

title 18, use motor vehicles, fixed-wing aircraft, or helicopters, or to contract for such use, in furtherance of the management of the National Park System, and section 47(a) of title 18 shall be applicable to such use.

(Pub. L. 92-195, §9, as added Pub. L. 94-579, title IV, §404, Oct. 21, 1976, 90 Stat. 2775; amended Pub. L. 104-333, div. I, title VIII, §803(a), Nov. 12, 1996, 110 Stat. 4186.)

REFERENCES IN TEXT

This chapter, referred to in last sentence, was in the original “this title”, and was translated as reading “this Act”, meaning the Wild Free-Roaming Horses and Burros Act which enacted this chapter, to reflect the probable intent of Congress, because that Act does not contain titles.

AMENDMENTS

1996—Pub. L. 104-333 inserted at end “Nothing in this chapter shall be deemed to limit the authority of the Secretary in the management of units of the National Park System, and the Secretary may, without regard either to the provisions of this chapter, or the provisions of section 47(a) of title 18, use motor vehicles, fixed-wing aircraft, or helicopters, or to contract for such use, in furtherance of the management of the National Park System, and section 47(a) of title 18 shall be applicable to such use.”

§ 1339. Limitation of authority

Nothing in this chapter shall be construed to authorize the Secretary to relocate wild free-roaming horses or burros to areas of the public lands where they do not presently exist.

(Pub. L. 92-195, §10, formerly §9, Dec. 15, 1971, 85 Stat. 651, renumbered Pub. L. 94-579, title IV, §404, Oct. 21, 1976, 90 Stat. 2775.)

§ 1340. Joint report to Congress; consultation and coordination of implementation, enforcement, and departmental activities; studies

After the expiration of thirty calendar months following December 15, 1971, and every twenty-four calendar months thereafter, the Secretaries of the Interior and Agriculture will submit to Congress a joint report on the administration of this chapter, including a summary of enforcement and/or other actions taken thereunder, costs, and such recommendations for legislative or other actions as he might deem appropriate.

The Secretary of the Interior and the Secretary of Agriculture shall consult with respect to the implementation and enforcement of this chapter and to the maximum feasible extent coordinate the activities of their respective departments and in the implementation and enforcement of this chapter. The Secretaries are authorized and directed to undertake those studies of the habits of wild free-roaming horses and burros that they may deem necessary in order to carry out the provisions of this chapter.

(Pub. L. 92-195, §11, formerly §10, Dec. 15, 1971, 85 Stat. 651, renumbered Pub. L. 94-579, title IV, §404, Oct. 21, 1976, 90 Stat. 2775.)

TERMINATION OF REPORTING REQUIREMENTS

For termination, effective May 15, 2000, of provisions of this section relating to the Secretaries of the Interior and Agriculture submitting a joint report to Congress every twenty-four months on the administration

of this chapter, see section 3003 of Pub. L. 104-66, as amended, set out as a note under section 1113 of Title 31, Money and Finance, and page 147 of House Document No. 103-7.

CHAPTER 31—MARINE MAMMAL PROTECTION

SUBCHAPTER I—GENERALLY

- Sec. 1361. Congressional findings and declaration of policy.
- 1362. Definitions.

SUBCHAPTER II—CONSERVATION AND PROTECTION OF MARINE MAMMALS

- 1371. Moratorium on taking and importing marine mammals and marine mammal products.
 - (a) Imposition; exceptions.
 - (b) Exemptions for Alaskan natives.
 - (c) Taking in defense of self or others.
 - (d) Good Samaritan exemption.
 - (e) Chapter not to apply to incidental takings by United States citizens employed on foreign vessels outside United States EEZ.
- 1372. Prohibitions.
 - (a) Taking.
 - (b) Importation of pregnant or nursing mammals; depleted species or stock; inhumane taking.
 - (c) Importation of illegally taken mammals.
 - (d) Nonapplicability of prohibitions.
 - (e) Retroactive effect.
 - (f) Commercial taking of whales.
- 1373. Regulations on taking of marine mammals.
 - (a) Necessity and appropriateness.
 - (b) Factors considered in prescribing regulations.
 - (c) Allowable restrictions.
 - (d) Procedure.
 - (e) Periodic review.
 - (f) Report to Congress.
- 1374. Permits.
 - (a) Issuance.
 - (b) Requisite provisions.
 - (c) Importation for scientific research, public display, or enhancing survival or recovery of species or stock.
 - (d) Application procedures; notice; hearing; review.
 - (e) Modification, suspension, and revocation.
 - (f) Possession of permit by issuee or his agent.
 - (g) Fees.
 - (h) General permits.
- 1375. Penalties.
- 1375a. Use of fines for protection and recovery of manatees, polar bears, sea otters, and walrus.
- 1376. Seizure and forfeiture of cargo.
 - (a) Application of consistent provisions.
 - (b) Penalties.
 - (c) Reward for information leading to conviction.
- 1377. Enforcement.
 - (a) Utilization of personnel.
 - (b) State officers and employees.
 - (c) Warrants and other process for enforcement.
 - (d) Execution of process; arrest; search; seizure.
 - (e) Disposition of seized cargo.
- 1378. International program.
 - (a) Duties of Secretary.
 - (b) Consultations and studies concerning North Pacific fur seals.