

poisoning, killing, or capturing by trapping, netting, or any other means, or attempting to hunt, pursue, kill, or capture any wild animals or birds for any purpose whatever upon the lands of the United States within the limits of said game preserve shall be unlawful except as hereinafter provided.

(July 3, 1926, ch. 776, §3, 44 Stat. 889; June 25, 1948, ch. 645, §14, 62 Stat. 861.)

AMENDMENTS

1948—Act June 25, 1948, struck out penal provisions. See section 41 of Title 18, Crimes and Criminal Procedure.

EFFECTIVE DATE OF 1948 AMENDMENT

Section 20 of act June 25, 1948, provided that the amendment made by that act is effective Sept. 1, 1948.

§ 689c. Rules and regulations for administration of the Tahquitz Preserve; predatory animals

The Secretary of Agriculture shall execute the provisions of sections 689 to 689d of this title, and he is authorized to make all needful rules and regulations for the administration of such game preserves in accordance with the purposes of said sections, including regulations for hunting, capturing, or killing predatory animals, such as wolves, coyotes, cougar, and other species destructive to livestock or wildlife within the limits of said game preserve.

(July 3, 1926, ch. 776, §4, 44 Stat. 889.)

§ 689d. Acceptance of title to privately owned lands within Tahquitz Preserve

Upon the recommendation of the Secretary of Agriculture the Secretary of the Interior is authorized in his discretion to accept, on behalf of the United States, title to any lands in private ownership within the boundaries of the game preserve established, and make exchange therefor under the provisions of sections 485 and 486 of this title.

(July 3, 1926, ch. 776, §5, 44 Stat. 889.)

§ 690. Bear River Migratory Bird Refuge; establishment; acquisition of lands

The Secretary of the Interior is authorized to construct, at Bear River Bay and vicinity, Utah, such dikes, ditches, spillways, buildings, and improvements as may be necessary, in his judgment, for the establishment of a suitable refuge and feeding and breeding grounds for migratory wild fowl; also to acquire, by purchase, gift, or lease, water rights and privately owned lands, including the improvements thereon, deemed necessary by him for the purpose, or, in lieu of purchase, to compensate any owner for any damage sustained by reason of the submergence of his lands.

(Apr. 23, 1928, ch. 413, §1, 45 Stat. 448; 1939 Reorg. Plan No. II, §4(f), eff. July 1, 1939, 4 F.R. 2731, 53 Stat. 1433.)

TRANSFER OF FUNCTIONS

Transfer of functions of Secretary of Agriculture to Secretary of the Interior by Reorg. Plan No. II of 1939, see Transfer of Functions note set out under section 671 of this title.

§ 690a. Maintenance of lands acquired as refuge and breeding place for migratory birds

Such lands, when acquired in accordance with the provisions of sections 690 to 690i of this title, together with such lands of the United States as may be designated for the purpose by proclamations or Executive orders of the President, shall constitute the Bear River Migratory Bird Refuge and shall be maintained as a refuge and breeding place for migratory birds included in the terms of the convention between the United States and Great Britain for the protection of migratory birds, concluded August 16, 1916.

(Apr. 23, 1928, ch. 413, §2, 45 Stat. 448.)

REFERENCES IN TEXT

Section 690i, included within the reference to sections 690 to 690i, was omitted from the Code.

§ 690b. Consent of Utah to acquisition of lands for Bear River Refuge; approval of title to lands acquired

No such area shall be acquired by the Secretary of the Interior unless or until the Legislature of the State of Utah has consented to the acquisition of lands by the United States for use as a refuge for migratory wild fowl, and shall have provided for the use as a refuge for migratory wild fowl by the United States of any lands owned or controlled by the State in Bear River Bay, Utah, and vicinity, which the Secretary of the Interior may deem necessary for such purpose, and which the Secretary of the Interior is authorized to accept on behalf of the United States; and, except in the case of a lease, no payments shall be made by the United States for any such area until title thereto is satisfactory to the Attorney General.

(Apr. 23, 1928, ch. 413, §3, 45 Stat. 449; 1939 Reorg. Plan No. II, §4(f), eff. July 1, 1939, 4 F.R. 2731, 53 Stat. 1433.)

TRANSFER OF FUNCTIONS

Transfer of functions of Secretary of Agriculture to Secretary of the Interior by Reorg. Plan No. II of 1939, see Transfer of Functions note set out under section 671 of this title.

§ 690c. Existence of easements, reservations, or exceptions as barring acquisition of lands

The existence of a right-of-way easement or other reservation or exception in respect of such area shall not be a bar to its acquisition (1) if the Secretary of the Interior determines that any such reservation or exception will in no manner interfere with the use of the area for the purposes of sections 690 to 690i of this title, or (2) if in the deed or other conveyance it is stipulated that any reservation or exception in respect of such area, in favor of the person from whom the United States receives title, shall be subject to regulations prescribed under authority of sections 690 to 690i of this title.

(Apr. 23, 1928, ch. 413, §4, 45 Stat. 449; 1939 Reorg. Plan No. II, §4(f), eff. July 1, 1939, 4 F.R. 2731, 53 Stat. 1433.)

REFERENCES IN TEXT

Section 690i, included within the reference to sections 690 to 690i, was omitted from the Code.

TRANSFER OF FUNCTIONS

Transfer of functions of Secretary of Agriculture to Secretary of the Interior by Reorg. Plan No. II of 1939, see Transfer of Functions note set out under section 671 of this title.

§ 690d. Injuries to property on Bear River Refuge; disturbance of birds, etc.; violation of regulations for use of refuge

No person shall take, injure, or disturb any bird, or nest or egg thereof, or injure or destroy any notice, signboard, fence, dike, ditch, dam, spillway, improvement, or other property of the United States on any area acquired or received under sections 690 to 690i of this title, or remove therefrom or cut, burn, injure, or destroy any grass or other natural growth thereon, or enter, use, or occupy the refuge for any purpose, except in accordance with regulations prescribed by the Secretary of the Interior: *Provided*, That at no time shall less than 60 per centum of the total acreage of the said refuge be maintained as an inviolate sanctuary for such migratory birds.

(Apr. 23, 1928, ch. 413, § 5, 45 Stat. 449; 1939 Reorg. Plan No. II, § 4(f), eff. July 1, 1939, 4 F.R. 2731, 53 Stat. 1433.)

REFERENCES IN TEXT

Section 690i, included within the reference to sections 690 to 690i, was omitted from the Code.

TRANSFER OF FUNCTIONS

Transfer of functions of Secretary of Agriculture to Secretary of the Interior by Reorg. Plan No. II of 1939, see Transfer of Functions note set out under section 671 of this title.

§ 690e. Enforcement of laws and regulations; warrants and processes; jurisdiction of courts; forfeiture of property captured, injured, killed or removed

(a) Arrests and warrants

Any employee of the Department of the Interior authorized by the Secretary of the Interior to enforce the provisions of sections 690 to 690i of this title (1) shall have power, without warrant, to arrest any person committing in the presence of such employee a violation of sections 690 to 690i of this title or of any regulation made pursuant thereto, and to take such person immediately for examination or trial before an officer or court of competent jurisdiction, and (2) shall have power to execute any warrant or other process issued by an officer or court of competent jurisdiction to enforce the provisions of said sections or regulations made pursuant thereto. Any judge of a court established under the laws of the United States, or any United States magistrate judge may, within his respective jurisdiction, upon proper oath or affirmation showing probable cause, issue warrants in all such cases.

(b) Seizures and forfeitures

All birds or animals, or parts thereof, captured, injured, or killed, and all grass and other natural growths, and nests and eggs of birds removed contrary to the provisions of sections 690 to 690i of this title or any regulation made pursuant thereto, shall, when found by such employee or by any marshal or deputy marshal, be

summarily seized by him, and upon conviction of the offender or upon judgment of a court of the United States that the same were captured, killed, taken, or removed contrary to the provisions of sections 690 to 690i of this title or of any regulation made pursuant thereto, shall be forfeited to the United States and disposed of as directed by the Secretary of the Interior, in accordance with law.

(Apr. 23, 1928, ch. 413, § 6, 45 Stat. 449; 1939 Reorg. Plan No. II, § 4(f), eff. July 1, 1939, 4 F.R. 2731, 53 Stat. 1433; Pub. L. 90-578, title IV, § 402(b)(2), Oct. 17, 1968, 82 Stat. 1118; Pub. L. 95-616, § 3(g), Nov. 8, 1978, 92 Stat. 3111; Pub. L. 101-650, title III, § 321, Dec. 1, 1990, 104 Stat. 5117.)

REFERENCES IN TEXT

Section 690i, included within the reference to sections 690 to 690i, was omitted from the Code.

AMENDMENTS

1978—Subsec. (b), Pub. L. 95-616 substituted “as directed by the Secretary of the Interior, in accordance with law” for “as directed by the court having jurisdiction”.

CHANGE OF NAME

“United States magistrate judge” substituted for “United States magistrate” in subsec. (a) pursuant to section 321 of Pub. L. 101-650, set out as a note under section 631 of Title 28, Judiciary and Judicial Procedure. Previously, “United States magistrate” substituted for “United States commissioner” pursuant to Pub. L. 90-578. See chapter 43 (§ 631 et seq.) of Title 28.

TRANSFER OF FUNCTIONS

Transfer of functions of Secretary of Agriculture to Secretary of the Interior by Reorg. Plan No. II of 1939, see Transfer of Functions note set out under section 671 of this title.

§ 690f. Expenditures by Secretary of the Interior for construction, maintenance, etc., of Bear River Refuge; employment of necessary means to execute functions imposed on him

The Secretary of the Interior is authorized to make such expenditures for construction, equipment, maintenance, repairs, and improvements, including necessary investigations, and expenditures for personal services and office expenses at the seat of government and elsewhere, and to employ such means as may be necessary to execute the functions imposed upon him by this section or sections 690 to 690i of this title and as may be provided for by Congress from time to time.

(Apr. 23, 1928, ch. 413, § 7, 45 Stat. 449; 1939 Reorg. Plan No. II, § 4(f), eff. July 1, 1939, 4 F.R. 2731, 53 Stat. 1433.)

REFERENCES IN TEXT

Section 690i, included within the reference to sections 690 to 690i, was omitted from the Code.

TRANSFER OF FUNCTIONS

Transfer of functions of Secretary of Agriculture to Secretary of the Interior by Reorg. Plan No. II of 1939, see Transfer of Functions note set out under section 671 of this title.

§ 690g. Violation of laws and regulations; penalties

Any person who shall violate or fail to comply with any provision of, or any regulation made