

“MULTINATIONAL SPECIES CONSERVATION FUND” [16 U.S.C. 4246];

(5) the terms “import” and “importation” have the meanings such terms have in the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.);

(6) the term “intermediary country” means a country that exports raw or worked ivory that does not originate in that country;

(7) the term “ivory producing country” means any African country within which is located any part of the range of a population of African elephants;

(8) the term “ivory quota” means a quota submitted by an ivory producing country to the CITES Secretariat in accordance with the CITES Ivory Control System;

(9) the term “personal effects” means articles which are not intended for sale and are part of a shipment of the household effects of a person who is moving his or her residence to or from the United States, or are included in personal accompanying baggage;

(10) the term “raw ivory” means any African elephant tusk, and any piece thereof, the surface of which, polished or unpolished, is unaltered or minimally carved;

(11) the term “Secretary” means the Secretary of the Interior;

(12) the term “United States” means the fifty States, the District of Columbia, Guam, the Commonwealth of the Northern Mariana Islands, the Commonwealth of Puerto Rico, and the territories and possessions of the United States; and

(13) the term “worked ivory” means any African elephant tusk, and any piece thereof, which is not raw ivory.

(Pub. L. 100-478, title II, §2305, Oct. 7, 1988, 102 Stat. 2322; Pub. L. 107-111, §6(a)(4), Jan. 8, 2002, 115 Stat. 2096.)

#### REFERENCES IN TEXT

Division A, section 101(e), title I of Public Law 105-277, referred to in par. (4), is Pub. L. 105-277, div. A, §101(e) [title I], Oct. 21, 1998, 112 Stat. 2681-231, 2681-232. Provisions under the heading “MULTINATIONAL SPECIES CONSERVATION FUND” in Pub. L. 105-277, §101(e) [title I] appear at 112 Stat. 2681-237, and are classified in part to section 4246 of this title.

The Endangered Species Act of 1973, referred to in par. (5), is Pub. L. 93-205, Dec. 28, 1973, 87 Stat. 884, as amended, which is classified generally to chapter 35 (§1531 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 1531 of this title and Tables.

#### AMENDMENTS

2002—Par. (4). Pub. L. 107-111 substituted “the account established by division A, section 101(e), title I of Public Law 105-277 under the heading ‘MULTINATIONAL SPECIES CONSERVATION FUND’” for “the African Elephant Conservation Fund established by section 4212 of this title”.

### § 4245. Authorization of appropriations

#### (a) In general

There is authorized to be appropriated to the Fund and to the Secretary a total of not to exceed \$5,000,000 for each of fiscal years 2007 through 2012 to carry out this chapter, to remain available until expended.

#### (b) Administrative expenses

Of amounts available each fiscal year to carry out this chapter, the Secretary may expend not more than 3 percent or \$100,000, whichever is greater, to pay the administrative expenses necessary to carry out this chapter.

(Pub. L. 100-478, title II, §2306, Oct. 7, 1988, 102 Stat. 2323; Pub. L. 102-440, title III, §302, Oct. 23, 1992, 106 Stat. 2234; Pub. L. 105-217, §2, Aug. 5, 1998, 112 Stat. 911; Pub. L. 107-111, §§2, 3, Jan. 8, 2002, 115 Stat. 2095; Pub. L. 107-141, §5(b)(2)(B), Feb. 12, 2002, 116 Stat. 14; Pub. L. 110-132, §2(b), (c), Dec. 6, 2007, 121 Stat. 1360.)

#### AMENDMENTS

2007—Subsec. (a). Pub. L. 110-132, §2(c), substituted “2007 through 2012” for “2001, 2002, 2003, 2004, 2005, 2006, and 2007”.

Subsec. (b). Pub. L. 110-132, §2(b), substituted “\$100,000” for “\$80,000”.

2002—Subsec. (b). Pub. L. 107-141 made technical amendment to reference in original act which appears in two places in text as reference to this chapter.

Pub. L. 107-111 designated existing provisions as subsec. (a), inserted heading, substituted “is authorized” for “are authorized” and “2001, 2002, 2003, 2004, 2005, 2006, and 2007” for “1997, 1998, 1999, 2000, 2001, and 2002”, and added subsec. (b).

1998—Pub. L. 105-217 substituted “fiscal years 1997, 1998, 1999, 2000, 2001, and 2002” for “fiscal years 1992, 1993, 1994, 1995, 1996, 1997, and 1998”.

1992—Pub. L. 102-440 substituted “fiscal years 1992, 1993, 1994, 1995, 1996, 1997, and 1998” for “fiscal years 1989, 1990, 1991, 1992, and 1993”.

#### EFFECTIVE DATE OF 2002 AMENDMENT

Pub. L. 107-141, §5(b)(2), Feb. 12, 2002, 116 Stat. 14, provided that the amendment by section 5(b)(2) of Pub. L. 107-141 is effective on the day after Jan. 8, 2002.

### § 4246. Multinational Species Conservation Fund

In fiscal year 1999 and thereafter, donations to provide assistance under section 5304 of this title, part I of the African Elephant Conservation Act (16 U.S.C. 4211 et seq.), and section 4264 of this title shall be deposited to this Fund and shall be available without further appropriation: *Provided further*, That in fiscal year 1999 and thereafter, all penalties received by the United States under section 2204 of the African Elephant Conservation Act (16 U.S.C. 4224) which are not used to pay rewards under section 2205 of the African Elephant Conservation Act (16 U.S.C. 4225) shall be deposited to this Fund to provide assistance under section 2101 of the African Elephant Conservation Act (16 U.S.C. 4211) and shall be available without further appropriation: *Provided further*, That in fiscal year 1999 and thereafter, not more than three percent of amounts appropriated to this Fund may be used by the Secretary of the Interior to administer the Fund.

(Pub. L. 105-277, div. A, §101(e) [title I], Oct. 21, 1998, 112 Stat. 2681-231, 2681-237; Pub. L. 107-111, §6(b), Jan. 8, 2002, 115 Stat. 2096; Pub. L. 107-112, §6(b), Jan. 8, 2002, 115 Stat. 2098; Pub. L. 107-141, §5(b)(1), Feb. 12, 2002, 116 Stat. 14.)

#### REFERENCES IN TEXT

The African Elephant Conservation Act, referred to in text, is title II of Pub. L. 100-478, Oct. 7, 1988, 102 Stat. 2315, as amended. Part I of the Act is classified