

wildlife conservation, shall be administered by the Secretary of the Interior for the major purpose of waterfowl management, but with full consideration to optimum agricultural use that is consistent therewith, and shall not be opened to homestead entry: Hanks March, and first form withdrawal lands (approximately one thousand four hundred and forty acres) in Klamath County, Oregon, lying adjacent to Upper Klamath National Wildlife Refuge; White Lake in Klamath County, Oregon, and Siskiyou County, California; and thirteen tracts of land in Siskiyou County, California, lettered as tracts "A", "B", "C", "D", "E", "F", "G", "H", "I", "J", "K", "L", and "N" totaling approximately three thousand two hundred and ninety-two acres, and tract "P" in Modoc County, California, containing about ten acres, all as shown on plate 4 of the report entitled "Plan for Wildlife Use of Federal Lands in the Upper Klamath Basin, Oregon-California," dated April 1956, prepared by the United States Fish and Wildlife Service. All the above lands shall remain permanently the property of the United States.

(Pub. L. 88-567, § 2, Sept. 2, 1964, 78 Stat. 850.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 695n, 695r of this title.

§ 695m. Annual percentage payments of net revenues from leases of Klamath project lands on pro rata basis; limitation on payments; priority of use of net revenues

Subject to conditions hereafter prescribed, and pursuant to such regulations as may be issued by the Secretary, 25 per centum of the net revenues collected during each fiscal year from the leasing of Klamath project reserved Federal lands within the Executive order boundaries of the Lower Klamath National Wildlife Refuge and the Tule Lake National Wildlife Refuge shall be paid annually by the Secretary, without further authorization, for each full fiscal year after September 2, 1964 to the counties in which such refuges are located, such payments to be made on a pro rata basis to each county based upon the refuge acreage in each county: *Provided*, That the total annual payment per acre to each county shall not exceed 50 per centum of the average per acre tax levied on similar lands in private ownership in each county, as determined by the Secretary: *Provided further*, That no such payments shall be made which will reduce the credits or the payments to be made pursuant to contractual obligations of the United States with the Tululake Irrigation District or the payments to the Klamath Drainage District as full reimbursement for the construction of irrigation facilities within said district, and that the priority of use of the total net revenues collected from the leasing of the lands described in this section shall be (1) to credit or pay from each revenues to the Tululake Irrigation District the amounts already committed to such payment or credit; (2) to pay from such revenues to the Klamath Drainage District the sum of \$197,315; and (3) to pay from such revenues to the counties the amounts prescribed by this section.

(Pub. L. 88-567, § 3, Sept. 2, 1964, 78 Stat. 850.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 695r of this title.

§ 695n. Leases of Lower Klamath and Tule Lake National Wildlife Refuge reserved lands; management of other reserved public lands for waterfowl purposes

The Secretary shall, consistent with proper waterfowl management, continue the present pattern of leasing the reserved lands of the Klamath Straits unit, the Southwest Sump, the League of Nations unit, the Henzel lease, and the Frog Pond unit, all within the Executive order boundaries of the Lower Klamath and Tule Lake National Wildlife Refuges and shown in plate 4 of the report entitled "Plan for Wildlife Use of Federal Lands in the Upper Klamath Basin, Oregon-California," dated April 1956. Leases for these lands shall be at a price or prices designed to obtain the maximum lease revenues. The leases shall provide for the growing of grain, forage, and soil-building crops, except that not more than 25 per centum of the total leased lands may be planted to row crops. All other reserved public lands included in section 695l of this title shall continue to be managed by the Secretary for waterfowl purposes, including the growing of agricultural crops by direct planting and sharecrop agreements with local cooperators where necessary.

(Pub. L. 88-567, § 4, Sept. 2, 1964, 78 Stat. 851.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 695r of this title.

§ 695o. Limitation on reduction of areas by diking or other construction

The areas of sumps 1(a) and 1(b) in the Klamath project lying within the Executive order boundaries of the Tule Lake National Wildlife Refuge shall not be reduced by diking or by any other construction to less than the existing thirteen thousand acres.

(Pub. L. 88-567, § 5, Sept. 2, 1964, 78 Stat. 851.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 695r of this title.

§ 695p. Regulation of waters to maintain sump levels

In carrying out the obligations of the United States under any migratory bird treaty, the Migratory Bird Treaty Act (40 Stat. 755), as amended [16 U.S.C. 703 et seq.], or the Migratory Bird Conservation Act (45 Stat. 1222), as amended [16 U.S.C. 715 et seq.], waters under the control of the Secretary of the Interior shall be regulated, subject to valid existing rights, to maintain sump levels in the Tule Lake National Wildlife Refuge at levels established by regulations issued by the Secretary pursuant to the contract between the United States and the Tululake Irrigation District, dated September 10, 1956, or any amendment thereof. Such regulations shall accommodate to the maximum extent practicable waterfowl management needs.

(Pub. L. 88-567, § 6, Sept. 2, 1964, 78 Stat. 851.)

REFERENCES IN TEXT

The Migratory Bird Treaty Act (40 Stat. 755), as amended, referred to in text, is act July 3, 1918, ch. 128, 40 Stat. 755, as amended, which is classified generally to subchapter II of chapter 7 (§703 et seq.) of this title. For complete classification of this Act to the Code, see section 710 of this title and Tables.

The Migratory Bird Conservation Act (45 Stat. 1222), as amended, referred to in text, is act Feb. 18, 1929, ch. 257, 45 Stat. 1222, as amended, which is classified generally to subchapter III (§715 et seq.) of chapter 7 of this title. For complete classification of this Act to the Code, see section 715 of this title and Tables.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 695r of this title.

§ 695q. Research studies on Clear Lake Refuge; report to Congress

The Secretary is hereby directed to complete studies that have been undertaken relating to the development of the water resources and waterfowl management potential of the Clear Lake National Wildlife Refuge. The results of such studies, when completed, and the recommendations of the Secretary shall be submitted to the Congress.

(Pub. L. 88-567, §7, Sept. 2, 1964, 78 Stat. 851.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 695r of this title.

§ 695r. Regulations by Secretary

The Secretary may prescribe such regulations as may be necessary to carry out the provisions of sections 695k to 695r of this title.

(Pub. L. 88-567, §8, Sept. 2, 1964, 78 Stat. 851.)

§ 696. National Key Deer Refuge; establishment; acquisition of property; exchanges, cash equalization payments; administration

In order to protect and preserve in the national interest the key deer and other wildlife resources in the Florida Keys, the Secretary of the Interior is authorized to acquire by purchase, lease, exchange, and donations, including the use of donated funds, such lands or interests therein in townships 65 and 66 south, ranges 28, 29, and 30 east, Monroe County, Florida, as he shall find to be suitable for the conservation and management of the said key deer and other wildlife: *Provided*, That no lands within a one thousand-foot zone adjacent to either side of United States Highway Numbered 1 in Monroe County shall be acquired for the Key Deer National Wildlife Refuge by condemnation. The Secretary, in the exercise of his exchange authority, may accept title to any non-Federal property in townships 65 and 66 south, ranges 28, 29, and 30 east, Monroe County, Florida, and in exchange therefor convey to the grantor of such property any federally owned property in the State of Florida under his jurisdiction which he classifies as suitable for exchange or other disposal. The values of the properties so exchanged either shall be approximately equal, or if they are not approximately equal the values shall be equalized by the payment of cash to the grantor or to the Secretary as the circumstances require. The properties so acquired shall con-

stitute the National Key Deer Refuge, and shall be administered by the Secretary of the Interior in accordance with the laws and regulations relating to the national wildlife refuges, including, but not limited to, sections 664, 666a, and 666b of this title, relating to the conservation of wildlife, fish, and game.

(Pub. L. 85-164, §1, Aug. 22, 1957, 71 Stat. 412; Pub. L. 89-669, §10(a), Oct. 15, 1966, 80 Stat. 930.)

AMENDMENTS

1966—Pub. L. 89-669 struck out one thousand acres limitation on acquisition of property, substituted prohibition against condemnation of lands within a one thousand-foot zone adjacent to either side of U.S. Highway Numbered 1 for the Key Deer National Wildlife Refuge for former prohibition against condemnation of lands on an island that is traversed at any point by U.S. Highway Numbered 1, and required cash equalization payment when making unequal exchanges of properties.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 696a, 696b of this title.

§ 696a. Acquisition of title to properties for National Key Deer Refuge; rights-of-way and easements

In furtherance of the aforesaid purposes, the Secretary may take such action and make such expenditures as he shall find to be necessary in order to secure satisfactory title in the United States to such properties, including the payment of expenses incidental to the location, examination, and survey of such lands and the acquisition of title thereto; but no payment shall be made for any such lands until the title thereto shall be satisfactory to the Attorney General: *Provided*, That the acquisition of such lands or interests therein by the United States shall in no case be defeated because of rights-of-ways, easements, exceptions, and reservations which, in the opinion of the Secretary of the Interior, will not interfere materially with the use of such properties for the purposes of sections 696 to 696b of this title.

(Pub. L. 85-164, §2, Aug. 22, 1957, 71 Stat. 412.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 696b of this title.

§ 696b. Authorization of appropriations; limitation

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 effectuate the purposes of sections 696 to 696b of this title. The Secretary shall not utilize more than \$2,035,000 from appropriated funds for the acquisition of land and interests in land for the purposes of sections 696 to 696b of this title.

(Pub. L. 85-164, §3, Aug. 22, 1957, 71 Stat. 413; Pub. L. 89-669, §10(b), Oct. 15, 1966, 80 Stat. 930.)

AMENDMENTS

1966—Pub. L. 89-669 increased from \$35,000 to \$2,035,000 the limitation on funds for acquisition of land, provided for such acquisition ‘for the purposes of sections 696 to 696b of this title’, and struck out sentence which pro-