

(1) the authority, jurisdiction, or responsibility of the States to manage, control, or regulate fish and resident wildlife under State law;

(2) any requirement under State law that lands, waters, and interests therein may only be acquired for conservation purposes if the owner thereof is a willing seller; and

(3) the authority of the Secretary of Agriculture under the Act of March 2, 1931 (46 Stat. 1468-1469, 7 U.S.C. 426-426b).<sup>1</sup>

(Pub. L. 96-366, §10, Sept. 29, 1980, 94 Stat. 1329.)

#### REFERENCES IN TEXT

Act of March 2, 1931, referred to in par. (3), is act Mar. 2, 1931, ch. 370, 46 Stat. 1468, which was formerly classified to sections 426 to 426b of Title 7, Agriculture. Sections 1 and 3 of the Act, which were formerly classified to sections 426 and 426b, respectively, of Title 7, were editorially reclassified as sections 8351 and 8352, respectively, of Title 7. Section 2 of the Act, which was formerly classified to section 426a of Title 7, was omitted from the Code as obsolete. For complete classification of this Act to the Code, see Tables.

#### § 2910. Authorization of appropriations

There are authorized to be appropriated for purposes of making reimbursements under section 2905 of this title to States for the development and implementation of conservation plans and for administration of this chapter under section 2907 of this title not to exceed \$5,000,000 for each of fiscal years 1992, 1993, 1994, 1995, 1996, and 1997.

(Pub. L. 96-366, §11, Sept. 29, 1980, 94 Stat. 1329; Pub. L. 99-375, Aug. 7, 1986, 100 Stat. 803; Pub. L. 100-653, title VIII, §801, Nov. 14, 1988, 102 Stat. 3833; Pub. L. 101-593, title I, §106, Nov. 16, 1990, 104 Stat. 2955; Pub. L. 102-440, title III, §301, Oct. 23, 1992, 106 Stat. 2234.)

#### AMENDMENTS

1992—Pub. L. 102-440 substituted “fiscal years 1992, 1993, 1994, 1995, 1996, and 1997” for “fiscal years 1982, 1983, 1984, 1985, 1986, 1987, 1988, 1989, 1991, and 1992”.

1990—Pub. L. 101-593 substituted “1990, 1991, and 1992” for “and 1990”.

1988—Pub. L. 100-653 substituted “1988, 1989, and 1990” for “and 1988”.

1986—Pub. L. 99-375 substituted “1985, 1986, 1987, and 1988” for “and 1985”.

#### § 2911. Study on most equitable and effective mechanism for funding State conservation plans; report to Congressional committees

The Director of the United States Fish and Wildlife Service, in consultation with affected parties, shall conduct a comprehensive study to determine the most equitable and effective mechanism for funding State conservation plans and actions under this chapter, including, but not limited to, funding by means of an excise tax on appropriate items. On or before December 31, 1984, the Director shall report to the Committee on Environment and Public Works of the Senate and to the Committee on Merchant Marine and Fisheries of the House of Representatives the results of such study, together with his recommendations with respect thereto.

<sup>1</sup> See References in Text note below.

(Pub. L. 96-366, §12, Sept. 29, 1980, 94 Stat. 1330; Pub. L. 97-396, §6, Dec. 31, 1982, 96 Stat. 2006.)

#### AMENDMENTS

1982—Pub. L. 97-396 struck out “, out of funds available for the administration of this chapter” after “shall conduct”, and substituted “December 31, 1984” for “the expiration of the 30-month period following the date of enactment of this Act [Sept. 29, 1980]” after “On or before”.

#### ABOLITION OF HOUSE COMMITTEE ON MERCHANT MARINE AND FISHERIES

Committee on Merchant Marine and Fisheries of House of Representatives abolished and its jurisdiction transferred by House Resolution No. 6, One Hundred Fourth Congress, Jan. 4, 1995. Committee on Merchant Marine and Fisheries of House of Representatives treated as referring to Committee on Resources of House of Representatives in case of provisions relating to fisheries, wildlife, international fishing agreements, marine affairs (including coastal zone management) except for measures relating to oil and other pollution of navigable waters, or oceanography by section 1(b)(3) of Pub. L. 104-14, set out as a note preceding section 21 of Title 2, The Congress. Committee on Resources of House of Representatives changed to Committee on Natural Resources of House of Representatives by House Resolution No. 6, One Hundred Tenth Congress, Jan. 5, 2007.

#### § 2912. Federal conservation of migratory nongame birds

##### (a) Conservation activities

The Secretary shall undertake the following research and conservation activities, in coordination with other Federal, State, international and private organizations, to assist in fulfilling his responsibilities to conserve migratory nongame birds under existing authorities provided by the Migratory Bird Treaty Act and Migratory Bird Conservation Act (16 U.S.C. 701-715) and section 8A(e) of the Endangered Species Act [16 U.S.C. 1537a(e)] implementing the Convention on Nature Protection and Wildlife Preservation in the Western Hemisphere:

(1) monitor and assess population trends and status of species, subspecies, and populations of all migratory nongame birds;

(2) identify the effects of environmental changes and human activities on species, subspecies, and populations of all migratory nongame birds;

(3) identify species, subspecies, and populations of all migratory nongame birds that, without additional conservation actions, are likely to become candidates for listing under the Endangered Species Act of 1973, as amended (16 U.S.C. 1531-1543);

(4) identify conservation actions to assure that species, subspecies, and populations of migratory nongame birds identified under paragraph (3) do not reach the point at which the measures provided pursuant to the Endangered Species Act of 1973, as amended (16 U.S.C. 1531-1543) become necessary; and

(5) identify lands and waters in the United States and other nations in the Western Hemisphere whose protection, management, or acquisition will foster the conservation of species, subspecies, and populations of migratory nongame birds, including those identified in paragraph (3).