

subsection (a) of this section, and any fish (or the fair market value thereof) taken or retained, in any manner, in connection with or as a result of the commission of any act which is prohibited by subsection (a) of this section, shall be subject to forfeiture as provided by section 310 of the Magnuson Act (16 U.S.C. 1860).

(2) Any fish seized pursuant to this chapter may be disposed of pursuant to the order of a court of competent jurisdiction or, if perishable, in a manner prescribed by regulation of the Secretary.

(e) Enforcement authority

The Secretary and the Secretary of the Department in which the Coast Guard is operating shall enforce the provisions of this chapter and shall have the authority provided by subsections 311(a), (b)(1), and (c) of the Magnuson Act (16 U.S.C. 1861(a), (b)(1), and (c)).

(f) Jurisdiction

The district courts of the United States shall have exclusive jurisdiction over any case or controversy arising under this section and may, at any time—

- (1) enter restraining orders or prohibitions;
- (2) issue warrants, process in rem, or other process;
- (3) prescribe and accept satisfactory bonds or other security; and
- (4) take such other actions as are in the interest of justice.

(Pub. L. 99-5, §8, Mar. 15, 1985, 99 Stat. 12.)

TRANSFER OF FUNCTIONS

For transfer of authorities, functions, personnel, and assets of the Coast Guard, including the authorities and functions of the Secretary of Transportation relating thereto, to the Department of Homeland Security, and for treatment of related references, see sections 468(b), 551(d), 552(d), and 557 of Title 6, Domestic Security, and the Department of Homeland Security Reorganization Plan of November 25, 2002, as modified, set out as a note under section 542 of Title 6.

§ 3638. General standard

All actions taken under sections 3632(g),¹ 3633, 3635, and 3636 of this title shall—

- (a) take into account the best scientific information available;
- (b) result in measures necessary and appropriate for the conservation, management, utilization and development of the Pacific salmon resource, with due consideration of social and economic concerns; and
- (c) be consistent with United States obligations under the Treaty, domestic Indian treaties and other applicable law.

(Pub. L. 99-5, §9, Mar. 15, 1985, 99 Stat. 13.)

REFERENCES IN TEXT

Section 3632(g) of this title, referred to in text, was redesignated section 3632(h) of this title by Pub. L. 106-554, §1(a)(4) [div. B, title I, §144(c)(5)(B)], Dec. 21, 2000, 114 Stat. 2763, 2763A-239.

§ 3639. Advisory committee

(a) Appointment; membership

The United States Section shall appoint an advisory committee of not less than twelve but

not more than twenty members who are knowledgeable and experienced with respect to fisheries subject to the Treaty. One-half the membership of the committee shall be residents of the State of Alaska and one member shall be a resident of the State of Idaho. Each member shall serve a term of two years and shall be eligible for reappointment.

(b) Functions

Members of the advisory committee may attend all public meetings of the Commission and Panels and all nonexecutive sessions of the United States Section and United States Panel sections. At nonexecutive meetings of the United States Section and United States Panel sections, members of the advisory committee shall be given the opportunity to examine and to be heard on any nonadministrative matter under consideration.

(c) Compensation

The members of the advisory committee shall receive no compensation for their services as such members.

(d) Meetings

The Chairman of the United States Section shall call a meeting of the advisory committee at least one time each year.

(Pub. L. 99-5, §10, Mar. 15, 1985, 99 Stat. 13.)

TERMINATION OF ADVISORY COMMITTEES

Advisory committees established after Jan. 5, 1973, to terminate not later than the expiration of the 2-year period beginning on the date of their establishment, unless, in the case of a committee established by the President or an officer of the Federal Government, such committee is renewed by appropriate action prior to the expiration of such 2-year period, or in the case of a committee established by the Congress, its duration is otherwise provided by law. See section 14 of Pub. L. 92-463, Oct. 6, 1972, 86 Stat. 776, set out in the Appendix to Title 5, Government Organization and Employees.

§ 3640. Administrative matters

(a) Compensation of Commissioners and Alternate Commissioners

Commissioners and Alternate Commissioners who are not State or Federal employees shall receive compensation at the daily rate of GS-18 of the General Schedule when engaged in the actual performance of duties for the United States Section or for the Commission.

(b) Compensation of Panel Members and Alternate Panel Members

Panel Members and Alternate Panel Members who are not State or Federal employees shall receive compensation at the daily rate of GS-16 of the General Schedule when engaged in the actual performance of duties for the United States Section or for the Commission.

(c) Travel; other expenses

Travel and other necessary expenses shall be paid for all United States Commissioners, Alternate Commissioners, Panel Members, Alternate Panel Members, members of the Joint Technical Committee, and members of the Advisory Committee when engaged in the actual performance of duties for the United States Section or for the Commission.

¹ See References in Text note below.