

unsold by the Post Office Department subsequent to becoming void after the 30th day of June next succeeding issuance be destroyed, substituted provisions in existing last sentence relating to redemption of blocks of unused stamps sold on consignment to retail dealers for resale to their customers, for provisions prohibiting the redemption by the Department in cash or kind of stamps sold under this Act, and inserted sentence defining “retail dealers”. For further amendment of next to last sentence of this section, see section 3(c) of act July 30, 1956, set out below.

Act July 30, 1956, §3(c), formerly §3(b), as renumbered by Pub. L. 109-266, §10(i)(1), substituted provisions in fourth sentence authorizing use as migratory-bird stamps only during fiscal year for which issued, for provisions requiring stamps to expire and be void after the 30th day of June next succeeding issuance. Amendment of fourth sentence by section 3(c) further amends amendments made to next to last sentence by section 2 of act July 30, 1956, as set out above.

1949—Act Aug. 12, 1949, increased cost of stamp from \$1 to \$2.

1935—Act June 15, 1935, amended section generally.

#### EFFECTIVE DATE OF 1958 AMENDMENT

Pub. L. 85-585, §4, Aug. 1, 1958, 72 Stat. 487, provided that: “The amendment made by the first section of this Act [amending this section] shall become effective on July 1, 1959. The amendment made by section 2 of this Act [amending section 718d of this title] making available the net proceeds of all moneys received in the migratory bird conservation fund for the location, ascertainment, and acquisition of Waterfowl Production Areas and suitable areas for migratory bird refuges shall become effective on July 1, 1960. The remaining amendments made by this Act [amending section 718d of this title] shall become effective on the date of the enactment of this Act [Aug. 1, 1958]. Any unobligated balance remaining in the migratory bird conservation fund on June 30, 1960, shall thereafter be available for expenditure only for the purposes specified in the Migratory Bird Hunting Stamp Act [now Migratory Bird Hunting and Conservation Stamp Act] of March 16, 1934 [this subchapter], as amended by this Act.”

#### SPENDING OF STAMP MONEY

Act Aug. 12, 1949, ch. 421, §1, 63 Stat. 599, provided in part: “That the moneys derived from the sale of such stamps shall be spent only upon specific appropriation by the Congress.”

### § 718b-1. Disposition of unsold stamps

#### (a) Disposition of unsold stamps

A Migratory Bird Hunting and Conservation Stamp shall be transferred to the Postal Service or the Secretary of the Interior (or a designee) for sale to a collector if the stamp—

(1) has not been sold by the end of the hunting year (as that term is defined in section 718j of this title) during which the stamp is issued; and

(2) as determined by the Postal Service or the Secretary of the Interior—

(A) is appropriate to supply a market for sale to collectors; and

(B) is in suitable condition for sale to a collector.

#### (b) Surplus stock

The Postal Service or the Secretary of the Interior may destroy any surplus stock of Migratory Bird Hunting and Conservation Stamps at such time and in such manner as the Postal Service or the Secretary of the Interior determines to be appropriate.

(July 30, 1956, ch. 782, §3(a), (b), formerly §3(a), 70 Stat. 722; Pub. L. 92-214, §3, Dec. 22, 1971, 85

Stat. 777; renumbered §3(a), (b) and amended Pub. L. 109-266, §10(i)(2), Aug. 3, 2006, 120 Stat. 679.)

#### CODIFICATION

Section was not enacted as part of act Mar. 16, 1934, which comprises this subchapter.

#### PRIOR PROVISIONS

A prior section 3(b) of act July 30, 1956, ch. 782, 70 Stat. 722, amended section 718b of this title prior to being redesignated 3(c) by section 10(i)(1) of Pub. L. 109-266.

#### AMENDMENTS

2006—Pub. L. 109-266 inserted section catchline and substituted subsecs. (a) and (b) for former text which read: “On or after July 30, 1956, such quantity of migratory-bird hunting stamps, not sold at the end of the fiscal year for which issued, as determined by the Postal Service to be (1) required to supply the market for sale to collectors, and (2) in suitable condition for such sale to collectors, shall be turned over to the Philatelic Agency and therein placed on sale. Any surplus stock of such migratory-bird hunting stamps may be destroyed in such manner as the Postal Service shall direct.”

1971—Pub. L. 92-214 substituted “Postal Service” for “Postmaster General”.

### § 718c. Authorization and exemption

Nothing in this subchapter shall be construed to authorize any person to take any migratory waterfowl otherwise than in accordance with regulations adopted and approved pursuant to any treaty or convention heretofore or hereafter entered into between the United States and any other country for the protection of migratory birds, nor to exempt any person from complying with the game laws of the several States.

(Mar. 16, 1934, ch. 71, §3, 48 Stat. 451; Pub. L. 95-616, §7(b), Nov. 8, 1978, 92 Stat. 3114; Pub. L. 109-266, §10(d), Aug. 3, 2006, 120 Stat. 675.)

#### AMENDMENTS

2006—Pub. L. 109-266 inserted section catchline.

1978—Pub. L. 95-616 inserted “or convention” after “treaty”.

### § 718d. Expenditure of funds

#### (a) In general

All funds received for stamps sold under this subchapter shall be—

(1) accounted for by the Postal Service or the Secretary, as appropriate;

(2) paid into the Treasury of the United States; and

(3) reserved and set aside as a special fund, to be known as the “Migratory Bird Conservation Fund” (referred to in this section as the “fund”), to be administered by the Secretary, in which there shall be a subaccount to which the Secretary of the Treasury shall transfer all amounts in excess of \$15 that are received from the sale of each stamp sold for each hunting year after hunting year 2013.

#### (b) Use of funds

All funds received into the fund are appropriated for the following purposes, to remain available until expended:

##### (1) Advance allotments

Except as provided in paragraph (4), so much as may be necessary shall be used by the Sec-