

porter or exporter of fish, wildlife, or plants who violates" for "or who knowingly commits an act in the course of a commercial activity which violates" in two places and "\$500" for "\$1,000".

Subsec. (a)(3). Pub. L. 95-632, § 7, added par. (3).

Subsec. (b)(1). Pub. L. 95-632, § 6(3), substituted "knowingly" for "willfully commits an act which" in two places.

Subsec. (b)(2). Pub. L. 95-632, § 6(4), inserted "a person to import or export fish, wildlife, or plants, or to operate a quarantine station for imported wildlife, or authorizing" after "authorizing".

Subsec. (b)(3). Pub. L. 95-632, § 8, added par. (3).

1976—Subsec. (e)(3). Pub. L. 94-359 inserted "make arrests without a warrant for any violation of this chapter if he has reasonable grounds to believe that the person to be arrested is committing the violation in his presence or view, and may" after "Such person may" and "but upon forfeiture of any such property to the United States, or the abandonment or waiver of any claim to any such property, it shall be disposed of (other than by sale to the general public) by the Secretary in such a manner, consistent with the purposes of this chapter, as the Secretary shall by regulation prescribe," after "other surety satisfactory to the Secretary".

CHANGE OF NAME

"United States magistrate judges" substituted for "United States magistrates" in subsec. (e)(2) pursuant to section 321 of Pub. L. 101-650, set out as a note under section 631 of Title 28, Judiciary and Judicial Procedure.

EFFECTIVE DATE OF 1981 AMENDMENT

Pub. L. 97-79, § 9(f), Nov. 16, 1981, 95 Stat. 1080, provided that: "The amendment specified in subsection 9(e) of this Act [amending this section] shall take effect beginning in fiscal year 1983."

TRANSFER OF FUNCTIONS

For transfer of authorities, functions, personnel, and assets of the Coast Guard, including the authorities and functions of the Secretary of Transportation relating thereto, to the Department of Homeland Security, and for treatment of related references, see sections 468(b), 551(d), 552(d), and 557 of Title 6, Domestic Security, and the Department of Homeland Security Reorganization Plan of November 25, 2002, as modified, set out as a note under section 542 of Title 6.

For transfer of functions of the Secretary of Agriculture relating to agricultural import and entry inspection activities under this section to the Secretary of Homeland Security, and for treatment of related references, see sections 231, 551(d), 552(d), and 557 of Title 6, Domestic Security, and the Department of Homeland Security Reorganization Plan of November 25, 2002, as modified, set out as a note under section 542 of Title 6.

§ 1541. Endangered plants

The Secretary of the Smithsonian Institution, in conjunction with other affected agencies, is authorized and directed to review (1) species of plants which are now or may become endangered or threatened and (2) methods of adequately conserving such species, and to report to Congress, within one year after December 28, 1973, the results of such review including recommendations for new legislation or the amendment of existing legislation.

(Pub. L. 93-205, § 12, Dec. 28, 1973, 87 Stat. 901.)

§ 1542. Authorization of appropriations

(a) In general

Except as provided in subsections (b), (c), and (d), there are authorized to be appropriated—

(1) not to exceed \$35,000,000 for fiscal year 1988, \$36,500,000 for fiscal year 1989, \$38,000,000 for fiscal year 1990, \$39,500,000 for fiscal year 1991, and \$41,500,000 for fiscal year 1992 to enable the Department of the Interior to carry out such functions and responsibilities as it may have been given under this chapter;

(2) not to exceed \$5,750,000 for fiscal year 1988, \$6,250,000 for each of fiscal years 1989 and 1990, and \$6,750,000 for each of fiscal years 1991 and 1992 to enable the Department of Commerce to carry out such functions and responsibilities as it may have been given under this chapter; and

(3) not to exceed \$2,200,000 for fiscal year 1988, \$2,400,000 for each of fiscal years 1989 and 1990, and \$2,600,000 for each of fiscal years 1991 and 1992, to enable the Department of Agriculture to carry out its functions and responsibilities with respect to the enforcement of this chapter and the Convention which pertain to the importation or exportation of plants.

(b) Exemptions

There are authorized to be appropriated to the Secretary to assist him and the Endangered Species Committee in carrying out their functions under sections¹ 1536(e), (g), and (h) of this title not to exceed \$600,000 for each of fiscal years 1988, 1989, 1990, 1991, and 1992.

(c) Convention implementation

There are authorized to be appropriated to the Department of the Interior for purposes of carrying out section 1537a(e) of this title not to exceed \$400,000 for each of fiscal years 1988, 1989, and 1990, and \$500,000 for each of fiscal years 1991 and 1992, and such sums shall remain available until expended.

(Pub. L. 93-205, § 15, Dec. 28, 1973, 87 Stat. 903; Pub. L. 94-325, June 30, 1976, 90 Stat. 724; Pub. L. 95-632, § 9, Nov. 10, 1978, 92 Stat. 3762; Pub. L. 96-159, § 8, Dec. 28, 1979, 93 Stat. 1230; Pub. L. 97-304, § 8[(a)], Oct. 13, 1982, 96 Stat. 1425; Pub. L. 100-478, title I, § 1009, Oct. 7, 1988, 102 Stat. 2312.)

REFERENCES IN TEXT

This chapter, referred to in subsec. (a), was in the original "this Act", meaning Pub. L. 93-205, Dec. 28, 1973, 87 Stat. 884, known as the Endangered Species Act of 1973, which is classified principally to this chapter. For complete classification of this Act to the Code, see Short Title note set out under section 1531 of this title and Tables.

AMENDMENTS

1988—Pub. L. 100-478 amended section generally, substituting provisions authorizing appropriations for fiscal years 1988 through 1992 for provisions authorizing appropriations for fiscal years 1983 through 1985.

1982—Subsec. (a). Pub. L. 97-304 designated existing provisions as subsec. (a), and substituted provisions authorizing, except as provided in subsections (b), (c), and (d), appropriations of \$27,000,000 for each of fiscal years 1983, 1984, and 1985 for the Department of the Interior, \$3,500,000 for each of fiscal years 1983, 1984, and 1985 for the Department of Commerce, and \$1,850,000 for each of fiscal years 1983, 1984, and 1985 for the Department of Agriculture, for provisions that, except as authorized in sections 1535 and 1536 of this title, had authorized appropriations of (1) not to exceed \$23,000,000 for each of fiscal years 1979 and 1980, not to exceed \$25,000,000 for

¹ So in original. Probably should be "section".