

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.)

#### Editorial Notes

##### 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 (b), was repealed by Pub.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”.

#### Executive Documents

##### 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.)

#### Editorial Notes

##### REFERENCES IN TEXT

This Act, referred to in text, is act Aug. 8, 1956, ch. 1036, 70 Stat. 1119, 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 classi-

fication 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, 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.)

#### Editorial Notes

##### REFERENCES IN TEXT

This Act, referred to in text, is act Aug. 8, 1956, ch. 1036, 70 Stat. 1119, 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 authorized 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.