

§ 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.)

Editorial Notes

REFERENCES IN TEXT

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

Executive Documents

TRANSFER OF FUNCTIONS

Reorg. Plan No. II of 1939, set out in the Appendix to Title 5, Government Organization and Employees, transferred functions of Secretary of Agriculture relating to conservation of wildlife, game, and migratory birds to Secretary of the Interior.

§ 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.)

Editorial Notes

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”.

Statutory Notes and Related Subsidiaries

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.

Executive Documents

TRANSFER OF FUNCTIONS

Reorg. Plan No. II of 1939, set out in the Appendix to Title 5, Government Organization and Employees, transferred functions of Secretary of Agriculture relating to conservation of wildlife, game, and migratory birds to Secretary of the Interior.

§ 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.)

Editorial Notes

REFERENCES IN TEXT

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

Executive Documents

TRANSFER OF FUNCTIONS

Reorg. Plan No. II of 1939, set out in the Appendix to Title 5, Government Organization and Employees, transferred functions of Secretary of Agriculture relating to conservation of wildlife, game, and migratory birds to Secretary of the Interior.

§ 690g. Violation of laws and regulations; penalties

Any person who shall violate or fail to comply with any provision of, or any regulation made pursuant to sections 690d to 690i of this title shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined not more than \$500 or be imprisoned not more than six months, or both.

(Apr. 23, 1928, ch. 413, § 9, 45 Stat. 450.)

Editorial Notes

REFERENCES IN TEXT

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

§ 690h. "Person" defined

As used in sections 690 to 690i of this title the term "person" includes an individual, partnership, association, or corporation.

(Apr. 23, 1928, ch. 413, § 10, 45 Stat. 450.)

Editorial Notes

REFERENCES IN TEXT

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

§ 690i. Omitted**Editorial Notes**

CODIFICATION

Section, act Apr. 23, 1928, ch. 413, § 8, 45 Stat. 450, authorized the appropriation of \$350,000 for purposes of sections 690 to 690h of this title, including \$50,000 for purchase of land and improvements thereon.

§ 691. Cheyenne Bottoms Migratory Bird Refuge; location; acquisition of land

The Secretary of the Interior is authorized to acquire by purchase, gift, or lease not to exceed twenty thousand acres of land in what is known as the Cheyenne Bottoms, in Barton County, Kansas, or, in lieu of purchase, to compensate any owner for any damage sustained by reason of submergence of his lands.

(June 12, 1930, ch. 469, § 1, 46 Stat. 579; 1939 Reorg. Plan No. II, § 4(f), eff. July 1, 1939, 4 F.R. 2731, 53 Stat. 1433.)

Executive Documents

TRANSFER OF FUNCTIONS

Reorg. Plan No. II of 1939, set out in the Appendix to Title 5, Government Organization and Employees, transferred functions of Secretary of Agriculture relating to conservation of wildlife, game, and migratory birds to Secretary of the Interior.

§ 691a. Establishment of Cheyenne Bottoms Migratory Bird Refuge; purpose

Such lands, when acquired in accordance with the provisions of section 691 of this title, shall

constitute the Cheyenne Bottoms 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.

(June 12, 1930, ch. 469, § 2, 46 Stat. 579.)

§ 691b. Omitted**Editorial Notes**

CODIFICATION

Section, act June 12, 1930, ch. 469, § 3, 46 Stat. 579, authorized the appropriation of \$250,000 for purchase of land described in section 691 of this title.

§ 691c. Acquisition of areas for Cheyenne Bottoms Refuge; title; rights-of-way, easements, and reservations

The Secretary of the Interior may do all things and make all expenditures necessary to secure the safe title in the United States to the areas which may be acquired under section 691 of this title, including purchase of options when deemed necessary by the Secretary of the Interior, and expenses incident to the location, examination, and survey of such areas and the acquisition of title thereto, but no payment shall be made for any such areas until the title thereto shall be satisfactory to the Attorney General. That the acquisition of such areas by the United States shall in no case be defeated because of rights-of-way, easements, and reservations which from their nature will in the opinion of the Secretary of the Interior in no manner interfere with the use of the areas so encumbered for the purpose of section 691a of this title.

(June 12, 1930, ch. 469, § 4, 46 Stat. 579; 1939 Reorg. Plan No. II, § 4(f), eff. July 1, 1939, 4 F.R. 2731, 53 Stat. 1433.)

Executive Documents

TRANSFER OF FUNCTIONS

Reorg. Plan No. II of 1939, set out in the Appendix to Title 5, Government Organization and Employees, transferred functions of Secretary of Agriculture relating to conservation of wildlife, game, and migratory birds to Secretary of the Interior.

§ 691d. Applicability of certain statutes

Sections 715f to 715i and 715l to 715n¹ of this title are made applicable for the purposes of sections 691, 691a, and 691c of this title in the same manner and to the same extent as though they were enacted as a part of those sections.

(June 12, 1930, ch. 469, § 5, 46 Stat. 579.)

Editorial Notes

REFERENCES IN TEXT

Sections 715l and 715m of this title, referred to in text, were repealed by Pub. L. 89-669, § 7(d), Oct. 15, 1966, 80 Stat. 930. See section 668dd(f) and (e) of this title.

§ 692. Game sanctuaries or refuges in Ocala National Forest; creation

The President of the United States is authorized to designate as game refuges such lands of

¹ See References in Text note below.