

section 321 of Pub. L. 101-650, set out as a note under section 631 of Title 28, Judiciary and Judicial Procedure. Previously, “magistrates” substituted in text for “commissioners” pursuant to Pub. L. 90-578. See chapter 43 (§631 et seq.) of Title 28.

§ 718g. Violations

Any person that violates or fails to comply with any provision of this subchapter (including a regulation promulgated under this subchapter) shall be subject to the penalties described in section 707 of this title.

(Mar. 16, 1934, ch. 71, §7, as added Pub. L. 109-266, §10(h), Aug. 3, 2006, 120 Stat. 678.)

PRIOR PROVISIONS

A prior section 718g, act Mar. 16, 1934, ch. 71, §7, 48 Stat. 452; related to penalties prior to repeal by Pub. L. 109-266, §10(h), Aug. 3, 2006, 120 Stat. 677.

§ 718h. Cooperation

The Secretary is authorized to cooperate with the States and the territories and possessions of the United States in the enforcement of this subchapter.

(Mar. 16, 1934, ch. 71, §8, as added Pub. L. 109-266, §10(h), Aug. 3, 2006, 120 Stat. 678.)

PRIOR PROVISIONS

A prior section 718h, act Mar. 16, 1934, ch. 71, §8, 48 Stat. 452; 1939 Reorg. Plan No. II, §4(f), eff. July 1, 1939, 4 F.R. 2731, 53 Stat. 1433, related to cooperation with States and Territories prior to repeal by Pub. L. 109-266, §10(h), Aug. 3, 2006, 120 Stat. 677.

§ 718i. Use of contest fees

Notwithstanding any other provision of law, funds received by the United States Fish and Wildlife Service in the form of fees for entering any Migratory Bird Hunting and Conservation Stamp contest shall be credited—

(1) first, to the appropriation account from which expenditures for the administration of the contest are made; and

(2) second, to the extent any funds remain, to the Migratory Bird Conservation Fund.

(Mar. 16, 1934, ch. 71, §9, as added Pub. L. 109-266, §10(h), Aug. 3, 2006, 120 Stat. 678.)

PRIOR PROVISIONS

A prior section 9 of act Mar. 16, 1934, was classified to section 718 of this title prior to repeal by Pub. L. 109-266, §10(h), Aug. 3, 2006, 120 Stat. 677.

A prior section 718i, act June 28, 1941, ch. 259, §1, 55 Stat. 356, related to disposal of surplus stamps and restricted use of stamps to the fiscal year for which issued prior to repeal by act July 30, 1956, ch. 782, §3(d), formerly §3(c), 70 Stat. 722, renumbered Pub. L. 109-266, §10(i)(1), Aug. 3, 2006, 120 Stat. 679.

§ 718j. Definitions

(a) In general

In this subchapter, the terms defined in the Migratory Bird Conservation Act (16 U.S.C. 715 et seq.) and the Migratory Bird Treaty Act (16 U.S.C. 703 et seq.) have the meanings given those terms in those Acts.

(b) Other definitions

In this subchapter:

(1) Hunting year

The term “hunting year” means the 1-year period beginning on July 1 of each year.

(2) Migratory waterfowl

The term “migratory waterfowl” means the species enumerated in paragraph (a) of subdivision 1 of article I of the Convention between the United States and Great Britain for the Protection of Migratory Birds, signed at Washington on August 16, 1916 (USTS 628) (16 U.S.C. 703 et seq.).

(3) Secretary

The term “Secretary” means the Secretary of the Interior.

(4) State

The term “State” means—

(A) a State;

(B) the District of Columbia;

(C) the Commonwealth of Puerto Rico;

(D) Guam;

(E) American Samoa;

(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 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 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;

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

² So in original.