

**Statutory Notes and Related Subsidiaries**

## EFFECTIVE DATE OF 1936 AMENDMENT

Act June 20, 1936, ch. 634, § 2, 49 Stat. 1556, provided in part that the amendment by section 2 is effective as of the day aforesaid (June 30, 1937). See note under section 703 of this title.

**Executive Documents**

## TRANSFER OF FUNCTIONS

For transfer of certain enforcement functions of Secretary or other official in Department of the Interior under this subchapter to Federal Inspector, Office of Federal Inspector for the Alaska Natural Gas Transportation System, and subsequent transfer to Secretary of Energy, then to Federal Coordinator for Alaska Natural Gas Transportation Projects, see Transfer of Functions note set out under section 706 of this title.

**§ 708. State or Territorial laws or regulations**

Nothing in this subchapter shall be construed to prevent the several States and Territories from making or enforcing laws or regulations not inconsistent with the provisions of said conventions or of this subchapter, or from making or enforcing laws or regulations which shall give further protection to migratory birds, their nests, and eggs, if such laws or regulations do not extend the open seasons for such birds beyond the dates approved by the President in accordance with section 704 of this title.

(July 3, 1918, ch. 128, § 7, 40 Stat. 756; June 20, 1936, ch. 634, § 2, 49 Stat. 1556.)

**Editorial Notes**

## AMENDMENTS

1936—Act June 20, 1936, substituted “conventions” for “convention”.

**Statutory Notes and Related Subsidiaries**

## EFFECTIVE DATE OF 1936 AMENDMENT

Act June 20, 1936, ch. 634, § 2, 49 Stat. 1556, provided in part that the amendment by section 2 is effective as of the day aforesaid (June 30, 1937). See note under section 703 of this title.

**§ 709. Omitted****Editorial Notes**

## CODIFICATION

Section, act July 3, 1918, ch. 128, § 8, 40 Stat. 756, authorized taking and use of migratory birds, nests, or eggs for scientific or propagating purposes until adoption and approval, pursuant to section 704 of this title, of regulations dealing therewith. Regulations were promulgated by Proc. July 31, 1918, 40 Stat. 1812.

**§ 709a. Authorization of appropriations**

There is hereby authorized to be appropriated, from time to time, out of any money in the Treasury not otherwise appropriated, such amounts as may be necessary to carry out the provisions and to accomplish the purposes of said conventions and of this subchapter and regulations made pursuant thereto, and the Secretary of the Interior is authorized out of such moneys to employ in the city of Washington and elsewhere such persons and means as he may deem necessary for such purpose and may co-

operate with local authorities in the protection of migratory birds and make the necessary investigations connected therewith.

(July 3, 1918, ch. 128, § 9, as added June 20, 1936, ch. 634, § 5, 49 Stat. 1556; amended 1939 Reorg. Plan No. II, § 4(f), eff. July 1, 1939, 4 F.R. 2731, 53 Stat. 1433.)

**Statutory Notes and Related Subsidiaries**

## EFFECTIVE DATE

Act June 20, 1936, ch. 634, § 5, 49 Stat. 1556, provided in part that this section is effective as of the day aforesaid (June 30, 1937). See Effective Date of 1936 Amendment note set out under section 703 of this title.

## AVAILABILITY OF FUNDS

Act June 20, 1936, ch. 634, § 6, 49 Stat. 1557, provided: “That all moneys now or hereafter available for administration and enforcement of said Act approved July 3, 1918 [this subchapter], shall be equally available for the administration and enforcement of said Act as hereby amended.”

**Executive Documents**

## TRANSFER OF FUNCTIONS

For transfer of certain enforcement functions of Secretary or other official in Department of the Interior under this subchapter to Federal Inspector, Office of Federal Inspector for Alaska Natural Gas Transportation System, and subsequent transfer to Secretary of Energy, then to Federal Coordinator for Alaska Natural Gas Transportation Projects, see Transfer of Functions note set out under section 706 of this title.

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 701 of this title.

**§ 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.)

**Editorial Notes**

## 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.

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## 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