

retary is a party under this section, including those for the enhancement of fish and wildlife habitat and the development of public recreation and other facilities.

(d) Use of other conservation or rehabilitation authorities

The Secretary of Defense and the Secretary of the Interior may each use any authority available to him under other laws relating to fish, wildlife, or plant conservation or rehabilitation for purposes of carrying out the provisions of this subchapter.

(Pub. L. 86-797, title I, §108, formerly §6, as added Pub. L. 90-465, §2, Aug. 8, 1968, 82 Stat. 661; renumbered title I, §106, and amended Pub. L. 93-452, §§1(2), 3(1), (4), (5), Oct. 18, 1974, 88 Stat. 1369, 1375; Pub. L. 95-420, §2, Oct. 5, 1978, 92 Stat. 921; Pub. L. 97-396, §2, Dec. 31, 1982, 96 Stat. 2005; Pub. L. 99-561, §§1(a), 3(b), Oct. 27, 1986, 100 Stat. 3149, 3151; Pub. L. 100-653, title II, §202(a), Nov. 14, 1988, 102 Stat. 3827; Pub. L. 101-189, div. B, title XXVIII, §2845(b), Nov. 29, 1989, 103 Stat. 1664; renumbered §108, and amended Pub. L. 105-85, div. B, title XXIX, §§2904(b)(7), (8), 2909(1), 2914(a), Nov. 18, 1997, 111 Stat. 2018, 2021, 2022; Pub. L. 108-136, div. A, title III, §311(a), Nov. 24, 2003, 117 Stat. 1428; Pub. L. 111-84, div. A, title III, §312, Oct. 28, 2009, 123 Stat. 2247; Pub. L. 112-81, div. A, title III, §312(b)(6), Dec. 31, 2011, 125 Stat. 1353; Pub. L. 113-66, div. A, title III, §313, title X, §1091(c)(1), Dec. 26, 2013, 127 Stat. 729, 876.)

Editorial Notes

AMENDMENTS

2013—Subsecs. (b), (c). Pub. L. 113-66, §313, substituted “fiscal years 2014 through 2019” for “fiscal years 2009 through 2014”.

Subsec. (d). Pub. L. 113-66, §1091(c)(1), made technical amendment to directory language of Pub. L. 112-81, §312(b)(6)(F). See 2011 Amendment note below.

2011—Pub. L. 112-81, §312(b)(6), as amended by Pub. L. 113-66, §1091(c)(1), inserted section catchline and headings for subsecs. (a) to (d).

2009—Subsec. (b). Pub. L. 111-84, §312(a), (b)(1), substituted “Of the amounts authorized to be appropriated to the Department of Defense, there are authorized” for “There are authorized” and “fiscal years 2009 through 2014” for “fiscal years 2004 through 2008”.

Subsec. (c). Pub. L. 111-84, §312(a), (b)(2), substituted “Of the amounts authorized to be appropriated to the Department of the Interior, there are authorized” for “There are authorized” and “fiscal years 2009 through 2014” for “fiscal years 2004 through 2008”.

2003—Subsecs. (b), (c). Pub. L. 108-136 substituted “fiscal years 2004 through 2008” for “fiscal years 1998 through 2003”.

1997—Subsec. (a). Pub. L. 105-85, §2904(b)(7), substituted “integrated natural resources management plans” for “cooperative plans”.

Subsec. (b). Pub. L. 105-85, §2914(a), substituted “1998 through 2003,” for “1983, 1984, 1985, 1986, 1987, 1988, 1989, 1990, 1991, 1992, and 1993.”

Subsec. (c). Pub. L. 105-85, §2914(a), substituted “1998 through 2003,” for “1983, 1984, 1985, 1986, 1987, 1988, 1989, 1990, 1991, 1992, and 1993.”

Pub. L. 105-85, §2904(b)(8), substituted “integrated natural resources management plans” for “cooperative plans”.

1989—Subsec. (a). Pub. L. 101-189, §2845(b)(1), inserted “and cooperative agreements agreed to under section 670c-1 of this title” after “sections 670a and 670b of this title”.

Subsec. (b). Pub. L. 101-189, §2845(b)(2), inserted “, and to carry out such functions and responsibilities as the Secretary may have under cooperative agreements entered into under section 670c-1 of this title” before period at end of first sentence.

1988—Subsecs. (b), (c). Pub. L. 100-653 substituted “1988, 1989, 1990, 1991, 1992, and 1993” for “and 1988”.

1986—Subsec. (a). Pub. L. 99-561, §3(b), inserted provision that all funds collected remain available until expended.

Subsecs. (b), (c). Pub. L. 99-561, §1(a), substituted “1985, 1986, 1987, and 1988” for “and 1985”.

1982—Subsecs. (b), (c). Pub. L. 97-396, §2(1), substituted “1983, 1984, and 1985,” for “ending September 30, 1979, September 30, 1980, and September 30, 1981,” wherever appearing.

Subsec. (d). Pub. L. 97-396, §2(2), added subsec. (d).

1978—Subsec. (b). Pub. L. 95-420 substituted provisions authorizing the appropriation of not to exceed \$1,500,000 for each of the fiscal years ending Sept. 30, 1979, 1980 and 1981 for provisions authorizing the appropriation of not to exceed \$500,000 per fiscal year for fiscal years beginning July 1, 1969, 1970, and 1971 and not to exceed \$1,500,000 for fiscal year beginning July 1, 1972 and for each of the next five fiscal years thereafter and struck out provisions relating to the authorization of appropriations to the Secretary of the Interior not to exceed \$2,000,000 for the fiscal year beginning July 1, 1973 and for each of the next four fiscal years thereafter to enable the Secretary to carry out the functions and responsibilities under cooperative plans, sums appropriated under this subchapter to be available until expended.

Subsec. (c). Pub. L. 95-420 added subsec. (c).

1974—Subsec. (a). Pub. L. 93-452, §3(5), substituted “sections 101 and 102” for “sections 1 and 2” which for purposes of codification was translated as “sections 670a and 670b”, therefore requiring no change in text because of redesignation of former sections 1 and 2 of Pub. L. 86-797 by section 3(1) of Pub. L. 93-452.

Subsec. (b). Pub. L. 93-452, §§1(2), 3(4), inserted provisions authorizing appropriations of not to exceed \$1,500,000 for the fiscal year beginning July 1, 1972, and for each of the next five fiscal years thereafter, and authorizing appropriations to the Secretary of the Interior not to exceed \$2,000,000 for the fiscal year beginning July 1, 1973, and for each of the next four fiscal years thereafter, and substituted “title” for “Act” wherever appearing, which for purposes of codification was translated as “subchapter”.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 2013 AMENDMENT

Pub. L. 113-66, div. A, title X, §1091(c), Dec. 26, 2013, 127 Stat. 876, provided in part that the amendment by section 1091(c)(1) is effective as of Dec. 31, 2011, and as if included in Pub. L. 112-81 as enacted.

SUBCHAPTER II—CONSERVATION PROGRAMS ON PUBLIC LANDS

§ 670g. Wildlife, fish, and game conservation and rehabilitation programs

(a) Programs required

The Secretary of the Interior and the Secretary of Agriculture shall each, in cooperation with the State agencies and in accordance with comprehensive plans developed pursuant to section 670h of this title, plan, develop, maintain, and coordinate programs for the conservation and rehabilitation of wildlife, fish, and game. Such conservation and rehabilitation programs shall include, but not be limited to, specific habitat improvement projects and related activities and adequate protection for species of fish, wildlife, and plants considered threatened or endangered.

(b) Implementation of programs

The Secretary of the Interior shall implement the conservation and rehabilitation programs required under subsection (a) of this section on public land under his jurisdiction. The Secretary of the Interior shall adopt, modify, and implement the conservation and rehabilitation programs required under such subsection (a) on public land under the jurisdiction of the Chairman, but only with the prior written approval of the Atomic Energy Commission, and on public land under the jurisdiction of the Administrator, but only with the prior written approval of the Administrator. The Secretary of Agriculture shall implement such conservation and rehabilitation programs on public land under his jurisdiction.

(Pub. L. 86-797, title II, §201, as added Pub. L. 93-452, §2, Oct. 18, 1974, 88 Stat. 1369; amended Pub. L. 97-396, §3, Dec. 31, 1982, 96 Stat. 2005; Pub. L. 112-81, div. A, title III, §312(b)(7), Dec. 31, 2011, 125 Stat. 1354.)

Editorial Notes

AMENDMENTS

2011—Pub. L. 112-81 inserted section catchline and headings for subsecs. (a) and (b).

1982—Subsec. (a). Pub. L. 97-396 inserted “of fish, wildlife, and plants” after “species”.

Statutory Notes and Related Subsidiaries

TRANSFER OF FUNCTIONS

Atomic Energy Commission abolished and functions transferred by sections 5814 and 5841 of Title 42, The Public Health and Welfare. See, also, Transfer of Functions notes set out under those sections.

DESERT TORTOISE CONSERVATION CENTER

Pub. L. 116-9, title I, §1461, Mar. 12, 2019, 133 Stat. 719, provided that:

“(a) IN GENERAL.—The Secretary shall establish, operate, and maintain a trans-State desert tortoise conservation center (referred to in this section as the ‘Center’) on public land along the California-Nevada border—

“(1) to support desert tortoise research, disease monitoring, handling training, rehabilitation, and reintroduction;

“(2) to provide temporary quarters for animals collected from authorized salvage from renewable energy sites; and

“(3) to ensure the full recovery and ongoing survival of the species.

“(b) CENTER.—In carrying out this section, the Secretary shall—

“(1) seek the participation of or contract with qualified organizations with expertise in desert tortoise disease research and experience with desert tortoise translocation techniques, and scientific training of professional biologists for handling tortoises, to staff and manage the Center;

“(2) ensure that the Center engages in public outreach and education on tortoise handling; and

“(3) consult with the State and the State of Nevada to ensure that the Center is operated consistent with State law.

“(c) NON-FEDERAL CONTRIBUTIONS.—The Secretary may accept and expend contributions of non-Federal funds to establish, operate, and maintain the Center.”

[For definitions of “Secretary” and “State” as used in section 1461 of Pub. L. 116-9, set out above, see section 1401 of Pub. L. 116-9, set out as a Definitions note under section 410aaa-7 of this title.]

DESERT TORTOISE PLAN

Pub. L. 100-275, §12, Mar. 31, 1988, 102 Stat. 60, directed Secretary of the Interior to review status of populations of desert tortoises on lands in Nevada and other States managed by Secretary, other than lands conveyed or leased pursuant to Pub. L. 100-275, assess nature and extent of threats to continued health or stability of such populations on such lands, and prepare a comprehensive plan to address such threats, with Secretary to consult with State officials, other Federal agencies responsible for management of lands where desert tortoise populations are located, the Desert Tortoise Council, and other persons or groups identified by Secretary as having expertise relevant to requirements of this section; such review and assessment to be completed and results to be made available to the public and transmitted to certain committees of Congress no later than two years after Mar. 31, 1988, and such plan to be developed and transmitted to such committees no later than three years after Mar. 31, 1988; with a failure by Secretary to transmit such report within such three-year period not to relieve the Secretary from requirement to prepare such plan.

§670h. Comprehensive plans for conservation and rehabilitation programs**(a) Development of plans**

(1) The Secretary of the Interior shall develop, in consultation with the State agencies, a comprehensive plan for conservation and rehabilitation programs to be implemented on public land under his jurisdiction and the Secretary of Agriculture shall do the same in connection with public land under his jurisdiction.

(2) The Secretary of the Interior shall develop, with the prior written approval of the Atomic Energy Commission, a comprehensive plan for conservation and rehabilitation programs to be implemented on public land under the jurisdiction of the Chairman and develop, with the prior written approval of the Administrator, a comprehensive plan for such programs to be implemented on public land under the jurisdiction of the Administrator. Each such plan shall be developed after the Secretary of the Interior makes, with the prior written approval of the Chairman or the Administrator, as the case may be, and in consultation with the State agencies, necessary studies and surveys of the land concerned to determine where conservation and rehabilitation programs are most needed.

(b) Consistency with overall land use and management plans; hunting, trapping, and fishing

Each comprehensive plan developed pursuant to this section shall be consistent with any overall land use and management plans for the lands involved. In any case in which hunting, trapping, or fishing (or any combination thereof) of resident fish and wildlife is to be permitted on public land under a comprehensive plan, such hunting, trapping, and fishing shall be conducted in accordance with applicable laws and regulations of the State in which such land is located.

(c) Cooperative agreements by State agencies for implementation of programs

(1) Each State agency may enter into a cooperative agreement with—

(A) the Secretary of the Interior with respect to those conservation and rehabilitation