

- (F) the Commonwealth of the Northern Mariana Islands;
- (G) the Federated States of Micronesia;
- (H) the Republic of the Marshall Islands;
- (I) the Republic of Palau; and
- (J) the United States Virgin Islands.

(5) Take

The term “take” means—

- (A) to pursue, hunt, shoot, capture, collect, or kill; or
- (B) to attempt to pursue, hunt, shoot, capture, collect, or kill.

(Mar. 16, 1934, ch. 71, §10, as added Pub. L. 109-266, §10(h), Aug. 3, 2006, 120 Stat. 678.)

REFERENCES IN TEXT

The Migratory Bird Conservation Act, referred to in subsec. (a), is act Feb. 18, 1929, ch. 257, 45 Stat. 1222, which is classified generally to subchapter III (§715 et seq.) of chapter 7 of this title. For complete classification of this Act to the Code, see section 715 of this title and Tables.

The Migratory Bird Treaty Act, referred to in subsec. (a), is act July 3, 1918, ch. 128, 40 Stat. 755, 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.

PRIOR PROVISIONS

A prior section 718j, Mar. 16, 1934, ch. 71, §10, as added Pub. L. 97-307, Oct. 14, 1982, 96 Stat. 1450, related to crediting of funds received as fees for entering migratory-bird hunting and conservation stamp contest prior to repeal by Pub. L. 109-266, §10(h), Aug. 3, 2006, 120 Stat. 677.

§ 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 States.

(2) Annual report

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

(Pub. L. 103-340, §2, Oct. 6, 1994, 108 Stat. 3119; Pub. L. 106-316, §2(1), Oct. 19, 2000, 114 Stat. 1276.)

AMENDMENTS

2000—Subsec. (c). Pub. L. 106-316 struck out “50” before “States” in pars. (1) and (2).

SHORT TITLE OF 2006 AMENDMENT

Pub. L. 109-166, §1, Jan. 10, 2006, 119 Stat. 3576, provided that: “This Act [amending sections 719a and 719c of this title 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 Reauthorization Amendments Act of 2005’.”

SHORT TITLE

Pub. L. 103-340, §1, Oct. 6, 1994, 108 Stat. 3119, 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

Amounts received under subsection (b) of this section—

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

(A) awards, prizes, and scholarships to individuals who submit designs in competi-

¹ So in original. Subsec. (c), as amended by Pub. L. 109-166, does not contain a par. (2).

tions 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 and prizes to schools, students, teachers, and other participants to further education activities related to the conservation education goals of the Program;

(C) award ceremonies for winners of national and State Junior Duck Stamp competitions;

(D) travel expenses for winners of national and State Junior Duck Stamp competitions to award ceremonies, if—

- (i) the event is intended to honor students for winning a national competition; or
- (ii) the event is intended to honor students for winning a State competition;

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

(F) expenses for migratory bird reference materials or supplies awarded to schools that participate in the Program; and

(G) expenses for marketing and educational materials developed to promote the Program;²

(Pub. L. 103-340, §3, Oct. 6, 1994, 108 Stat. 3119; Pub. L. 109-166, §2, Jan. 10, 2006, 119 Stat. 3576.)

AMENDMENTS

2006—Subsec. (c). Pub. L. 109-166 amended heading and text of subsec. (c) generally. Prior to amendment, text read as follows: “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.”

§ 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.)

§ 719b-1. Definition of State

For the purposes of this subchapter, the term “State” includes the District of Columbia, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, American Samoa, Guam, the Virgin Islands, and any other territory or possession of the United States.

² So in original.

(Pub. L. 103-340, §5, as added Pub. L. 106-316, §2(3), Oct. 19, 2000, 114 Stat. 1276.)

PRIOR PROVISIONS

A prior section 5 of Pub. L. 103-340 was renumbered section 6 and is classified to section 719c of this title.

§ 719c. Authorization of appropriations

(a) Authorization

There are authorized to be appropriated to the Secretary for administrative expenses of the Program \$350,000 for each of the fiscal years 2006 through 2010.

(b) Limitations on use for distribution to State and regional coordinators to implement competitions

Of the amount appropriated under this section for a fiscal year—

(1) not more than \$100,000 may be used by the Secretary to administer the Program; and

(2) not more than \$250,000 may be distributed to State and regional coordinators to implement competitions under the Program.

(Pub. L. 103-340, §6, formerly §5, Oct. 6, 1994, 108 Stat. 3120; renumbered §6 and amended Pub. L. 106-316, §§1, 2(2), Oct. 19, 2000, 114 Stat. 1276; Pub. L. 109-166, §3, Jan. 10, 2006, 119 Stat. 3577.)

CODIFICATION

Another section 6 of Pub. L. 103-340 was renumbered section 7 and enacted provisions listed in a table of National Wildlife Refuges set out under section 668dd of this title.

AMENDMENTS

2006—Pub. L. 109-166 designated existing provisions as subsec. (a), inserted subsec. (a) heading, substituted “\$350,000” for “\$250,000” and “fiscal years 2006 through 2010” for “fiscal years 2001 through 2005”, and added subsec. (b).

2000—Pub. L. 106-316, §1, substituted “for each of the fiscal years 2001 through 2005” for “for each of the fiscal years 1995 through 2000”.

CHAPTER 8—UPPER MISSISSIPPI RIVER NATIONAL WILDLIFE AND FISH REFUGE

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§ 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.)