

State in which all Federal lands therein comprise 60 percent or more of the total area of such State; except that in any such State, any appropriate State agency may agree with the Secretary of Agriculture or the Secretary of the Interior, or both, as the case may be, to collect a fee as specified in such agreement at the point of sale of regular licenses to hunt, trap, or fish in such State, the proceeds of which shall be utilized in carrying out conservation and rehabilitation programs implemented under this subchapter in the State concerned and for no other purpose.

(Pub. L. 86-797, title II, §206, as added Pub. L. 93-452, §2, Oct. 18, 1974, 88 Stat. 1374; amended Pub. L. 112-81, div. A, title III, §312(b)(12), Dec. 31, 2011, 125 Stat. 1355.)

#### AMENDMENTS

2011—Pub. L. 112-81 inserted section catchline.

### § 670m. Indian rights; State or Federal jurisdiction regulating Indian rights

Nothing in this subchapter shall enlarge or diminish or in any way affect (1) the rights of Indians or Indian tribes to the use of water or natural resources or their rights to fish, trap, or hunt wildlife as secured by statute, agreement, treaty, Executive order, or court decree; or (2) existing State or Federal jurisdiction to regulate those rights either on or off reservations.

(Pub. L. 86-797, title II, §207, as added Pub. L. 93-452, §2, Oct. 18, 1974, 88 Stat. 1374; amended Pub. L. 112-81, div. A, title III, §312(b)(13), Dec. 31, 2011, 125 Stat. 1355.)

#### AMENDMENTS

2011—Pub. L. 112-81 inserted section catchline.

### § 670n. Repealed. Pub. L. 112-81, div. A, title III, §312(d), Dec. 31, 2011, 125 Stat. 1355

Section, Pub. L. 86-797, title II, §208, as added Pub. L. 93-452, §2, Oct. 18, 1974, 88 Stat. 1374, related to the jurisdiction, authority, duties, or activities of the Joint Federal-State Land Use Planning Commission.

### § 670o. Authorization of appropriations

#### (a) Functions and responsibilities of Secretary of the Interior

There are authorized to be appropriated \$4,000,000 for each of fiscal years 1998 through 2003, to enable the Secretary of the Interior to carry out his functions and responsibilities under this subchapter, including data collection, research, planning, and conservation and rehabilitation programs on public lands. Such funds shall be in addition to those authorized for wildlife, range, soil, and water management pursuant to section 1748 of title 43, or other provisions of law.

#### (b) Functions and responsibilities of Secretary of Agriculture

There are authorized to be appropriated \$5,000,000 for each of fiscal years 1998 through 2003, to enable the Secretary of Agriculture to carry out his functions and responsibilities under this subchapter. Such funds shall be in addition to those provided under other provisions of law. In requesting funds under this subsection

the Secretary shall take into account fish and wildlife program needs, including those for projects, identified in the State comprehensive plans as contained in the program developed pursuant to the Forest and Rangeland Renewable Resources Planning Act of 1974, as amended (16 U.S.C. 1601-1610).

#### (c) Use of other conservation or rehabilitation authorities

The Secretary of the Interior and the Secretary of Agriculture may each use any authority available to him under other laws relating to fish, wildlife, or plant conservation or rehabilitation for purposes of carrying out the provisions of this subchapter.

#### (d) Contract authority

The Secretary of the Interior and the Secretary of Agriculture may each make purchases and contracts for property and services from, or provide assistance to, the State agencies concerned, if such property, services or assistance is required to implement those projects and programs carried out on, or of benefit to, Federal lands and identified in the comprehensive plans or cooperative agreements developed under section 670h of this title without regard to division C (except sections 3302, 3307(e), 3501(b), 3509, 3901, 3905, 3906, 4710, and 4711) of subtitle I of title 41. Contract authority provided in this section is effective only to such extent or in such amounts as are provided in appropriation Acts.

(Pub. L. 86-797, title II, §208, formerly §209, as added Pub. L. 93-452, §2, Oct. 18, 1974, 88 Stat. 1374; amended Pub. L. 95-420, §3, Oct. 5, 1978, 92 Stat. 921; Pub. L. 97-396, §5, Dec. 31, 1982, 96 Stat. 2005; Pub. L. 99-561, §1(b), Oct. 27, 1986, 100 Stat. 3149; Pub. L. 100-653, title II, §202(b), Nov. 14, 1988, 102 Stat. 3827; Pub. L. 105-85, div. B, title XXIX, §2914(b), Nov. 18, 1997, 111 Stat. 2023; renumbered §208 and amended Pub. L. 112-81, div. A, title III, §312(b)(14), (d), Dec. 31, 2011, 125 Stat. 1355.)

#### REFERENCES IN TEXT

The Forest and Rangeland Renewable Resources Planning Act of 1974, referred to in subsec. (b), is Pub. L. 93-378, Aug. 17, 1974, 88 Stat. 476, which is classified generally to subchapter I (§1600 et seq.) of chapter 36 of this title. For complete classification of this Act to the Code, see Short Title note set out under section 1600 of this title and Tables.

#### CODIFICATION

In subsec. (d), “division C (except sections 3302, 3307(e), 3501(b), 3509, 3901, 3905, 3906, 4710, and 4711) of subtitle I of title 41” substituted for “title III (other than section 304) of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 251-260)” on authority of Pub. L. 111-350, §6(c), Jan. 4, 2011, 124 Stat. 3854, which Act enacted Title 41, Public Contracts.

#### PRIOR PROVISIONS

A prior section 208 of Pub. L. 86-797 was classified to section 670n of this title prior to repeal by Pub. L. 112-81, div. A, title III, §312(d), Dec. 31, 2011, 125 Stat. 1355.

#### AMENDMENTS

2011—Pub. L. 112-81, §312(b)(14), inserted section catchline and headings for subssecs. (a) to (d).

1997—Subsec. (a). Pub. L. 105-85, §2914(b)(1), substituted “\$4,000,000 for each of fiscal years 1998 through

2003," for "the sum of \$10,000,000 for each of the fiscal years 1983, 1984, 1985, 1986, 1987, 1988, 1989, 1990, 1991, 1992, and 1993,".

Subsec. (b). Pub. L. 105-85, §2914(b)(2), substituted "\$5,000,000 for each of fiscal years 1998 through 2003," for "the sum of \$12,000,000 for each of the fiscal years 1983, 1984, 1985, 1986, 1987, 1988, 1989, 1990, 1991, 1992, and 1993,".

1988—Subsecs. (a), (b). Pub. L. 100-653 substituted "1988, 1989, 1990, 1991, 1992, and 1993" for "and 1988".

1986—Subsecs. (a), (b). Pub. L. 99-561 substituted "1985, 1986, 1987, and 1988" for "and 1985".

1982—Subsecs. (a), (b). Pub. L. 97-396, §5(1), substituted "1983, 1984, and 1985," for "ending September 30, 1979, September 30, 1980, and September 30, 1981," wherever appearing.

Subsecs. (c), (d). Pub. L. 97-396, §5(2), added subsecs. (c) and (d).

1978—Subsec. (a). Pub. L. 95-420 substituted provisions authorizing appropriation of \$10,000,000 for each of fiscal years ending Sept. 30, 1979, 1980, and 1981 to enable the Secretary to carry out his functions, including data collection, research, planning, and conservation and rehabilitation programs, such funds to be in addition to those authorized for wildlife, range, soil and water management pursuant to section 1748 of title 43, for provisions authorizing appropriation of \$10,000,000 for fiscal year ending June 30, 1974, and for each of next four fiscal years to enable Department of the Interior to carry out its functions.

Subsec. (b). Pub. L. 95-420 substituted provisions authorizing appropriation of \$12,000,000 for fiscal years ending Sept. 30, 1979, 1980, and 1981 to enable Secretary of Agriculture to carry out his functions, such funds to be in addition to those otherwise provided, and provisions relating to fish and wildlife program needs including those identified in State plans developed pursuant to Forest and Rangeland Renewable Resources Planning Act of 1974, for provisions authorizing appropriation of \$10,000,000 for fiscal year ending June 30, 1974, and for each of next four fiscal years to enable Department of Agriculture to carry out its functions.

**CHAPTER 6—GAME AND BIRD PRESERVES; PROTECTION**

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- 672. Omitted.
- 673. Wyoming Elk Reserve.
- 673a. Addition to the Wyoming Elk Reserve.
- 673b. National Elk Refuge in Wyoming.
- 673c. Conservation of elk in Wyoming.
- 673d. Restoration and conservation of elk in California.
- 673e. Cooperation of Secretaries of the Interior, Agriculture and Defense with State of California.
- 673f. Repealed.
- 673g. Plan for elk restoration and conservation; coordination of Secretary of the Interior with Federal, State and other officers; integration with State plans.
- 674. Sullys Hill National Game Preserve.
- 674a. Sullys Hill National Park; transfer of control; change of name to Sullys Hill National Game Preserve; boundaries; use by public; hunting.
- 674b. Sullys Hill National Game Preserve; acquisition of additional lands.
- 674c. Boundary and division fences for Sullys Hill National Game Preserve; buildings and improvements; supplies; employees.
- 674d. Authorization of appropriations.
- 675. Norbeck Wildlife Preserve; establishment.
- 676. Hunting, trapping, killing, or capturing game on Norbeck Wildlife Preserve unlawful.
- 677. Inclosure of Norbeck Wildlife Preserve.
- 678. Exchange of lands with State of South Dakota and Norbeck Wildlife Preserve.

- Sec.
- 678a. Mining locations in Norbeck Wildlife Preserve; rules and regulations.
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- 679. Patents to State of South Dakota of certain lands in Custer State Park; reservation of coal, oil, gas, and other mineral rights.
- 680. Game animal and bird refuge in South Dakota; establishment.
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- 686. Operation of local game laws not affected.
- 687. Grand Canyon Game Preserve included in park.
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- 689. Tahquitz National Game Preserve.
- 689a. Other uses of land permitted in Tahquitz National Game Preserve.
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- 689c. Rules and regulations for administration of the Tahquitz Preserve; predatory animals.
- 689d. Acceptance of title to privately owned lands within Tahquitz Preserve.
- 690. Bear River Migratory Bird Refuge; establishment; acquisition of lands.
- 690a. Maintenance of lands acquired as refuge and breeding place for migratory birds.
- 690b. Consent of Utah to acquisition of lands for Bear River Refuge; approval of title to lands acquired.
- 690c. Existence of easements, reservations, or exceptions as barring acquisition of lands.
- 690d. Injuries to property on Bear River Refuge; disturbance of birds, etc.; violation of regulations for use of refuge.
- 690e. Enforcement of laws and regulations; warrants and processes; jurisdiction of courts; forfeiture of property captured, injured, killed or removed.
- 690f. Expenditures by Secretary of the Interior for construction, maintenance, etc., of Bear River Refuge; employment of necessary means to execute functions imposed on him.
- 690g. Violation of laws and regulations; penalties.
- 690h. "Person" defined.
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- 691. Cheyenne Bottoms Migratory Bird Refuge; location; acquisition of land.
- 691a. Establishment of Cheyenne Bottoms Migratory Bird Refuge; purpose.
- 691b. Omitted.
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- 691d. Applicability of certain statutes.
- 692. Game sanctuaries or refuges in Ocala National Forest; creation.
- 692a. Hunting, pursuing, capturing, etc., in Ocala National Forest unlawful.
- 693. Game sanctuaries and refuges in Ouachita National Forest.
- 693a. Rules and regulations for administration of Ouachita National Forest; violations; penalties.
- 693b. Robert S. Kerr Memorial Arboretum and Nature Center in Ouachita National Forest; authority to establish.
- 693c. Administration by Secretary of Agriculture of the Robert S. Kerr Center.
- 693d. Cooperation with public and private agencies; contributions and gifts for Robert S. Kerr Center.