§ 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 1c(a) of this title).

(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.)

CHAPTER 73—RHINOCEROS AND TIGER CONSERVATION

Sec.
5301. Findings.
5302. Purposes.
5303. Definitions.
5304. Rhinoceros and tiger conservation assistance.
(a) In general.
(b) Project proposal.
(c) Project review and approval.
(d) Criteria for approval.
(e) Project sustainability.
(f) Project reporting.
5305. Rhinoceros and Tiger Conservation Fund.
(a) Establishment.
(b) Deposits into Fund.
(c) Use.
(d) Acceptance and use of donations.
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.

(8) On September 9, 1993, the Standing Committee of CITES, in debating the continuing problem of trade in rhinoceros horn and tiger parts, adopted a resolution urging parties to CITES to implement stricter domestic measures, up to and including an immediate prohibition in trade in wildlife species.

(9) On November 8, 1993, under section 1978 of title 22, the President announced that the United States would impose trade sanctions against China and Taiwan unless substantial progress was made by March 1994 towards ending trade in rhinoceros and tiger products.

(10) On April 11, 1994, under section 1978 of title 22, the President—
(A) directed that imports of wildlife specimens and products from Taiwan be prohibited, in response to Taiwan's failure to undertake sufficient actions to stop illegal rhinoceros and tiger trade; and
(B) indicated that the certification of China would remain in effect and directed that additional monitoring of China's progress be undertaken.