

and is classified to sections 668dd and 668ee of this title. For further details, see Short Title note set out under section 668dd of this title.

#### CODIFICATION

Section was formerly set out as a note under section 742f of this title.

#### AMENDMENTS

2011—Pub. L. 111-357, §3(1), substituted “National Volunteer Coordination Program” for “Projects” in section catchline.

Par. (1). Pub. L. 111-357, §3(2), amended par. (1) generally. Prior to amendment, text read as follows: “Subject to the availability of appropriations, the Secretary of the Interior shall carry out a project at 2 or more national wildlife refuges or complexes of geographically related refuges in each United States Fish and Wildlife Service region.”

Par. (2). Pub. L. 111-357, §3(3), amended par. (2) generally. Prior to amendment, text read as follows: “Each project shall provide for the employment of a full-time volunteer coordinator for the refuge or complex of geographically related refuges. The volunteer coordinator shall be responsible for recruiting, training, and supervising volunteers. The volunteer coordinator may be responsible for assisting partner organizations in developing projects and programs under cooperative agreements under section 742f(d) of this title and coordinating volunteer activities with partner organizations to carry out the projects and programs.”

Par. (3). Pub. L. 111-357, §4(b), redesignated par. (4) as (3) and struck out former par. (3) relating to reports.

Par. (4). Pub. L. 111-357, §4(b), redesignated par. (4) as (3).

Pub. L. 111-357, §3(4), substituted “for each fiscal year through fiscal year 2014” for “for for each fiscal year through fiscal year 2009”.

2004—Pub. L. 108-327, §3(1), struck out “Pilot” before “Projects” in section catchline.

Par. (1). Pub. L. 108-327, §3(2), (3), substituted “project” for “pilot project” and struck out “, but not more than 20 pilot projects nationwide” before period at end.

Par. (2). Pub. L. 108-327, §3(2), substituted “project” for “pilot project”.

Par. (3). Pub. L. 108-327, §3(4), substituted “after October 16, 2004, and every 3 years thereafter” for “after October 5, 1998” and “projects” for “pilot projects”.

Par. (4). Pub. L. 108-327, §3(5), substituted “for each fiscal year through fiscal year 2009” for “each of fiscal years 1999 through 2002”.

### § 742g. Cooperation with State Department

#### (a) Representation at international meetings

The Secretary shall cooperate to the fullest practicable extent with the Secretary of State in providing representation at all meetings and conferences relating to fish and wildlife in which representatives of the United States and foreign countries participate.

The Secretary of State shall designate the Secretary of the Interior or the Assistant Secretary for Fish and Wildlife, or a person designated by the Secretary of the Interior to represent the Department of the Interior, as a member of the United States delegation attending such meetings and conferences and also as a member of the negotiating team of any such delegation.

#### (b) Consultation with officials responsible for technical and economic aid

The Secretary of State and all other officials having responsibilities in the fields of technical and economic aid to foreign nations shall con-

sult with the Secretary in all cases in which the interests of fish and wildlife are involved, with a view to assuring that such interests are adequately represented at all times.

#### (c) International negotiations

Notwithstanding any other provision of law, the Secretary shall be represented in all international negotiations conducted by the United States pursuant to section 1351 of title 19, in any case in which fish products are directly affected by such negotiations.

#### (d) Consultation with governmental, private nonprofit, and other organizations

The Secretary shall consult periodically with the various governmental, private nonprofit, and other organizations and agencies which have to do with any phase of fish and wildlife with respect to any problems that may arise in connection with such fish and wildlife.

(Aug. 8, 1956, ch. 1036, §8, 70 Stat. 1123.)

#### TRANSFER OF FUNCTIONS

Transfer of functions to Secretary of Commerce from Secretary of the Interior by Reorg. Plan No. 4 of 1970, eff. Oct. 3, 1970, 35 F.R. 15627, 84 Stat. 2090, see note set out under section 742b of this title.

### § 742h. Reports on fishery products

(a) Repealed. Pub. L. 96-470, title I, §103(a), Oct. 19, 1980, 94 Stat. 2237.

(b) The Secretary is authorized to make a report to the President and the Congress, and, when requested by the United States International Trade Commission in connection with section 1364 of title 19, or when an investigation is made under the Tariff Act of 1930 (19 U.S.C. 1332), the Secretary is authorized to make a report to such Commission, concerning the following matters with respect to any fishery product which is imported into the United States, or such reports may be made upon a request from any segment of the domestic industry producing a like or directly competitive product—

(1) whether there has been a downward trend in the production, employment in the production, or prices, or a decline in the sales, of the like or directly competitive product by the domestic industry; and

(2) whether there has been an increase in the imports of the fishery products into the United States, either actual or relative to the production of the like or directly competitive product produced by the domestic industry.

(Aug. 8, 1956, ch. 1036, §9, 70 Stat. 1123; Pub. L. 93-618, title I, §171(b), Jan. 3, 1975, 88 Stat. 2009; Pub. L. 96-470, title I, §103(a), Oct. 19, 1980, 94 Stat. 2237.)

#### REFERENCES IN TEXT

Section 1364 of title 19, referred to in subsec. (b), was repealed by Pub. L. 87-794, title II, §257(e)(1), Oct. 11, 1962, 76 Stat. 882.

#### AMENDMENTS

1980—Subsec. (a). Pub. L. 96-470 struck out subsec. (a) which required Secretary of the Interior to make an annual report to Congress with respect to activities of United States Fish and Wildlife Service under this Act, accompanied by appropriate legislative recommendations.

1975—Subsec. (b). Pub. L. 93-618 substituted “United States International Trade Commission” for “United States Tariff Commission”.

#### TRANSFER OF FUNCTIONS

Transfer of functions to Secretary of Commerce from Secretary of the Interior by Reorg. Plan No. 4 of 1970, eff. Oct. 3, 1970, 35 F.R. 15627, 84 Stat. 2090, see note set out under section 742b of this title.

### § 742i. Effect on rights of States and international commissions

Nothing in this Act shall be construed (1) to interfere in any manner with the rights of any State under the Submerged Lands Act [43 U.S.C. 1301 et seq.] or otherwise provided by law, or to supersede any regulatory authority over fisheries exercised by the States either individually or under interstate compacts; or (2) to interfere in any manner with the authority exercised by any International Commission established under any treaty or convention to which the United States is a party.

(Aug. 8, 1956, ch. 1036, § 10, 70 Stat. 1124.)

#### REFERENCES IN TEXT

This Act, referred to in text, is act Aug. 8, 1956, ch. 1036, 70 Stat. 1119, as amended, known as the Fish and Wildlife Act of 1956, which is classified generally to sections 742a to 742d and 742e to 742j-2 of this title. For complete classification of this Act to the Code, see Short Title note set out under section 742a of this title and Tables.

The Submerged Lands Act, referred to in text, is act May 22, 1953, ch. 65, 67 Stat. 29, as amended, which is classified generally to subchapters I and II (§§ 1301 et seq., 1311 et seq.) of chapter 29 of Title 43, Public Lands. For complete classification of this Act to the Code, see Short Title note set out under section 1301 of Title 43 and Tables.

### § 742j. Authorization of appropriations

There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act.

(Aug. 8, 1956, ch. 1036, § 11, 70 Stat. 1124.)

#### REFERENCES IN TEXT

This Act, referred to in text, is act Aug. 8, 1956, ch. 1036, 70 Stat. 1119, as amended, known as the Fish and Wildlife Act of 1956, which is classified generally to sections 742a to 742d and 742e to 742j-2 of this title. For complete classification of this Act to the Code, see Short Title note set out under section 742a of this title and Tables.

### § 742j-1. Airborne hunting

#### (a) Prohibition; penalty

Any person who—

- (1) while airborne in an aircraft shoots or attempts to shoot for the purpose of capturing or killing any bird, fish, or other animal; or
- (2) uses an aircraft to harass any bird, fish, or other animal; or
- (3) knowingly participates in using an aircraft for any purpose referred to in paragraph (1) or (2);

shall be fined not more than \$5,000 or imprisoned not more than one year, or both.

#### (b) Exception; report of State to Secretary

(1) This section shall not apply to any person if such person is employed by, or is an author-

ized agent of or is operating under a license or permit of, any State or the United States to administer or protect or aid in the administration or protection of land, water, wildlife, livestock, domesticated animals, human life, or crops, and each such person so operating under a license or permit shall report to the applicable issuing authority each calendar quarter the number and type of animals so taken.

(2) In any case in which a State, or any agency thereof, issues a permit referred to in paragraph (1) of this subsection, it shall file with the Secretary of the Interior an annual report containing such information as the Secretary shall prescribe, including but not limited to—

(A) the name and address of each person to whom a permit was issued;

(B) a description of the animals authorized to be taken thereunder, the number of animals authorized to be taken, and a description of the area from which the animals are authorized to be taken;

(C) the number and type of animals taken by such person to whom a permit was issued; and

(D) the reason for issuing the permit.

#### (c) “Aircraft” defined

As used in this section, the term “aircraft” means any contrivance used for flight in the air.

#### (d) Enforcement; regulations; arrest; search; issuance and execution of warrants and process; cooperative agreements

The Secretary of the Interior shall enforce the provisions of this section and shall promulgate such regulations as he deems necessary and appropriate to carry out such enforcement. Any employee of the Department of the Interior authorized by the Secretary of the Interior to enforce the provisions of this section may, without warrant, arrest any person committing in his presence or view a violation of this section or of any regulation issued hereunder and take such person immediately for examination or trial before an officer or court of competent jurisdiction; may execute any warrant or other process issued by an officer or court of competent jurisdiction for the enforcement of the provisions of this section; and may, with or without a warrant, as authorized by law, search any place. The Secretary of the Interior is authorized to enter into cooperative agreements with State fish and wildlife agencies or other appropriate State authorities to facilitate enforcement of this section, and by such agreements to delegate such enforcement authority to State law enforcement personnel as he deems appropriate for effective enforcement of this section. Any judge of any court established under the laws of the United States, and any United States magistrate judge may, within his respective jurisdiction, upon proper oath or affirmation showing probable cause, issue warrants in all such cases.

#### (e) Forfeiture

All birds, fish, or other animals shot or captured contrary to the provisions of this section, or of any regulation issued hereunder, and all guns, aircraft, and other equipment used to aid in the shooting, attempting to shoot, capturing, or harassing of any bird, fish, or other animal in violation of this section or of any regulation is-