

**§ 710. Partial invalidity; short title**

If any clause, sentence, paragraph, or part of this subchapter, which shall be known by the short title of the "Migratory Bird Treaty Act", shall, for any reason, be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, or part thereof directly involved in the controversy in which such judgment shall have been rendered.

(July 3, 1918, ch. 128, §§ 1, 10, 40 Stat. 755, 757.)

## CODIFICATION

The provisions of this section relating to short title are from section 1 of act July 3, 1918, and the provisions relating to severability are from section 10 of that act.

## SHORT TITLE OF 2004 AMENDMENT

Pub. L. 108-447, div. E, title I, §143(a), Dec. 8, 2004, 118 Stat. 3071, provided that: "This section [amending section 703 of this title and enacting provisions set out as notes under section 703 of this title] may be cited as the 'Migratory Bird Treaty Reform Act of 2004'."

## SHORT TITLE OF 1998 AMENDMENT

Pub. L. 105-312, title I, §101, Oct. 30, 1998, 112 Stat. 2956, provided that: "This title [amending sections 704 and 707 of this title and enacting provisions set out as a note under section 704 of this title] may be cited as the 'Migratory Bird Treaty Reform Act of 1998'."

**§ 711. Breeding and sale for food supply**

Nothing in this subchapter shall be construed to prevent the breeding of migratory game birds on farms and preserves and the sale of birds so bred under proper regulation for the purpose of increasing the food supply.

(July 3, 1918, ch. 128, § 12, 40 Stat. 757.)

**§ 712. Treaty and convention implementing regulations; seasonal taking of migratory birds for essential needs of indigenous Alaskans to preserve and maintain stocks of the birds; protection and conservation of the birds**

(1) In accordance with the various migratory bird treaties and conventions with Canada, Japan, Mexico, and the Union of Soviet Socialist Republics, the Secretary of the Interior is authorized to issue such regulations as may be necessary to assure that the taking of migratory birds and the collection of their eggs, by the indigenous inhabitants of the State of Alaska, shall be permitted for their own nutritional and other essential needs, as determined by the Secretary of the Interior, during seasons established so as to provide for the preservation and maintenance of stocks of migratory birds.

(2) The Secretary of the Interior is authorized to issue such regulations as may be necessary to implement the provisions of the convention between the United States and Great Britain for the protection of migratory birds concluded August 16, 1916, the convention between the United States and the United Mexican States for the protection of migratory birds and game mammals concluded February 7, 1936, the convention between the United States and the Government of Japan for the protection of migratory birds in

danger of extinction, and their environment concluded March 4, 1972, and the convention between the United States and the Union of Soviet Socialist Republics for the conservation of migratory birds and their environment concluded November 19, 1976.

(Pub. L. 95-616, §3(h)(2), (3), Nov. 8, 1978, 92 Stat. 3112.)

## CODIFICATION

Par. (1) of section 3(h) of Pub. L. 95-616 amended section 706 of this title. Pars. (2) and (3) of such section 3(h) were redesignated (1) and (2) for codification purposes.

Section was enacted as part of the Fish and Wildlife Improvement Act of 1978, and not as part of the Migratory Bird Treaty Act which comprises this subchapter.

## SUBCHAPTER III—MIGRATORY BIRD CONSERVATION

**§ 715. Short title**

This subchapter shall be known by the short title of "Migratory Bird Conservation Act."

(Feb. 18, 1929, ch. 257, § 1, 45 Stat. 1222.)

## SHORT TITLE OF 1976 AMENDMENT

Pub. L. 94-215, § 1, Feb 17, 1976, 90 Stat. 189, provided: "That this Act [amending sections 668dd, 715a, 715k-3, 715k-5, 718a, 718b, and 718d of this title] may be cited as the 'Wetlands Loan Extension Act of 1976'."

**§ 715a. Migratory Bird Conservation Commission; creation; composition; duties; approval of areas of land and water recommended for purchase or rental**

A commission to be known as the Migratory Bird Conservation Commission, consisting of the Secretary of the Interior, as chairman, the Administrator of the Environmental Protection Agency, the Secretary of Agriculture and two Members of the Senate, to be selected by the President of the Senate, and two Members of the House of Representatives to be selected by the Speaker, is created and authorized to consider and pass upon any area of land, water, or land and water that may be recommended by the Secretary of the Interior for purchase or rental under this subchapter, and to fix the price or prices at which such area may be purchased or rented; and no purchase or rental shall be made of any such area until it has been duly approved for purchase or rental by said commission. Any Member of the House of Representatives who is a member of the commission, if reelected to the succeeding Congress, may serve on the commission notwithstanding the expiration of a Congress. Any vacancy on the commission shall be filled in the same manner as the original appointment. The ranking officer of the branch or department of a State to which is committed the administration of its game laws, or his authorized representative, and in a State having no such branch or department, the governor thereof, or his authorized representative, shall be a member ex officio of said commission for the purpose of considering and voting on all questions relating to the acquisition, under this subchapter, of areas in his State. For purposes of this subchapter, the purchase or rental of any area of land, water, or land and water includes