

**§ 718k. Use of fees collected for Federal migratory bird permits**

On and after October 21, 1998, all fees collected for Federal migratory bird permits shall be available to the Secretary, without further appropriation, to be used for the expenses of the U.S. Fish and Wildlife Service in administering such Federal migratory bird permits, and shall remain available until expended.

(Pub. L. 105-277, div. A, §101(e) [title I], Oct. 21, 1998, 112 Stat. 2681-231, 2681-236.)

SUBCHAPTER IV-A—PERMANENT  
ELECTRONIC DUCK STAMP

**§ 718o. Definitions**

In this subchapter:

**(1) Actual stamp**

The term “actual stamp” means a Federal migratory-bird hunting and conservation stamp required under the Act of March 16, 1934 (16 U.S.C. 718a et seq.) (popularly known as the “Duck Stamp Act”), that is printed on paper and sold through the means established by the authority of the Secretary immediately before December 18, 2014.

**(2) Automated licensing system**

**(A) In general**

The term “automated licensing system” means an electronic, computerized licensing system used by a State fish and wildlife agency to issue hunting, fishing, and other associated licenses and products.

**(B) Inclusion**

The term “automated licensing system” includes a point-of-sale, Internet, telephonic system, or other electronic applications used for a purpose described in subparagraph (A).

**(3) Electronic stamp**

The term “electronic stamp” means an electronic version of an actual stamp that—

(A) is a unique identifier for the individual to whom it is issued;

(B) can be printed on paper or produced through an electronic application with the same indicators as the State endorsement provides;

(C) is issued through a State automated licensing system that is authorized, under State law and by the Secretary under this subchapter, to issue electronic stamps;

(D) is compatible with the hunting licensing system of the State that issues the electronic stamp; and

(E) is described in the State application approved by the Secretary under section 718q(b) of this title.

**(4) Secretary**

The term “Secretary” means the Secretary of the Interior.

(Pub. L. 113-239, §2, Dec. 18, 2014, 128 Stat. 2847.)

**Editorial Notes**

REFERENCES IN TEXT

The Act of March 16, 1934, referred to in par. (1), is act Mar. 16, 1934, ch. 71, 48 Stat. 451, known as the Migra-

tory Bird Hunting and Conservation Stamp Act, and also popularly known as the Duck Stamp Act, which is classified generally to subchapter IV (§718 et seq.) of this chapter. For complete classification of this Act to the Code, see Short Title note set out under section 718 of this title and Tables.

**Statutory Notes and Related Subsidiaries**

SHORT TITLE

Pub. L. 113-239, §1, Dec. 18, 2014, 128 Stat. 2847, provided that: “This Act [enacting this subchapter] may be cited as the ‘Permanent Electronic Duck Stamp Act of 2013.’”

**§ 718p. Authority to issue electronic duck stamps**

**(a) In general**

The Secretary may authorize any State to issue electronic stamps in accordance with this subchapter.

**(b) Consultation**

The Secretary shall implement this section in consultation with State management agencies.

(Pub. L. 113-239, §3, Dec. 18, 2014, 128 Stat. 2848.)

**§ 718q. State application**

**(a) Approval of application required**

The Secretary may not authorize a State to issue electronic stamps under this subchapter unless the Secretary has received and approved an application submitted by the State in accordance with this section. The Secretary may determine the number of new States per year to participate in the electronic stamp program.

**(b) Contents of application**

The Secretary may not approve a State application unless the application contains—

(1) a description of the format of the electronic stamp that the State will issue under this subchapter, including identifying features of the licensee that will be specified on the stamp;

(2) a description of any fee the State will charge for issuance of an electronic stamp;

(3) a description of the process the State will use to account for and transfer to the Secretary the amounts collected by the State that are required to be transferred to the Secretary under the program;

(4) the manner by which the State will transmit electronic stamp customer data to the Secretary;

(5) the manner by which actual stamps will be delivered;

(6) the policies and procedures under which the State will issue duplicate electronic stamps; and

(7) such other policies, procedures, and information as may be reasonably required by the Secretary.

**(c) Publication of deadlines, eligibility requirements, and selection criteria**

Not later than 30 days before the date on which the Secretary begins accepting applications under this section, the Secretary shall publish—

(1) deadlines for submission of applications;

(2) eligibility requirements for submitting applications; and