

(c) Review and report on other conservation opportunities

The Secretary, in consultation with appropriate representatives of industry, the conservation community, the Secretariat of the Convention, and other national and international bodies, shall—

- (1) review opportunities for a voluntary program of labeling exotic birds, certification of exotic bird breeding facilities and retail outlets, and provision of privately organized or funded technical assistance to other nations; and
- (2) report to the Congress the results of this review within 2 years after October 23, 1992.

(Pub. L. 102-440, title I, §114, Oct. 23, 1992, 106 Stat. 2232.)

§ 4914. Marking and recordkeeping**(a) In general**

The Secretary is authorized to promulgate regulations to require marking or recordkeeping that the Secretary determines will contribute significantly to the ability of the Secretary to ensure compliance with the prohibitions of section 4910 of this title, for—

- (1) any exotic bird that is imported after October 23, 1992; or
- (2) any other exotic bird that is—
 - (A) hatched after October 23, 1992;
 - (B) offered for sale; and
 - (C) of a species—
 - (i) the export of which from any country of origin is prohibited; and
 - (ii) that is subject to a high level of illegal trade.

(b) Avoiding deterrence of breeding

The Secretary shall seek to ensure that regulations promulgated under this section will not have the effect of deterring captive breeding of exotic birds.

(Pub. L. 102-440, title I, §115, Oct. 23, 1992, 106 Stat. 2232.)

§ 4915. Authorization of appropriations

There are authorized to be appropriated to the Secretary \$5,000,000 for each of the fiscal years 1993, 1994, and 1995 to carry out this chapter, to remain available until expended.

(Pub. L. 102-440, title I, §116, Oct. 23, 1992, 106 Stat. 2233.)

§ 4916. Relationship to State law

Nothing in this chapter may be construed as precluding the regulation under State law of the sale, transfer, or possession of exotic birds if such regulation—

- (1) does not authorize any sale, transfer, or possession of exotic birds that is prohibited under this chapter; and
- (2) is consistent with the international obligations of the United States.

(Pub. L. 102-440, title I, §117, Oct. 23, 1992, 106 Stat. 2233.)

**CHAPTER 70—NORTH PACIFIC
ANADROMOUS STOCKS CONVENTION**

Sec.
5001. Purpose.

Sec.
5002. Definitions.
5003. United States Commissioners.
5004. Advisory Panel.
5005. Commission recommendations.
5006. Administration and enforcement of Convention.
5007. Cooperation with other agencies.
5008. Enforcement provisions.
5009. Unlawful activities.
5010. Penalties.
5011. Funding requirements.
5012. Disposition of property.

§ 5001. Purpose

It is the purpose of this chapter to implement the Convention for the Conservation of Anadromous Stocks in the North Pacific Ocean, signed in Moscow, February 11, 1992.

(Pub. L. 102-567, title VIII, §802, Oct. 29, 1992, 106 Stat. 4309; Pub. L. 102-587, title VIII, §8002, Nov. 4, 1992, 106 Stat. 5098; Pub. L. 106-562, title III, §304(a), Dec. 23, 2000, 114 Stat. 2806.)

REFERENCES IN TEXT

This chapter, referred to in text, was in the original “this title”, meaning title VIII of Pub. L. 102-567, which is classified generally to this chapter. For complete classification of title VIII to the Code, see Short Title note below and Tables.

CODIFICATION

Title VIII of Pub. L. 102-567 and Pub. L. 102-587 enacted identical sections. Title VIII of Pub. L. 102-587 was repealed by Pub. L. 106-562.

SHORT TITLE

Pub. L. 102-587, title VIII, §8001, Nov. 4, 1992, 106 Stat. 5098, which provided that title VIII of Pub. L. 102-587, which enacted this chapter and repealed sections 1021 to 1023, 1025 to 1027, 1029, 1030, and 1032 to 1035 of this title and provisions set out as notes under section 1021 of this title, could be cited as the “North Pacific Anadromous Stocks Convention Act of 1992”, was repealed by Pub. L. 106-562, title III, §304(a), Dec. 23, 2000, 114 Stat. 2806.

Pub. L. 102-567, title VIII, §801, Oct. 29, 1992, 106 Stat. 4309, provided that: “This title [enacting this chapter and repealing sections 1021 to 1023, 1025 to 1027, 1029, 1030, and 1032 to 1035 of this title and provisions set out as notes under section 1021 of this title] may be cited as the ‘North Pacific Anadromous Stocks Act of 1992.’”

§ 5002. Definitions

As used in this chapter, the term—

- (1) “Anadromous stocks” means stocks of species listed in the Annex to the Convention that migrate into the Convention area.
- (2) “Anadromous fish” means fish of the species listed in the Annex to the Convention that migrate into the Convention area.
- (3) “Authorized officer” means a law enforcement official authorized to enforce this chapter under section 5008(a) of this title.
- (4) “Commission” means the North Pacific Anadromous Fish Commission provided for by article VIII of the Convention.
- (5) “Convention” means the Convention for the Conservation of Anadromous Stocks of the North Pacific Ocean, signed in Moscow, February 11, 1992.
- (6) “Convention area” means the waters of the North Pacific Ocean and its adjacent seas, north of 33 degrees North Latitude,¹ beyond

¹ So in original. Probably should not be capitalized.