

see Transfer of Functions note set out under section 715a of this title.

### § 715k-2. Omitted

#### CODIFICATION

Section, acts June 29, 1937, ch. 404, title I, 50 Stat. 421; June 16, 1938, ch. 464, title I, 52 Stat. 736; June 30, 1939, ch. 253, title I, 53 Stat. 965, made an earlier specific appropriation available for maintenance and operation of motor-propelled passenger-carrying vehicles.

### § 715k-3. Authorization of appropriations for the preservation of wetlands and other waterfowl habitat

In order to promote the conservation of migratory waterfowl and to offset or prevent the serious loss of important wetlands and other waterfowl habitat essential to the preservation of such waterfowl, there is authorized to be appropriated for the period beginning on July 1, 1961, and ending when all amounts authorized to be appropriated have been expended, not to exceed \$200,000,000.

(Pub. L. 87-383, §1, Oct. 4, 1961, 75 Stat. 813; Pub. L. 90-205, §1(a), Dec. 15, 1967, 81 Stat. 612; Pub. L. 94-215, §2(a), Feb. 17, 1976, 90 Stat. 189; Pub. L. 98-200, §1, Dec. 2, 1983, 97 Stat. 1378; Pub. L. 98-548, title I, §101, Oct. 26, 1984, 98 Stat. 2774; Pub. L. 99-645, title I, §101(a), Nov. 10, 1986, 100 Stat. 3584; Pub. L. 100-653, title III, §301, Nov. 14, 1988, 102 Stat. 3827.)

#### CODIFICATION

Section was not enacted as part of the Migratory Bird Conservation Act which comprises this subchapter.

#### AMENDMENTS

1988—Pub. L. 100-653 substituted “when all amounts authorized to be appropriated have been expended” for “at the close of September 30, 1988”.

1986—Pub. L. 99-645 substituted “September 30, 1988” for “September 30, 1986”.

1984—Pub. L. 98-548 substituted “September 30, 1986” for “September 30, 1984”.

1983—Pub. L. 98-200 substituted “September 30, 1984” for “September 30, 1983”.

1976—Pub. L. 94-215 substituted “period beginning on July 1, 1961, and ending at the close of September 30, 1983, not to exceed \$200,000,000” for “fifteen-year period beginning with fiscal year 1962, not to exceed \$105,000,000”.

1967—Pub. L. 90-205 substituted “fifteen-year period” for “seven-year period”.

#### SHORT TITLE

Pub. L. 87-383, which enacted this section and sections 715k-4 and 715k-5 of this title, is popularly known as the “Wetlands Loan Act”.

### § 715k-4. Accounting and use of appropriations

Funds appropriated each fiscal year pursuant to sections 715k-3 to 715k-5 of this title shall be accounted for, added to, and used for purposes of the migratory bird conservation fund<sup>1</sup> established pursuant to section 718d of this title.

(Pub. L. 87-383, §2, Oct. 4, 1961, 75 Stat. 813.)

#### CODIFICATION

Section was not enacted as part of the Migratory Bird Conservation Act which comprises this subchapter.

<sup>1</sup> So in original. Probably should be capitalized.

### § 715k-5. Acquisition of lands

No land shall be acquired with moneys from the migratory bird conservation fund<sup>1</sup> unless the acquisition thereof has been approved by the Governor of the State or appropriate State agency.

(Pub. L. 87-383, §3, Oct. 4, 1961, 75 Stat. 813; Pub. L. 90-205, §1(b), Dec. 15, 1967, 81 Stat. 612; Pub. L. 94-215, §2(b), Feb. 17, 1976, 90 Stat. 189; Pub. L. 98-200, §2, Dec. 2, 1983, 97 Stat. 1378; Pub. L. 98-548, title I, §102, Oct. 26, 1984, 98 Stat. 2774; Pub. L. 99-645, title I, §101(b), Nov. 10, 1986, 100 Stat. 3584.)

#### CODIFICATION

Section was not enacted as part of the Migratory Bird Conservation Act which comprises this subchapter.

#### AMENDMENTS

1986—Pub. L. 99-645 struck out first three sentences which read as follows: “Funds appropriated pursuant to sections 715k-3 to 715k-5 of this title shall be treated as an advance, without interest, to the migratory bird conservation fund. Such appropriated funds, beginning on October 1, 1986, shall be repaid to the Treasury out of the migratory bird conservation fund, such repayment shall be made in annual amounts comprising 75 per centum of the moneys accruing annually to such fund. In the event the full amount authorized by section 715k-3 of this title is appropriated before October 1, 1986, the repayment of such funds pursuant to this section shall begin with the next full fiscal year.”

1984—Pub. L. 98-548 substituted “October 1, 1986” for “October 1, 1984” in two places.

1983—Pub. L. 98-200 substituted “October 1, 1984” for “October 1, 1983” in two places.

1976—Pub. L. 94-215 substituted “on October 1, 1983” for “with fiscal year 1977”, “before October 1, 1983” for “prior to the end of the aforesaid fifteen-year period” and “year. No” for “year: *Provided further*. That no”.

1967—Pub. L. 90-205 made minor structural changes and substituted “1977” for “1969” and “fifteen-year period” for “seven-year period”.

### §§ 715l, 715m. Repealed. Pub. L. 89-669, §7(d), Oct. 15, 1966, 80 Stat. 930

Sections, act Feb. 18, 1929, ch. 257, §§13, 14, 45 Stat. 1225, related to: execution of provisions, powers and duties of United States judges, commissioners and employees of Department of the Interior; and penalty for violation of provisions. See section 668dd(f) and (e) of this title, respectively.

### § 715n. “Take” defined

For the purposes of this subchapter the word “take” shall be construed to mean pursue, hunt, shoot, capture, collect, kill, or attempt to pursue, hunt, shoot, capture, collect, or kill, unless the context otherwise requires.

(Feb. 18, 1929, ch. 257, §15, 45 Stat. 1225.)

### § 715o. National forest and power sites; use for migratory bird reservations

Nothing in this subchapter shall be construed as authorizing or empowering the Migratory Bird Conservation Commission herein created, the Secretary of the Interior, or any other board, commission, or officer, to declare, withdraw, or determine, except heretofore des-

<sup>1</sup> So in original. Probably should be capitalized.