

30, 2009, 123 Stat. 991. Title IV of the Act is classified generally to chapter 92 (§7301 et seq.) of this title. For complete classification of this Act to the Code, see Tables.

Public Law 95-341, referred to in subsec. (b)(11)(B), is Pub. L. 95-341, Aug. 11, 1978, 92 Stat. 469, popularly known as the American Indian Religious Freedom Act, which is classified to sections 1996 and 1996a of Title 42, The Public Health and Welfare. For complete classification of this Act to the Code, see Short Title note set out under section 1996 of Title 42 and Tables.

#### CODIFICATION

In subsec. (b)(3)(C)(ii)(I), “section 100502 of title 54” substituted for “section 12(b) of Public Law 91-383 (commonly known as the ‘National Park Service General Authorities Act’) (16 U.S.C. 1a-7(b))” on authority of Pub. L. 113-287, §6(e), Dec. 19, 2014, 128 Stat. 3272, which Act enacted Title 54, National Park Service and Related Programs.

#### PUEBLO OF SANTA CLARA

Pub. L. 106-248, title I, §104(g), July 25, 2000, 114 Stat. 602, provided that:

“(1) IN GENERAL.—The Secretary may assign to the Pueblo of Santa Clara rights to acquire for fair market value portions of the Baca ranch. The portion that may be assigned shall be determined by mutual agreement between the Pueblo and the Secretary based on optimal management considerations for the Preserve including manageable land line locations, public access, and retention of scenic and natural values. All appraisals shall be done in conformity with the Uniform Appraisal Standards for Federal Land Acquisition.

“(2) STATUS OF LAND ACQUIRED.—As of the date of acquisition, the fee title lands, and any mineral estate underlying such lands, acquired under this subsection by the Pueblo of Santa Clara are deemed transferred into trust in the name of the United States for the benefit of the Pueblo of Santa Clara and such lands and mineral estate are declared to be part of the existing Santa Clara Indian Reservation.

“(3) MINERAL ESTATE.—Any mineral estate acquired by the United States pursuant to section 104(e) [former 16 U.S.C. 698v-2(e)] underlying fee title lands acquired by the Pueblo of Santa Clara shall not be developed without the consent of the Secretary of the Interior and the Pueblo of Santa Clara.

“(4) SAVINGS.—Any reservations, easements, and covenants contained in an assignment agreement entered into under paragraph (1) shall not be affected by the acquisition of the Baca ranch by the United States, the assumption of management by the Valles Caldera Trust, or the lands acquired by the Pueblo being taken into trust.”

[Pursuant to subsec. (d)(2)(B) of this section, the provisions in section 104(g) of the Valles Caldera Preservation Act, Pub. L. 106-248 (formerly 16 U.S.C. 698v-2(g)), set out above, remain in effect, notwithstanding the repeal of Pub. L. 106-248 by subsec. (d)(1) of this section.]

### § 698w. Special management requirements for Federal lands recently added to Craters of the Moon National Monument, Idaho

#### (a) Redesignation

The approximately 410,000 acres of land added to the Craters of the Moon National Monument by Presidential Proclamation 7373 of November 9, 2000, and identified on the map accompanying the Proclamation for administration by the National Park Service, shall, on and after August 21, 2002, be known as the “Craters of the Moon National Preserve”.

#### (b) Administration

##### (1) In general

Except as provided by paragraph (2), the Craters of the Moon National Preserve shall be administered in accordance with—

(A) Presidential Proclamation 7373 of November 9, 2000;

(B) the Act of June 8, 1906,<sup>1</sup> (commonly referred to as the “Antiquities Act”; 34 Stat. 225; 16 U.S.C. 431);<sup>2</sup> and

(C) the laws generally applicable to units of the National Park System, including the Act entitled “An Act to establish a National Park Service, and for other purposes”, approved August 25, 1916 (16 U.S.C. 1 et seq.).<sup>2</sup>

#### (2) Hunting

The Secretary of the Interior shall permit hunting on lands within the Craters of the Moon National Preserve in accordance with the applicable laws of the United States and the State of Idaho. The Secretary, in consultation with the State of Idaho, may designate zones where, and establish periods when, no hunting may be permitted for reasons of public safety, protection of the area’s resources, administration, or public use and enjoyment. Except in emergencies, any regulations prescribing such restrictions relating to hunting shall be put into effect only after consultation with the State of Idaho.

(Pub. L. 107-213, §1, Aug. 21, 2002, 116 Stat. 1052.)

#### REFERENCES IN TEXT

Presidential Proclamation 7373, referred to in subsecs. (a) and (b)(1)(A), appears in the item for Craters of the Moon National Monument, Idaho, in the table under the heading “National Monuments Established Under Presidential Proclamation”, set out as a note under section 320301 of Title 54, National Park Service and Related Programs.

Act of June 8, 1906, (commonly referred to as the “Antiquities Act”; 34 Stat. 225; 16 U.S.C. 431), referred to in subsec. (b)(1)(B), is act June 8, 1906, ch. 3060, 34 Stat. 225, which was classified generally to sections 431, 432, and 433 of this title. The Act was repealed and restated as section 1866(b) of Title 18, Crimes and Criminal Procedure, and sections 320301(a) to (c), 320302, and 320303 of Title 54, National Park Service and Related Programs, by Pub. L. 113-287, §§3, 4(a)(1), 7, Dec. 19, 2014, 128 Stat. 3094, 3260, 3272. For complete classification of this Act to the Code, see Tables. For disposition of former sections of this title, see Disposition Table preceding section 100101 of Title 54.

The Act entitled “An Act to establish a National Park Service, and for other purposes”, approved August 25, 1916 (16 U.S.C. 1 et seq.), referred to in subsec. (b)(1)(C), is act Aug. 25, 1916, ch. 408, 39 Stat. 535, known as the National Park Service Organic Act, which enacted sections 1, 2, 3, and 4 of this title and provisions set out as a note under section 100101 of Title 54, National Park Service and Related Programs. Sections 1 to 4 of the Act were repealed and restated as section 1865(a) of Title 18, Crimes and Criminal Procedure, and section 100101(a), chapter 1003, and sections 100751(a), 100752, 100753, and 102101 of Title 54 by Pub. L. 113-287, §§3, 4(a)(1), 7, Dec. 19, 2014, 128 Stat. 3094, 3260, 3272. For complete classification of this Act to the Code, see Tables. For disposition of former sections of this title, see Disposition Table preceding section 100101 of Title 54.

#### CODIFICATION

Section is comprised of section 1 of Pub. L. 107-213. Section 1 also enacted provisions listed in a table of National Monuments Established Under Presidential Proclamation set out under section 320301 of Title 54, National Park Service and Related Programs.

<sup>1</sup> So in original. The comma probably should not appear.

<sup>2</sup> See References in Text note below.

**CHAPTER 7—PROTECTION OF MIGRATORY GAME AND INSECTIVOROUS BIRDS**

**SUBCHAPTER I—GENERALLY**

- Sec.
- 701. Game and wild birds; preservation.
- 702. Importation of eggs of game birds for propagation.

**SUBCHAPTER II—MIGRATORY BIRD TREATY**

- 703. Taking, killing, or possessing migratory birds unlawful.
- 704. Determination as to when and how migratory birds may be taken, killed, or possessed.
- 705. Transportation or importation of migratory birds; when unlawful.
- 706. Arrests; search warrants.
- 707. Violations and penalties; forfeitures.
- 708. State or Territorial laws or regulations.
- 709. Omitted.
- 709a. Authorization of appropriations.
- 710. Partial invalidity; short title.
- 711. Breeding and sale for food supply.
- 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.

**SUBCHAPTER III—MIGRATORY BIRD CONSERVATION**

- 715. Short title.
- 715a. Migratory Bird Conservation Commission; creation; composition; duties; approval of areas of land and water recommended for purchase or rental.
- 715b. Annual report.
- 715c. Areas recommended for approval; character.
- 715d. Purchase or rental of approved areas or interests therein; gifts and devises; United States lands.
- 715-1 to 715d-3. Repealed or Omitted.
- 715e. Examination of title; easements and reservations.
- 715e-1. Omitted.
- 715f. Consent of State to conveyance in fee.
- 715g. Jurisdiction of State over areas acquired.
- 715h. Operation of State game laws.
- 715i. Administration.
- 715j. "Migratory birds" defined.
- 715k. Authorization of appropriations for purposes of subchapter; disposal; reservation protectors.
- 715k-1. Expenditures for personal services.
- 715k-2. Omitted.
- 715k-3. Authorization of appropriations for the preservation of wetlands and other waterfowl habitat.
- 715k-4. Accounting and use of appropriations.
- 715k-5. Acquisition of lands.
- 715l, 715m. Repealed.
- 715n. "Take" defined.
- 715o. National forest and power sites; use for migratory bird reservations.
- 715p. Cooperation of State in enforcement of provisions.
- 715q. Expenses of commission; authorization of appropriations.
- 715r. Partial invalidity; validity of remainder.
- 715s. Participation of local governments in revenue from areas administered by the United States Fish and Wildlife Service.

**SUBCHAPTER IV—HUNTING AND CONSERVATION STAMP TAX**

- 718. Repealed.
- 718a. Prohibition on taking.
- 718b. Sales; fund disposition; unsold stamps.

- Sec.
- 718b-1. Disposition of unsold stamps.
- 718c. Authorization and exemption.
- 718d. Expenditure of funds.
- 718e. Loans and transfers, alteration, and reproduction of stamps.
- 718f. Enforcement.
- 718g. Violations.
- 718h. Cooperation.
- 718i. Use of contest fees.
- 718j. Definitions.
- 718k. Use of fees collected for Federal migratory bird permits.

**SUBCHAPTER IV—A—PERMANENT ELECTRONIC DUCK STAMP**

- 718o. Definitions.
- 718p. Authority to issue electronic duck stamps. State application.
- 718r. State obligations and authorities.
- 718s. Electronic stamp requirements; recognition of electronic stamp.
- 718t. Termination of State participation.

**SUBCHAPTER V—JUNIOR DUCK STAMP CONSERVATION AND DESIGN PROGRAM**

- 719. Establishment of Program.
- 719a. Junior Duck Stamp.
- 719b. Acceptance of gifts, devises, and bequests.
- 719b-1. Definition of State.
- 719c. Authorization of appropriations.

**SUBCHAPTER I—GENERALLY**

**§ 701. Game and wild birds; preservation**

The duties and powers of the Department of the Interior include the preservation, distribution, introduction, and restoration of game birds and other wild birds. The Secretary of the Interior is authorized to adopt such measures as may be necessary to carry out the purposes of this Act, and to purchase such game birds and other wild birds as may be required therefor, subject, however, to the laws of the various States and Territories. The object and purpose of this Act is to aid in the restoration of such birds in those parts of the United States adapted thereto where the same have become scarce or extinct, and also to regulate the introduction of American or foreign birds or animals in localities where they have not heretofore existed.

The Secretary of the Interior shall from time to time collect and publish useful information as to the propagation, uses, and preservation of such birds.

And the Secretary of the Interior shall make and publish all needful rules and regulations for carrying out the purposes of this Act, and shall expend for said purposes such sums as Congress may appropriate therefor.

(May 25, 1900, ch. 553, §1, 31 Stat. 187; 1939 Reorg. Plan No. II, §4(f), eff. July 1, 1939, 4 F.R. 2731, 53 Stat. 1433.)

REFERENCES IN TEXT

This Act, referred to in text, is act May 25, 1900, section 1 of which is classified to this section. Sections 2 to 4 of the Act were repealed and restated by sections 241 to 244 of the Criminal Code of 1909 (approved Mar. 4, 1909, ch. 321) which were classified to sections 391 to 394 of former Title 18. Such sections were subsequently repealed and reenacted as sections 42 to 44 of Title 18, Crimes and Criminal Procedure. Section 5 of the Act which was classified to section 667e of this title was repealed by Pub. L. 97-79, §9(b)(2), Nov. 16, 1981, 95 Stat. 1079.