of revenues.

Section 668cc-1, Pub. L. 91-135, § 1, Dec. 5, 1969, 83 Stat. 275, defined “Secretary”, “fish or wildlife”, “United States”, and “person”.

Section 668cc-2, Pub. L. 91-135, § 2, Dec. 5, 1969, 83 Stat. 275, covered importation of endangered species and set out civil and criminal penalties by reference to provisions of section 668cc-4 of this title.

Section 668cc-3, Pub. L. 91-135, § 3, Dec. 5, 1969, 83 Stat. 275, provided for determination by the Secretary of the species threatened with extinction, methods to be used and factors determinative of Secretary’s determination, and rule making procedures to be used.

Section 668cc-4, Pub. L. 91-135, § 4, Dec. 5, 1969, 83 Stat. 276, set out penalties for violation of sections 668cc-2 and 668cc-3 of this title and provisions for their enforcement.

Section 668cc-5, Pub. L. 91-135, § 5, Dec. 5, 1969, 83 Stat. 278, covered international agreements for fish and wildlife preservation.

Section 668cc-6, Pub. L. 91-135, § 6, Dec. 5, 1969, 83 Stat. 278, called for coordination of administration of provisions relating to endangered species of fish and wildlife with animal quarantine and tariff laws, and provided for non-impairment of functions of Secretaries of Agriculture and Treasury under agriculture and tariff laws, including imports.

EFFECTIVE DATE OF REPEAL

Repeal effective Dec. 28, 1973, see section 16 of Pub. L. 93-205, set out as an Effective Date note under section 1531 of this title.

§ 668dd. National Wildlife Refuge System

(a) Designation; administration; continuance of resources-management-programs for refuge lands in Alaska; disposal of acquired lands; proceeds

(1) For the purpose of consolidating the authorities relating to the various categories of areas that are administered by the Secretary for the conservation of fish and wildlife, including species that are threatened with extinction, all lands, waters, and interests therein administered by the Secretary as wildlife refuges, areas for the protection and conservation of fish and wildlife that are threatened with extinction, wildlife ranges, game ranges, wildlife management areas, or waterfowl production areas are hereby designated as the “National Wildlife Refuge System” (referred to herein as the “System”), which shall be subject to the provisions of this section, and shall be administered by the Secretary through the United States Fish and Wildlife Service. With respect to refuge lands in the State of Alaska, those programs relating to the management of resources for which any other agency of the Federal Government exercises administrative responsibility through cooperative agreement shall remain in effect, subject to the direct supervision of the United States Fish and Wildlife Service, as long as such agency agrees to exercise such responsibility.

(2) The mission of the System is to administer a national network of lands and waters for the conservation, management, and where appropriate, restoration of the fish, wildlife, and plant resources and their habitats within the United States for the benefit of present and future generations of Americans.

(3) With respect to the System, it is the policy of the United States that—

(A) each refuge shall be managed to fulfill the mission of the System, as well as the specific purposes for which that refuge was established;

(B) compatible wildlife-dependent recreation is a legitimate and appropriate general public use of the System, directly related to the mission of the System and the purposes of many refuges, and which generally fosters refuge management and through which the American public can develop an appreciation for fish and wildlife;

(C) compatible wildlife-dependent recreational uses are the priority general public uses of the System and shall receive priority consideration in refuge planning and management; and

(D) when the Secretary determines that a proposed wildlife-dependent recreational use is a compatible use within a refuge, that activity should be facilitated, subject to such restrictions or regulations as may be necessary, reasonable, and appropriate.

(4) In administering the System, the Secretary shall—

(A) provide for the conservation of fish, wildlife, and plants, and their habitats within the System;

(B) ensure that the biological integrity, diversity, and environmental health of the System are maintained for the benefit of present and future generations of Americans;