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employees, the proceeds from such resales to be credited to the appropriation from which the expenditure for such supplies was made; and appropriations of the Civil Aeronautics Administration and the Weather Bureau, available for travel, shall be available for the travel expenses of appointees of said agencies from the point of engagement in the United States to their posts of duty at any point outside the continental limits of the United States or in Alaska.

Travel expenses of appointees.

This title may be cited as the "Department of Commerce Appropriation Act, 1944".

Citation of title.

TITLE IV—GENERAL PROVISIONS

SEC. 401. No part of any appropriation contained in this Act shall be used to pay in excess of $2 per volume for the current and future volumes of the United States Code Annotated or in excess of $3.25 per volume for the current or future volumes of the Lifetime Federal Digest.

U. S. Code Annotated; Lifetime Federal Digest.

SEC. 402. No part of any appropriation contained in this Act shall be paid to any person for the filling of any position for which he or she has been nominated after the Senate has voted not to approve of the nomination of said person.

Senate disapproval of nomination, effect.

SEC. 403. No part of any appropriation contained in this Act shall be used to pay the salary or wages of any person who advocates, or who is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence: *Provided*, That for the purposes hereof an affidavit shall be considered prima facie evidence that the person making the affidavit does not advocate, and is not a member of an organization that advocates, the overthrow of the Government of the United States by force or violence: *Provided further*, That any person who advocates, or who is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence and accepts employment, the salary or wages for which are paid from any appropriation contained in this Act, shall be guilty of a felony and, upon conviction, shall be fined not more than $1,000 or imprisoned for not more than one year, or both: *Provided further*, That the above penalty clause shall be in addition to, and not in substitution for, any other provisions of existing law.

Persons advocating overthrow of U. S. Government.

Affidavit.

Penalty.

SEC. 404. This Act may be cited as the "Departments of State, Justice, and Commerce Appropriation Act, 1944".

Short title.

Approved July 1, 1943.

[CHAPTER 183]

AN ACT

To revise the Alaska game law.

July 1, 1943
[H. R. 332]
[Public Law 106]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That an Act entitled "An Act to establish an Alaska Game Commission, to protect game animals, land fur-bearing animals, and birds in Alaska, and for other purposes", approved January 13, 1925, as amended, is further amended to read as follows:

Alaska Game Law.

43 Stat. 739.
48 U. S. C. §§ 192-211.

"SEC. 2. DEFINITIONS.—That for the purposes of this Act the following shall be construed, respectively, to mean:

"Commission: The Alaska Game Commission.

"Secretary: The Secretary of the Interior.

"Director: Director, Fish and Wildlife Service, Department of the Interior.

"Executive Officer: Executive officer, Alaska Game Commission.

"Territory: Territory of Alaska.

"Person: The plural or the singular, as the case demands, including individuals, associations, partnerships, and corporations, unless the context otherwise requires.

"Indians: Natives of one-half or more Indian blood.

"Eskimo: Natives of one-half or more Eskimo blood.

"Take: Taking, pursuing, disturbing, hunting, capturing, trapping, or killing game animals, fur animals, game or nongame birds, or game fishes; attempting to take, pursue, disturb, hunt, capture, trap, or kill such animals, birds, or game fishes, or setting or using a net, trap, or other device for taking them, or collecting the nests or eggs of such birds, unless the context otherwise requires. Whenever the taking of animals, birds, or nests or eggs of birds, or game fishes is permitted, reference is had to taking by lawful means and in lawful manner.

"Open season: The time during which animals, birds, or game fishes may lawfully be taken. Each period of time prescribed as an open season shall be construed to include the first and last days thereof.

"Closed season: The time during which animals, birds, or game fishes may not be taken.

"Transport: Shipping, transporting, carrying, importing, exporting, or receiving or delivering for shipment, transportation, carriage, or export, unless the context otherwise requires.

"Game animals: Deer, moose, caribou, elk, mountain sheep, mountain goat, bison, muskox, and the large brown, grizzly, and black bears, which shall be known also as big game, and such other animals as the Secretary has or shall declare, as hereinafter provided, to be game animals, to be known also as big game if so designated in the declaration, including those that have been or may hereafter be transplanted, introduced, or reintroduced into the Territory, or any part thereof.

"Fur animals: Beaver, muskrat, marmot, racoon, pika, hare or rabbit, squirrel, fisher, fox, lynx, marten or sable, mink, weasel or ermine, sea otter, land otter, wolverine, coyote, wolf, and polar bear, and such other animals as have been or may hereafter be transplanted, introduced, or reintroduced into the Territory, or any part thereof, and found and declared by the Secretary to be fur animals: *Provided*, That whenever the Secretary shall find that in any section of Alaska any animal is predominantly taken as a game rather than as a fur animal, or is predominantly taken as a fur animal rather than as a game animal, he shall so declare and then and therefter, so long as such declaration remains in effect, such animal in the specified section of Alaska shall be considered to be a game animal or fur animal as the case may be, to the same extent as if it had been expressly included in the foregoing definitions of game and fur animals.

Fur animal or game animal. Declaration.

"Game birds: Anatidae, commonly known as waterfowl, including ducks, geese, brant, and swans; Haematopodidae, Charadriidae, Scolopacidae, and Phalaropodidae, commonly known as shorebirds, including oyster-catchers, plover, sandpipers, snipe, curlew, and phalaropes; Gruidae, commonly known as crane; and the several species of grouse and ptarmigan, and such other birds as have been or may hereafter be transplanted, introduced, or reintroduced into the Territory, or any part thereof, and found and declared by the Secretary to be game birds.

"Nongame birds: All wild birds except game birds.

"Hunting: The taking, as herein defined, of game animals, game birds, and nongame birds.

"Trapping: The taking, as herein defined, of fur animals.

"Game fishes: Rainbow, steelhead, cutthroat, eastern brook, and Dolly Varden trout, and grayling, and such other fishes as the Secretary may declare, from time to time, to be game fishes.

Required residence period.

"SEC. 3. RESIDENCE AND CITIZENSHIP.—That for the purposes of this Act a citizen or a national of the United States who has resided in the Territory for a continuous period of twelve months immediately preceding his claim for resident hunting, trapping, fishing, or other privileges under this Act, or a person not a citizen or a national of the United States who has in good faith declared his intention to become a citizen of the United States, whose declaration of intention is in good standing, and who has resided in the Territory for a like period, shall be considered a resident: *Provided*, *however*, That whenever the Secretary shall determine the fur resources of Alaska are threatened by hunting or trapping, or from other causes, he may, in his discretion and for such periods as he shall determine, extend the required residence period in the Territory from twelve months to three years as a prerequisite to obtaining a resident trapping license; a citizen or a national of the United States who has not resided in the Territory for a continuous period of twelve months, or for the extended period of three years, as the case may be, immediately preceding his claim for resident privileges shall be considered a nonresident; and a person not a citizen or a national of the United States who is not a resident of the Territory, as defined in this section, shall be considered an alien.

Extension.

Nonresident.

Alien.

"SEC. 4. ALASKA GAME COMMISSION CREATED.—That a Commission to be known as the Alaska Game Commission is hereby created. The Commission shall consist of an executive officer and four other members. The executive officer of the Commission shall be the representative of the Fish and Wildlife Service of the Department of the Interior, designated by the Director to occupy that position, and he shall provide for the due administration of the functions of the Commission under this Act. The other four members of the Commission shall be appointed by the Secretary to serve for four years unless sooner removed: *Provided*, That the present members of the Alaska Game Commission appointed pursuant to section 4 of the Act of January 13, 1925 (43 Stat. 739), are hereby made the appointed members of the Alaska Game Commission as reorganized and continued hereunder, each to serve a term of office equal to the unexpired term of his office as a member of the Alaska Game Commission under the provisions of the Act of January 13, 1925. Each member of the Commission appointed by the Secretary shall be a resident citizen of the judicial division from which he is appointed and shall have been a resident of Alaska for at least five years before his appointment, but not more than one resident of a judicial division shall serve on the Commission at one time, and no Federal or Territorial employee shall be appointed as a member of the Commission. The Secretary may remove a commissioner for inefficiency, neglect of duty, or misconduct in office, giving him a copy of the charges against him and opportunity to be publicly heard in person or by counsel in his own defense; pending the investigation of the charges, the Secretary may suspend such commissioner. The Secretary shall fill vacancies on the Commission by appointment for the unexpired term, and a vacancy shall be filled by appointment from the same judicial division in which it occurs. The office of any commissioner shall be vacant upon his removing his residence from the judicial division from which he was appointed.

Executive officer.

Status of present members.
43 Stat. 740.
48 U. S. C. §§ 208-211.

Qualifications.

Removals.

Vacancies.

Compensation.

"Members of the Commission, other than the executive officer, shall receive no compensation for their services as members thereof, except a per diem of $10 for each member for each day going to and from and in actual attendance at meetings of the Commission, but the total salary or per diem compensation of the member from the second judicial division shall not exceed the sum of $1,500, and that of any of the other members, except the executive officer, the sum of $900 in any one fiscal year, and each such member in addition shall have reimbursed to him actual and necessary traveling and subsistence expenses incurred or made in the discharge of his official duties, in accordance with the fiscal regulations of the Department of the Interior, which shall be paid on proper vouchers from the appropriation for the enforcement of the Alaska game law. The executive officer shall be paid his salary and shall have reimbursed to him all actual and necessary traveling and other expenses and disbursements in accordance with the fiscal regulations of the Department of the Interior from the appropriation for the enforcement of the Alaska game law and from such other appropriations for the work of the Fish and Wildlife Service in the Territory as the Director may designate.

Reimbursement of expenses.

Pay, etc., of executive officer.

Principal office.

"The Commission shall maintain and have its principal office in the capital of the Territory.

Quorum; investigations; orders.

"A majority of the members shall constitute a quorum for the transaction of business. All investigations, inquiries, hearings, and decisions of a commissioner shall be deemed to be the investigations, inquiries, hearings, and decisions of the Commission, when approved by it and entered by it in its minutes, and every order made by a commissioner, when approved and confirmed by the Commission and ordered filed in its office, shall be, and be deemed to be the order of the Commission. The Commission shall have an official seal.

Seal.

Power to arrest.

"SEC. 5. DUTIES AND POWERS OF THE COMMISSION, WILDLIFE AGENTS, AND OTHER PERSONS.—That each member of the Commission, any employee of the Department of the Interior authorized by the Secretary to enforce this Act, any marshal, deputy marshal, collector or deputy collector of customs, shall have power, in or out of the Territory, and it shall be his duty to arrest without warrant any person committing a violation of this Act in his presence or view, and to take such person immediately for examination or trial before an officer or court of competent jurisdiction; he shall have power to execute any warrant or other process issued by an officer or court of competent jurisdiction for the enforcement of the provisions of this Act; and he shall have authority, with a search warrant, to search any place at any time. Any officer or other person empowered to enforce this Act shall have authority without warrant to search any camp, camp outfit, fish creel, pack or pack animals, automobile, aircraft, wagon, or other vehicle, sled, or any boat, vessel, or other craft in the territorial waters of the United States, or any boat, vessel, or other craft of the United States on the high seas when such officer or employee has reasonable cause to believe that such camp, camp outfit, fish creel, pack or pack animals, automobile, aircraft, wagon, or other vehicle, sled, boat, vessel, or other craft has therein or thereon any of the animals, birds, or fishes, or parts thereof, or nests or eggs of birds, protected by this Act taken, possessed, sold, intended for sale, or transported contrary to law. The several judges of the courts established under the laws of the United States and United States commissioners may, within their respective jurisdictions, upon proper oath or affirmation showing probable cause, issue warrants in all such cases. All guns, traps, nets, fishing tackle, boats, aircraft, wagons or other vehicles, dogs, sleds, and other paraphernalia used

Execution of warrants.

Authority to search.

Issuance of warrants.

Seizure of paraphernalia, etc.

in or in aid of a violation of this Act may be seized, and all animals, birds, game fishes, or parts thereof, or nests or eggs of birds, taken, transported, or possessed contrary to the provisions of this Act shall be seized within or outside the Territory by any officer or person authorized to enforce this Act, and upon conviction of the offender or upon judgment of a court of the United States that the same were being used or were taken, transported, or possessed in violation of this Act, shall be forfeited to the United States and disposed of as directed by the court having jurisdiction, and if sold the proceeds of sale shall be transmitted by the clerk of the court to the executive officer to be disposed of as provided in subdivision K of section 10 of this Act. It shall be the duty of the Secretary of the Treasury and the Postmaster General, upon request of the Secretary of the Interior, to aid in carrying out the provisions of this Act.

Forfeiture and disposal.

Proceeds of sale.

Post, p. 309.

Assistance of Treasury and Post Office officials.

"SEC. 6. BOND OF EMPLOYEES.—That before entering upon the duties of his office, the executive officer shall execute and file with the Secretary a bond to the people of the United States in the sum of $1,000, with sufficient sureties, and each wildlife agent or other person authorized by the executive officer to sell licenses shall so file such a bond in the sum of $500, conditioned for the faithful performance of their respective duties, and for the proper accounting and paying over, pursuant to law, of all moneys or property received by them, respectively. Each person so bonded shall have reimbursed to him on proper voucher the premium paid by him on his bond.

Reimbursement of premium.

"SEC. 7. TAKING OF ANIMALS, BIRDS, AND GAME FISHES RESTRICTED.—That, unless and except as permitted by this Act or by regulations made pursuant to this Act, it shall be unlawful for any person to take, possess, transport, sell, offer to sell, purchase, or offer to purchase any game animal, fur animal, game fish, game bird, nongame bird, or any part thereof, or any nest or egg of any such bird, or to molest, damage, or destroy beaver or muskrat houses: *Provided*, That nothing in this Act shall be construed to prevent the collection or exportation of such animals, game fishes, birds, parts thereof, or nests or eggs of birds, for scientific or educational purposes, or of live animals, game fishes, birds, or eggs of birds, for propagation or exhibition purposes, under a permit issued by the Director, pursuant to regulations hereinafter authorized to be adopted by the Secretary. Fur or game animals and game birds which escape from captivity, unless recaptured by their owners in accordance with regulations prescribed by the Secretary, and all fur and game animals and game birds which have been or may hereafter be transplanted, introduced, or reintroduced into the Territory, or any part thereof, are declared to be wild fur or game animals or game birds, as the case may be, and shall be subject to the provisions of this Act.

Unlawful acts.

Collection or exportation for scientific, etc., purposes.

Escaped animals, etc., declared wild.

"SEC. 8. POISON, USE PROHIBITED.—That no person shall at any time use any poison to kill any animal or bird protected by this Act or put out poison or a poisoned bait where any such animal or bird may come in contact with it; but a wildlife agent or predatory animal hunter may use poison to kill wolves, coyotes, or wolverines, under such regulations as the Commission may adopt; and no person shall sell or give any strychnine or other poison designated by the Commission to any hunter or trapper. No hunter or trapper shall have any strychnine or other poison designated by the Commission in his possession, and any such poison found in the possession of any such person shall be seized and disposed of in such manner as the Commission may determine. Any person selling or otherwise disposing of any strychnine or any other poison designated by the Commission shall keep a record in a special book showing the name and address of each person purchasing or otherwise procuring it and the kind

Exception.

Seizure; disposal.

Record of sales.

and amount thereof, which record shall at all times be open to inspection by any wildlife agent or other officer authorized to enforce this Act, and he shall transmit such information monthly to the Commission.

Regulations for taking game, etc.

"SEC. 9. REGULATIONS.—That the Secretary, upon consultation with or recommendation from the Commission, is hereby authorized and directed from time to time to determine when, to what extent, if at all, and by what means game animals, fur animals, game birds, nongame birds, and nests or eggs of birds, and game fishes may be taken, possessed, transported, bought, or sold, and to adopt suitable regulations permitting and governing the same in accordance with such determinations, which regulations shall become effective on the date specified therein; but no such regulations shall permit any person to take any female yearling or calf moose, any fawn deer, or any female or lamb mountain sheep except under permit for scientific, propagation, exhibition, or educational purposes; or to use any dog in taking game animals; or to sell the heads, hides, or horns of any game animals, except the hides of moose, caribou, deer, and mountain goat, or skins of black bear, which the regulations may permit to be sold under such restrictions as said Secretary may deem to be appropriate; or to use any shotgun larger than a number 10 gage; or to use any aircraft, or steam or power launch, or any boat other than one propelled by paddle, oars, or pole, in taking game animals or game birds; or to sell any game animals, game birds, or parts thereof to the owner, master, or employee of any coastal or river steamer or commercial power or sailboat, or to procure for serving or to serve any such game animals, game birds, or parts thereof in any cannery or to the employees on any such steamer or boat; nor, except as herein provided, shall prohibit any Indian or Eskimo, prospector, or traveler to take animals, birds, or game fishes during the closed season when he is in need of food and other sufficient food is not available, but the shipment or sale of any animals, birds, or game fishes, or parts thereof so taken shall not be permitted, except that the hides of animals so taken may be sold within the Territory, but said Secretary by regulation may prohibit such native Indians or Eskimos, prospectors, or travelers from taking any species of animals, birds, or game fishes for food during the closed season in any section of the Territory within which he shall determine that the supply of such species of animals, birds, or game fishes is in danger of extermination; nor shall any such regulation contravene any of the provisions of the Migratory Bird Treaty Act and regulations: *Provided*, That no person shall knowingly disturb, injure, or destroy any notice, signboard, seal, tag, aircraft, boat, vessel, automobile, sled, dog, dog team, paraphernalia, equipment, building or other improvement or property of the United States used in the administration or enforcement of the provisions of this Act, or any poster or notice to the public concerning the provisions of this Act or any regulation adopted pursuant hereto, or any marker indicating the boundary of any area closed to hunting, trapping, fishing, or other special use under the provisions of this Act, or shall knowingly destroy, remove, tamper with, or imitate any seal or tag issued or used by the Commission or attached under its authority to any skin, portion, or specimen of a wild animal, bird, game fish, or other article for purposes of identification or authentication in accordance with the provisions of this Act or any regulations adopted hereunder.

Firearms, aircraft, and boats.

Sales.

Use for food during closed season.

40 Stat. 755.
16 U. S. C. §§ 703–711; Supp. II, § 704 note.
Post, pp. 743, 753.

Destruction of U. S. property, etc.

Licenses and permits.

"SEC. 10. LICENSES: SUBDIVISION A. NONRESIDENT HUNTING, TRAPPING, AND FISHING LICENSES.—That except as otherwise permitted by this Act, or by any regulation or order made pursuant hereto, no nonresident as defined by section 3 of this Act shall take or possess

Ante, p. 303.

any of the animals, birds, or game fishes protected by this Act, or by any regulation or order authorized hereunder, without first having procured a nonresident hunting, trapping, or fishing license as herein provided.

"SUBDIVISION B. RESIDENT EXPORT LICENSES AND PERMITS.—No resident of the Territory shall transport therefrom any game animal, bird, or part thereof, unless he has (a) a resident export and return license, which will entitle him to transport out of the Territory for mounting and return to him in the Territory within one year such game animal, bird, or part thereof, as shall have been legally acquired by him and which shall be specifically identified in the license, or (b) a resident export permit, which may be issued in such circumstances and upon such conditions as the Commission may prescribe, and which will entitle him to export from the Territory for other than return, but not for sale, such game animal, bird, or part thereof, as shall have been legally acquired by him and which shall be specifically identified in the permit.

"SUBDIVISION C. RESIDENT HUNTING, TRAPPING, AND FISHING LICENSES.—The Commission, whenever it shall deem expedient, may by regulation require residents of the Territory to procure resident hunting, trapping, and fishing licenses authorizing them to take animals, birds, and game fishes protected by this Act, and after the effective date of such regulation, no resident shall take any animal, bird, or game fish protected by this Act without having first procured resident hunting, trapping, and fishing licenses as herein provided. The fee for such licenses shall be as follows: For each fishing license the sum of $1; for each hunting license, which shall include the privilege of fishing, the sum of $2; and for each trapping license, which shall include the privilege of hunting and fishing, the sum of $3; but no such license shall be required of native Indians and Eskimos, or of residents under the age of sixteen. Fees.

"SUBDIVISION D. REGISTERED GUIDE LICENSE.—Only a person who is a resident of the Territory, as defined in section 3 of this Act, may act as guide for a nonresident in any section of the Territory where the Commission by regulation, and the Commission is hereby authorized to issue such regulations, requires nonresidents to employ guides prior to engaging in authorized big-game hunting privileges, and he shall first register with the Commission on a form which it shall provide for this purpose and procure a registered guide license as herein provided, and the Commission shall determine by regulation the qualifications required of such guides. No person other than a registered guide shall act as guide for a nonresident in any section of the Territory where guides are required by regulation of the Commission to be registered. Qualifications of guides.

"SUBDIVISION E. ALIEN SPECIAL LICENSES.—No alien shall take any of the animals, birds, or game fishes protected by this Act, or own or be possessed of a shotgun, rifle, or other firearm, without first having procured an alien special license, except that an alien may take game fishes protected by this Act upon first having procured an alien fishing license as herein provided.

"SUBDIVISION F. RECORDS, REPORTS.—Each person to whom a license is issued to take animals or birds, or to deal in furs, shall keep records which shall show the kind and number of each species of animals or birds so taken, purchased, or otherwise procured under such license, the persons from whom they were purchased and to whom they were sold, date of purchase or sale, name of the trapper, and the number of the trapper's license, and shall, on or before thirty days after the expiration of his license, make a written report to the Commission on a form prepared and furnished by it setting forth in full

Inspection. the data herein required to be recorded. Such records shall at all reasonable times be subject to inspection and examination by any

Punishment. officer or other person empowered to enforce this Act. Any licensee who shall fail correctly to keep such records or who shall fail to submit such report or who shall in any such report knowingly falsely state any such data or who shall refuse to exhibit his records for inspection and examination as herein required shall be punished as

Post, p. 311. prescribed in section 15 of this Act.

"SUBDIVISION G. FUR-FARM LICENSE.—No person shall engage in the business of farming fur animals or possess them for purposes of propagation without first having procured a fur-farm license as herein provided.

"SUBDIVISION H. FUR DEALERS, LICENSES, FEES.—No person shall buy or sell the skins of fur animals, or engage in, carry on, or be concerned in the business of buying, selling, or trading in the skins of fur animals protected by this Act without first having procured

Exceptions. a license as herein provided, but no license shall be required of a hunter or trapper selling the skins of such animals which he has lawfully taken, or of a person not engaged or employed in the business of trading in such skins to purchase them for his own use but not for sale, or of native Indians or Eskimos, or of cooperative stores operated exclusively by and for native Indians or Eskimos, or of stores operated by missions, exclusively for native Indians or

Exempted stores. Eskimos: *Provided*, That the stores exempted from procuring licenses as herein provided shall, or on before thirty days after the expiration of each license year as specified in this Act, make a written statement to the Commission, on a form prepared and furnished by it, setting forth such material facts concerning the management and operation of such store as the Commission may by such form require and in addition thereto shall keep the records, make the reports, incur the penalties, and in all other respects be subject to the requirements of subdivision F of section 10 to the same extent as licensed fur dealers.

Application fees. "The applicant for such a license shall accompany his application by the required fee as follows:

Residents. "(a) If the applicant is a resident of the Territory, $10, or is an association or copartnership composed exclusively of residents of the Territory, organized under the laws of the Territory, for each member, $10.

Nonresident citizens, etc. "(b) If the applicant is a nonresident of the Territory but is a citizen or national of the United States, or is a corporation composed exclusively of citizens or nationals of the United States, organized under the laws of the Territory or of a State of the United States, or is an association or copartnership composed exclusively of citizens or nationals of the United States, organized under the laws of the Territory or of a State of the United States, any member of which is a nonresident of the Territory, $100.

Aliens. "(c) If the applicant is an alien, or is a corporation, association, or copartnership, not organized under the laws of the Territory or of a State of the United States, or is a corporation, association, or copartnership, any stockholder or member of which is an alien, $500.

Resident agents. "(d) If the applicant is a resident of the Territory and an agent in charge of a station of a fur dealer of either of the classes (a), (b), or (c), or a resident itinerant agent of such dealer, $10.

Nonresident agents. "(e) If the applicant is a nonresident of the Territory but a citizen or national of the United States and an agent in charge of a station of a fur dealer of either of the classes (a), (b), or (c), or a nonresident citizen or national itinerant agent of such dealer, $100.

Alien agents.

"(f) If the applicant is an alien and an agent in charge of a station of a fur dealer of either of the classes (a), (b), or (c), or an alien itinerant agent of such dealer, $500: *Provided*, That no license shall be issued to any agent whose principal has not procured a license in accordance with (a), (b), or (c).

Persons authorized to issue licenses, etc.

"SUBDIVISION I. FEES AND APPLICATION FOR, AND ISSUANCE OF, LICENSES AND PERMITS.—Licenses and resident export permits shall be issued by the executive officer through wildlife agents and other persons authorized by him in writing to sell licenses. Resident export licenses and permits may also be issued by customs officers. Application blanks for licenses and permits shall be furnished by the Commission and shall be in such form as the Commission may by regulation determine. Each application shall be subscribed and sworn to by the applicant before an officer authorized to administer oaths in the Territory. Members of the Commission, wildlife agents, and other persons authorized in writing by the executive officer to issue licenses, and postmasters and customs officers, are hereby authorized to administer such oaths. The applicant for a license or resident export permit shall accompany his application with a license or permit fee as follows: Nonresident general hunting, trapping, and fishing license, $50; nonresident hunting and fishing license, but not including the privilege of hunting big game, $10; nonresident fishing license, $2.50; resident export and return license, $1 for each animal or bird trophy; resident export permit, if shipper is removing residence, $1 for each animal, $1 for each bird, or if shipper is not removing residence, $5 for each animal, $1 for each bird; registered guide license, $10; alien special hunting, trapping, and fishing license, $100; alien fishing license, $2.50; and fur-farm license, $2. Whenever the Secretary determines that the circumstances justify the charging of lesser fees for any class of licenses or permits than the fees specified in this section, he may by regulation prescribe reduced schedules of fees to be paid for the issuance of licenses or permits of that class, and during the period any such regulation is in effect no greater fee shall be charged for any license or permit of the class involved than the fee so prescribed by the Secretary.

Applications.

Fees.

Reduced schedules.

"SUBDIVISION J. FALSE STATEMENTS IN APPLICATION FOR AND ALTERATION AND EXPIRATION OF LICENSES AND PERMITS.—Any false statement in an application for a license or permit as to citizenship, place of residence, or other material facts shall render null and void the licenses or permits issued upon it. Any person who shall make any false statements in an application for a license or permit shall be guilty of a violation of this Act and upon conviction of any such violation shall be punished as provided in section 15 hereof. No person shall alter, change, loan, or transfer to another any license or permit issued to him in pursuance of this Act, nor shall any person other than the one to whom it is issued use such license or permit, and each of such licenses shall expire on the 30th day of June next succeeding its issuance.

Punishment.

Post, p. 311.

Portion of proceeds as compensation for services.

"SUBDIVISION K. PROCEEDS OF LICENSES AND PERMITS.—The Commission is hereby authorized to prescribe regulations permitting each officer or person selling licenses or permits, other than officers or employees of the United States, to retain for his own use and benefit such portion of the proceeds of each sale made by him, not exceeding 10 per centum thereof, as the Commission may from time to time allot for the purpose of compensating such officer or person for his services in connection with the issuance of licenses or permits, but the sums so retained shall be reported to the executive officer in accordance with the regulations of the Commission. Subject to the

Transmittal of proceeds; deposit.

withholding of any compensation so authorized, each officer or person selling licenses or permits shall, as soon as practicable after the first day of each month, transmit the proceeds from such sales, together with a report thereof, to the executive officer who shall keep accurate records of such proceeds and promptly deposit 50 per centum thereof in the Treasury of the United States to the credit of miscellaneous receipts, and transmit 50 per centum thereof to the treasurer of the Territory to be covered into the Territorial school fund. Receipts from all other sources shall be accounted for and disposed of in like manner.

"SUBDIVISION L. TAGS AND SEALS.—The Commission is hereby authorized and directed to adopt tags or seals of an approved type or design to be used for marking seized articles, and beaver and marten skins, or the skins of other fur or game animals when required by the regulations of the Secretary to be tagged or sealed, for purposes of identification and authentication.

Taking of specified game, etc., in specified areas.

"SUBDIVISION M. SPECIAL REGULATIONS, PERMITS, AND LICENSES.—In addition to the hunting, trapping, and fishing licenses or permits required by any other provision of this Act, or by regulations authorized to be issued thereunder, the Commission may from time to time prescribe regulations requiring residents, nonresidents, and aliens to obtain special licenses, upon the payment of fees fixed by such regulations, prior to the taking of specified game or fur animals in specified areas, and may by such regulations limit further the number, kind, and sex of such animals that may be taken in such areas, and also may restrict the number of persons who may hunt or trap in each such area. Whenever such additional restrictions are imposed by regulation, the executive officer shall issue to qualified applicants, upon receipt of the proper application and fee, the special licenses required by such regulations, in the number designated by the regulations and in the order of the receipt of applications.

Accurate accounts of consignments.

"SEC. 11. COLLECTORS OF CUSTOMS, DUTIES OF.—That it shall be the duty of collectors of customs at ports of entry in the United States to keep accurate accounts of all consignments of game birds, game animals, skins of fur animals, game fishes, or parts thereof, and nests or eggs of game birds, received from or returned to the Territory, except when shipped for scientific, propagation, exhibition, or educational purposes under a permit issued by the Director pursuant to regulations of the Secretary; and it shall be the duty of all collectors of customs to enforce the provisions of regulations adopted pursuant to this Act with respect to shipments of game birds, game animals, skins of fur animals, game fishes, or parts thereof, and nests or eggs of game birds.

Enforcement of shipment regulations.

"SEC. 12. BURDEN OF PROOF.—That the possession of any wild animal, game fish, wild bird, or parts thereof, or any nest or egg of such bird, during the time when the taking of it is prohibited, shall, in any action in rem, constitute prima facie evidence that it was taken, possessed, bought, sold, or transported in violation of the provisions of this Act, and the burden of proof shall be upon the possessor or claimant of it to overcome the presumption of illegal possession and to establish the fact that it was obtained and is possessed lawfully.

Institution of action for forfeiture.

"SEC. 13. UNITED STATES ATTORNEYS, DUTIES OF.—That it shall be the duty of the United States attorney for the division in which any wild animal, game fish, wild bird, or part thereof, or any nest or egg of such bird, has been seized because taken, transported, bought, sold, or possessed contrary to the provisions of this Act, or in which any gun, trap, net, fishing tackle, boat, dog, sled, aircraft, wagon, or other vehicle, or other paraphernalia has been seized because used in the unlawful taking of any wild animal, game fish, wild bird, or part

thereof, or any nest or egg of such bird, or in which any sled, boat, aircraft, wagon, or other vehicle has been seized because used in the transportation of any wild animal, game fish, wild bird, or part thereof, or any nest or egg of such bird, illegally bought, sold, or possessed contrary to the provisions of this Act, to institute an action in rem against it for the forfeiture thereof to the United States in any case in which the disposition of such article is not involved in a criminal prosecution. In case of judgment being rendered in favor of the United States, the wild birds, game fishes, wild animals, or other articles forfeited shall be disposed of as directed by the court having jurisdiction, and if sold, the proceeds of sale shall be transmitted by the clerk of the court to the executive officer to be disposed of as provided in subdivision K of section 10 of this Act: *Provided*, That no action in rem shall be required with respect to any wild animal, game fish, wild bird, or part thereof, or any nest or egg of such bird, or any gun, net, fishing tackle, trap, or other device possessed or used in or in aid of a violation of this Act and legally seized when the claimant thereof releases such article or articles to the United States by a voluntary release in writing witnessed by two disinterested parties, in which case such articles shall be disposed of by the executive officer and if sold the proceeds shall be disposed of as provided in this section.

Disposal of forfeited articles after judgment.

Ante, p. 309.

Voluntary release.

"SEC. 14. CONTINUANCE OF FUNDS.—That the unexpended balances of any sums appropriated by the Interior Department Appropriation Act for the fiscal year ending June 30, 1943, for enforcing the provisions of the Act of January 13, 1925, as amended, for the protection of game animals, fur animals, and birds in the Territory, are hereby made available for the purpose of carrying into effect the provisions of this Act and regulations made pursuant hereto, and all contractual obligations heretofore incurred under the provisions of the Act of January 13, 1925, as amended, shall remain in full force and effect.

56 Stat. 556.

43 Stat. 739.
48 U. S. C. §§ 192-211.

"SEC. 15. PENALTIES.—That unless a different or other penalty or punishment is hereby specifically prescribed, a person who violates any provision of this Act or of any order or regulation adopted pursuant to this Act, or who fails to perform any duty imposed by this Act or by any order or regulation adopted pursuant to this Act, is guilty of a misdemeanor and upon conviction thereof shall be fined not less than $25 nor more than $500, or be imprisoned not more than six months, or both; and, in addition thereto, any person convicted of a violation of any provision of this Act who is the holder of any form of license issued hereunder shall thereupon forfeit said license and shall surrender it upon demand of any person authorized by the Commission to receive it, and upon a second conviction he shall not be entitled to, nor shall he be granted a license of such form for a period of one year from date of such forfeiture, and upon a third or successive conviction, for a period of five years from the date of such forfeiture; and any cooperative store operated exclusively by and for native Indians or Eskimos, or any store operated by missions exclusively for native Indians or Eskimos, without a license as provided in this Act, upon a second or third conviction for violation of this Act, shall not be entitled to engage in the business of dealing in furs for such time as the court before whom such conviction is had may decide: *Provided*, That such prohibition shall not be imposed for the first conviction, nor for a period in excess of one year from date of the second conviction, nor for a period in excess of five years from date of the third or any subsequent conviction; and all moneys from fines shall be transmitted by the clerk of the court to the executive officer to be disposed of as provided in subdivision K of section 10 of this Act.

Forfeiture of license.

Second, third, or successive convictions.

Limitations.

Disposition of fines.

Ante, p. 309.

Failure of licensed guide to report violation.

"Any licensed guide who shall fail or refuse to report promptly to the Commission any violation of this Act of which he may have knowledge, shall be guilty of a violation of this Act, and, in addition thereto, shall have his license revoked and shall be ineligible to act as a licensed guide for a period of five years from the time of his conviction therefor, or, of the establishment to the satisfaction of the Commission of definite proof of such offense.

"SEC. 16. ADMINISTRATION OF OATHS FOR PURPOSES OF PROSECUTION.—That such officers, agents, or employees of the Department of the Interior as may be designated in writing by the Secretary or executive officer for the purpose are hereby authorized and empowered to administer to or take from any person, an oath, affirmation, or affidavit whenever such oath, affirmation, or affidavit is for use in any prosecution or proceeding under or in the enforcement of this Act.

Post, p. 489.

"SEC. 17. AUTHORIZATION OF APPROPRIATIONS.—That there is 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 carry out the provisions and to accomplish the purposes of this Act and regulations made pursuant hereto, and the Secretary of the Interior is authorized out of such moneys to employ in Alaska and elsewhere such persons and means as he may deem necessary for such purposes, including printing; purchase, operation, maintenance, and repair of aircraft; construction of aircraft hangars and other structures; restocking depleted areas; emergency feeding of wildlife; investigation of wildlife and game-fish resources and conditions; and protection and rehabilitation of Territorial wildlife and game-fish resources.

"SEC. 18. SEPARABILITY OF PROVISIONS.—That if any clause, sentence, paragraph, or part of this Act shall for any reason be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, or parts thereof directly involved in the controversy in which such judgment shall have been rendered.

"SEC. 19. APPLICATION TO MOUNT MCKINLEY NATIONAL PARK.—That nothing in this Act contained shall be construed as repealing or modifying in any manner section 6 of the Act of Congress approved February 26, 1917 (39 Stat. 938), entitled 'An Act to establish the Mount McKinley National Park in the Territory of Alaska.'

16 U. S. C. § 352.

Effective date; short title.

"SEC. 20. DATE EFFECTIVE.—That this Act shall become effective immediately upon its passage and approval, and shall be known by the short title of the 'Alaska Game Law.'"

Approved July 1, 1943.

[CHAPTER 184]

July 1, 1943
[H. R. 2513]
[Public Law 107]

AN ACT

Making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of such District for the fiscal year ending June 30, 1944, and for other purposes.

District of Columbia Appropriation Act, 1944.
Post, p. 619.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to defray the expenses of the District of Columbia for the fiscal year ending June 30, 1944, any revenue (not including the proportionate share of the United States in any revenue arising as the result of the expenditure of appropriations made for the fiscal year 1924 and prior fiscal years) now required by law to be credited to the District of Columbia and the United States in the same proportion that each contributed to the activity or source from whence such revenue was