

Commerce, Science, and Transportation of the Senate, on the last day of fiscal years 2002, 2004, and 2006.

(g) Congressional intent

Amounts authorized under subsection (c) of this section are intended by Congress to be provided in addition to the base funding appropriated to the National Oceanic and Atmospheric Administration in fiscal year 2000.

(Pub. L. 89-702, title II, §206, Nov. 2, 1966, 80 Stat. 1094; Pub. L. 98-129, §2, Oct. 14, 1983, 97 Stat. 840; Pub. L. 100-711, §9, Nov. 23, 1988, 102 Stat. 4772; Pub. L. 101-512, title I, Nov. 5, 1990, 104 Stat. 1931; Pub. L. 106-554, §1(a)(4) [div. B, title I, §144(e)(3)], Dec. 21, 2000, 114 Stat. 2763, 2763A-244; Pub. L. 106-562, title I, §103, Dec. 23, 2000, 114 Stat. 2794; Pub. L. 109-59, title IV, §4403, Aug. 10, 2005, 119 Stat. 1775.)

REFERENCES IN TEXT

The Indian Self-Determination and Education Assistance Act, referred to in subsec. (a)(4), is Pub. L. 93-638, Jan. 4, 1975, 88 Stat. 2203, as amended. Title IV of the Act is classified generally to part D (§458aa et seq.) of subchapter II of chapter 14 of Title 25, Indians. For complete classification of this Act to the Code, see Short Title note set out under section 450 of Title 25 and Tables.

AMENDMENTS

2005—Subsec. (c). Pub. L. 109-59, §4403(1), struck out “for fiscal years 2001, 2002, 2003, 2004, and 2005” after “Secretary” in introductory provisions.

Subsec. (c)(1). Pub. L. 109-59, §4403(2), inserted “, for fiscal years 2001, 2002, 2003, 2004, 2005, 2006, and 2007” after “subsection (a) of this section” in introductory provisions.

2000—Pub. L. 106-562 amended section generally, inserting section catchline and subsec. and par. headings and reenacting substantially identical text.

Pub. L. 106-554 amended section generally. Prior to amendment, section consisted of subsecs. (a) to (h) containing provisions establishing the Pribilof Islands Trust for the benefit of natives of the Pribilof Islands and relating to the Trust’s administration, funding, distributions, trust instrument, taxation, interest and proceeds, appropriations, and annual report to Congress.

1990—Subsec. (e)(3). Pub. L. 101-512 added par. (3).

1988—Subsec. (e)(1). Pub. L. 100-711 authorized appropriations for fiscal years 1989 and 1990 to fund the Saint Paul Island Trust, and authorized appropriations for fiscal year 1990 to fund the Saint George Trust.

1983—Pub. L. 98-129 amended section generally, substituting provisions for the creation and functioning of a Pribilof Islands Trust for provisions which authorized the Secretary to set apart land on Saint Paul Island for a townsite and to aid in the development of a municipal government therefor.

CHANGE OF NAME

Committee on Resources of House of Representatives changed to Committee on Natural Resources of House of Representatives by House Resolution No. 6, One Hundred Tenth Congress, Jan. 5, 2007.

§ 1167. Leases, permits, agreements, and contracts with public or private agencies or persons

The Secretary is authorized to enter into agreements or contracts or leases with, or to issue permits to, any public or private agency or person for carrying out the provisions of the Convention or this chapter.

(Pub. L. 89-702, title II, §207, Nov. 2, 1966, 80 Stat. 1095; Pub. L. 98-129, §2, Oct. 14, 1983, 97 Stat. 842.)

AMENDMENTS

1983—Pub. L. 98-129 amended section generally, substituting provisions authorizing the Secretary to enter into agreements or contracts or leases with, or to issue permits to, any public or private agency or person for carrying out the provisions of the Convention or this chapter for provisions which had set a fine of not more than \$500 or imprisonment for not more than six months, or both, for violating regulations of the Secretary relating to the use and management of the Pribilof Islands or the protection or conservation of fur seals, wildlife, or other natural resources.

§ 1168. Civil service retirement benefits

(a) Credit for services performed by natives

Service by natives of the Pribilof Islands engaged in the taking and curing of fur seal skins and other activities in connection with the administration of such islands prior to January 1, 1950, as determined by the Secretary based on records available to him, shall be considered for purposes of credit under subchapter III of chapter 83 of title 5 as civilian service performed by an employee, as defined in said subchapter.

(b) Adjustment of annuities

The annuity of any person or the annuity of the survivor of any person who shall have performed service described in subsection (a) of this section, and who, prior to November 2, 1966, died or shall have been retired on annuity payable from the civil service retirement and disability fund, shall, upon application filed by the annuitant within one year after November 2, 1966, be adjusted, effective as of the first day of the month immediately following November 2, 1966, so that the amount of the annuity shall be the same as if such subsection had been in effect at the time of such person’s retirement or death.

(c) Nonentitlement to lump-sum benefits

In no case shall credit for the service described in subsection (a) of this section entitle a person to the benefits of section 8342(h) of title 5.

(d) Reimbursement from Operations, Research, and Facilities Account of National Oceanic and Atmospheric Administration in Department of Commerce

Notwithstanding any other provisions of this chapter or any other law, benefits under subchapter III of chapter 83 of title 5 made available by reason of the provisions of this section shall be paid from the civil service retirement and disability fund subject to reimbursement to such fund from the Operations, Research, and Facilities Account of the National Oceanic and Atmospheric Administration in the Department of Commerce, for the purpose of compensating said retirement fund for the cost, as determined by the Director of the Office of Personnel Management during each fiscal year, of benefits provided by this section.

(Pub. L. 89-702, title II, §208, Nov. 2, 1966, 80 Stat. 1096; 1978 Reorg. Plan No. 2, §102, eff. Jan. 1, 1979, 43 F.R. 36037, 92 Stat. 3784; Pub. L. 98-129, §2, Oct. 14, 1983, 97 Stat. 842.)

CODIFICATION

“Subchapter III of chapter 83 of title 5” substituted for “the Civil Service Retirement Act, as amended” in

subsec. (a) and for “the Civil Service Retirement Act” in subsec. (d), and “section 8342(h) of title 5” substituted for “section 11(h) of the Civil Service Retirement Act” in subsec. (c) on authority of Pub. L. 89-554, §7(b), Sept. 6, 1966, 80 Stat. 631, the first section of which enacted Title 5, Government Organization and Employees.

AMENDMENTS

1983—Subsecs. (a) to (c). Pub. L. 98-129 reenacted subsecs. (a) to (c) without change.

Subsec. (d). Pub. L. 98-129 reenacted subsec. (d) without change other than the substitution of “subject to reimbursement to such fund from the Operations, Research, and Facilities Account of the National Oceanic and Atmospheric Administration in the Department of Commerce, for the purpose of compensating said retirement fund for the cost, as determined by the Civil Service Commission during each fiscal year, of benefits provided by this section” for “subject to reimbursement to such fund from the gross receipts of the Pribilof Islands fund, established in section 1187 of this title, for the purpose of compensating said retirement fund for the cost, as determined by the Civil Service Commission during each fiscal year, of benefits provided by this section. This reimbursement to the civil service retirement fund shall be considered a cost of administering the fur seal program”.

TRANSFER OF FUNCTIONS

“Director of the Office of Personnel Management” substituted for “Civil Service Commission” in subsec. (d) pursuant to Reorg. Plan No. 2 of 1978, §102, 43 F.R. 36037, 92 Stat. 3783, set out under section 1101 of Title 5, Government Organization and Employees, which transferred functions vested by statute in Civil Service Commission to Director of Office of Personnel Management (except as otherwise specified), effective Jan. 1, 1979, as provided by section 1-102 of Ex. Ord. No. 12107, Dec. 28, 1978, 44 F.R. 1055, set out under section 1101 of Title 5.

§ 1169. Regulations

The Secretary is authorized to prescribe such regulations as he deems necessary to carry out the provisions of this subchapter.

(Pub. L. 89-702, title II, §211, as added Pub. L. 98-129, §2, Oct. 14, 1983, 97 Stat. 844.)

§ 1169a. Annuities and survivor annuities; re-computation

(a)(1)¹ An annuity or survivor annuity based on the service of an employee or Member who performed service described in the second paragraph (13)² of subsection (b) or subsection (l)(1)(C) of section 8332 of title 5, as added by subsections (b) and (e), respectively, of section 209 of this Act [Pub. L. 89-702], shall, upon application to the Office of Personnel Management, be recomputed in accordance with the second paragraph (13) of subsection (b) and subsection (l), respectively, of such section 8332, regardless of whether the employee or Member retires before, on, or after October 14, 1983.

(2) Any recomputation of annuity under paragraph (1) of this subsection shall apply with respect to months beginning more than 30 days after the date on which application for such recomputation is received by the Office.

(Pub. L. 89-702, title II, §212, as added Pub. L. 98-369, div. B, title II, §2208(b), July 18, 1984, 98 Stat. 1061.)

¹ So in original. No subsec. (b) has been enacted.

² See References in Text note below.

REFERENCES IN TEXT

The second paragraph (13) of subsection (b) of section 8332 of title 5, referred to in subsec. (a)(1), relates to service performed by a Native of the Pribilof Islands. That par. (13) was added by subsec. (b) of section 209 of Pub. L. 89-702 (as added by section 2 of Pub. L. 98-129) and is set out in the Code as the first par. (13) of subsec. (b) of section 8332 of Title 5, Government Organization and Employees.

CODIFICATION

Another section 212 of Pub. L. 89-702 is classified to section 1169b of this title.

EFFECTIVE DATE

Pub. L. 98-369, div. B, title II, §2208(c), July 18, 1984, 98 Stat. 1061, provided that: “The amendments made by this section [enacting this section and amending section 8332 of Title 5, Government Organization and Employees] shall take effect as of October 14, 1983.”

§ 1169b. Use of local entities

Notwithstanding any other law to the contrary, the Secretary of Commerce shall, to the maximum extent practicable, carry out activities under subsection (a)¹ and fulfill other obligations under Federal and State law relating to the Pribilof Islands, through grants or other agreements with local entities and residents of the Pribilof Islands, unless specialized skills are needed for an activity, and the Secretary specifies in writing that such skills are not available through local entities and residents of the Pribilof Islands.

(Pub. L. 89-702, title II, §212, as added Pub. L. 106-554, §1(a)(4) [div. B, title I, §144(e)(6)(A)(ii)], Dec. 21, 2000, 114 Stat. 2763, 2763A-248; Pub. L. 106-562, title I, §106(a)(2), Dec. 23, 2000, 114 Stat. 2799.)

REFERENCES IN TEXT

Subsection (a), referred to in text, was a reference to subsection (a) of section 3 of Pub. L. 104-91 when the text of this section was originally enacted as subsec. (d) of section 3 of Pub. L. 104-91, set out in a note under section 1165 of this title, see Codification note below.

CODIFICATION

The text of this section as added by Pub. L. 106-554 and Pub. L. 106-562 is based on the text of Pub. L. 104-91, §3(d), Jan. 6, 1996, 110 Stat. 9, as amended by Pub. L. 106-554, §1(a)(4) [div. B, title I, §144(e)(6)(A)(i)], Dec. 21, 2000, 114 Stat. 2763, 2763A-248; Pub. L. 106-562, title I, §106(a)(1), Dec. 23, 2000, 114 Stat. 2799. Pub. L. 104-91, §3(d), was included in a note set out under section 1165 of this title prior to being redesignated and transferred by Pub. L. 106-554 and Pub. L. 106-562 so as to appear as section 212 of Pub. L. 89-702.

Another section 212 of Pub. L. 89-702 is classified to section 1169a of this title.

SUBCHAPTER III—ENFORCEMENT

§ 1171. Seizure and forfeiture of vessels

(a) Every vessel subject to the jurisdiction of the United States that is employed in any manner in connection with a violation of the provision of this chapter, including its tackle, apparel, furniture, appurtenances, cargo, and stores shall be subject to forfeiture; and all fur seals, or parts thereof, taken or retained in vio-

¹ See References in Text note below.