

(Pub. L. 103-322, title XXXII, § 320804, Sept. 13, 1994, 108 Stat. 2122.)

**§ 5204. Relationship to State and local law and civil actions**

This chapter does not preempt a State law or local ordinance that provides for civil or criminal penalties for conduct that violates this chapter.

(Pub. L. 103-322, title XXXII, § 320805, Sept. 13, 1994, 108 Stat. 2122.)

**§ 5205. Regulations**

The Secretary may issue such regulations as are necessary to carry out this chapter.

(Pub. L. 103-322, title XXXII, § 320806, Sept. 13, 1994, 108 Stat. 2122.)

**§ 5206. Rule of construction**

Nothing in this chapter shall be construed to impair a right guaranteed to a person under the first article of amendment to the Constitution or limit any legal remedy for forceful interference with a person's lawful participation in speech or peaceful assembly.

(Pub. L. 103-322, title XXXII, § 320807, Sept. 13, 1994, 108 Stat. 2122.)

**§ 5207. Definitions**

As used in this chapter:

**(1) Federal lands**

The term “Federal lands” means—

- (A) national forests;
- (B) public lands;
- (C) national parks; and
- (D) wildlife refuges.

**(2) Lawful hunt**

The term “lawful hunt” means the taking or harvesting (or attempted taking or harvesting) of wildlife or fish, on Federal lands, which—

- (A) is lawful under the laws applicable in the place it occurs; and
- (B) does not infringe upon a right of an owner of private property.

**(3) National forest**

The term “national forest” means lands included in the National Forest System (as defined in section 1609(a) of this title).

**(4) National park**

The term “national park” means lands and waters included in the National Park System (as defined in section 100501 of title 54).

**(5) Public lands**

The term “public lands” has the same meaning as is provided in section 1702(e) of title 43.

**(6) Secretary**

The term “Secretary” means—

- (A) the Secretary of Agriculture with respect to national forests; and
- (B) the Secretary of the Interior with respect to—
  - (i) public lands;
  - (ii) national parks; and

(iii) wildlife refuges.

**(7) Wildlife refuge**

The term “wildlife refuge” means lands and waters included in the National Wildlife Refuge System (as established by section 668dd of this title).

**(8) Conduct**

The term “conduct” does not include speech protected by the first article of amendment to the Constitution.

(Pub. L. 103-322, title XXXII, § 320808, Sept. 13, 1994, 108 Stat. 2122.)

CODIFICATION

In par. (4), “section 100501 of title 54” substituted for “section 2(a) of the Act entitled ‘An Act to facilitate the management of the National Park System and miscellaneous areas administered in connection with that system, and for other purposes’, approved August 8, 1953 (16 U.S.C. 1c(a))” on authority of Pub. L. 113-287, § 6(e), Dec. 19, 2014, 128 Stat. 3272, which Act enacted Title 54, National Park Service and Related Programs.

**CHAPTER 73—RHINOCEROS AND TIGER CONSERVATION**

Sec. 5301.	Findings.
5302.	Purposes.
5303.	Definitions.
5304.	Rhinoceros and tiger conservation assistance.
5305.	Acceptance and use of donations.
5305a.	Prohibition on sale, importation, or exportation of products labeled or advertised as rhinoceros or tiger products.
5305b.	Educational outreach program.
5305c.	Advisory group.
5306.	Authorization of appropriations.

**§ 5301. Findings**

The Congress finds the following:

(1) The world's rhinoceros population is declining at an alarming rate, a 90 percent decline since 1970.

(2) All 5 subspecies of tiger are currently threatened with extinction in the wild, with approximately 5,000 to 6,000 tigers remaining worldwide.

(3) All rhinoceros species have been listed on Appendix I of CITES since 1977.

(4) All tiger subspecies have been listed on Appendix I of CITES since 1987.

(5) The tiger and all rhinoceros species, except the southern subspecies of white rhinoceros, are listed as endangered species under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.).

(6) In 1987, the parties to CITES adopted a resolution that urged all parties to establish a moratorium on the sale and trade in rhinoceros products (other than legally taken trophies), to destroy government stockpiles of rhinoceros horn, and to exert pressure on countries continuing to allow trade in rhinoceros products.

(7) On September 7, 1993, under section 1978 of title 22 the Secretary certified that the People's Republic of China and Taiwan were engaged in trade of rhinoceros parts and tiger parts that diminished the effectiveness of an international conservation program for that endangered species.