

conservation project carried out pursuant to this subchapter on public lands by a qualified youth or conservation corps. The remaining 25 percent of the costs of such a project may be provided from nonfederal sources in the form of funds, services, facilities, materials, equipment, or any combination of the foregoing. No cost sharing shall be required in the case of any appropriate conservation project carried out on Indian lands or Hawaiian home lands under this subchapter.

(2) Public Lands Corps projects

The Secretary is authorized to accept donations of funds, services, facilities, materials, or equipment for the purposes of operating the Public Lands Corps and carrying out appropriate conservation projects by the Corps. However, nothing in this subchapter shall be construed to require any cost sharing for any project carried out directly by the Corps.

(b) Funds available under National and Community Service Act

In order to carry out the Public Lands Corps or to support resource assistants and qualified youth or conservation corps under this subchapter, the Secretary shall be eligible to apply for and receive assistance under section 121(b) of the National and Community Service Act of 1990 [42 U.S.C. 12571(b)].

(c) Other funds

Amounts appropriated pursuant to the authorization of appropriations under section 1730 of this title are in addition to amounts allocated to the Public Lands Corps through other Federal programs or projects.

(Pub. L. 91-378, title II, § 210, as added Pub. L. 103-82, title I, § 105(6), Sept. 21, 1993, 107 Stat. 853; amended Pub. L. 109-154, § 2(f)(1), (g)(4), Dec. 30, 2005, 119 Stat. 2892, 2893.)

AMENDMENTS

2005—Subsec. (a). Pub. L. 109-154, § 2(g)(4)(A), substituted “Secretary is” for “Secretary of the Interior and the Secretary of Agriculture are each” in pars. (1) and (2).

Subsec. (b). Pub. L. 109-154, § 2(g)(4)(B), substituted “Secretary” for “Secretary of the Interior and the Secretary of Agriculture”.

Subsec. (c). Pub. L. 109-154, § 2(f)(1), added subsec. (c).

EFFECTIVE DATE

Section effective Oct. 1, 1993, see section 123 of Pub. L. 103-82, set out as an Effective Date of 1993 Amendment note under section 1701 of this title.

§ 1730. Authorization of appropriations

(a) In general

There is authorized to be appropriated to carry out this subchapter \$12,000,000 for each fiscal year, of which \$8,000,000 is authorized to carry out priority projects and \$4,000,000 of which is authorized to carry out other appropriate conservation projects.

(b) Disaster relief or prevention projects

Notwithstanding subsection (a), any amounts made available under that subsection shall be available for disaster prevention or relief projects.

(c) Availability of funds

Notwithstanding any other provision of law, amounts appropriated for any fiscal year to carry out this subchapter shall remain available for obligation and expenditure until the end of the fiscal year following the fiscal year for which the amounts are appropriated.

(Pub. L. 91-378, title II, § 211, as added Pub. L. 109-154, § 2(f)(2), Dec. 30, 2005, 119 Stat. 2892.)

CHAPTER 38—FISHERY CONSERVATION AND MANAGEMENT

SUBCHAPTER I—GENERALLY

- Sec.
1801. Findings, purposes and policy.
1802. Definitions.
1803. Authorization of appropriations.

SUBCHAPTER II—UNITED STATES RIGHTS AND AUTHORITY REGARDING FISH AND FISHERY RESOURCES

1811. United States sovereign rights to fish and fishery management authority.
1812. Highly migratory species.
1813. Omitted.

SUBCHAPTER III—FOREIGN FISHING AND INTERNATIONAL FISHERY AGREEMENTS

1821. Foreign fishing.
1822. International fishery agreements.
1823. Congressional oversight of international fishery agreements.
1824. Permits for foreign fishing.
1825. Import prohibitions.
1826. Large-scale driftnet fishing.
1826a. Denial of port privileges and sanctions for high seas large-scale driftnet fishing.
1826b. Duration of denial of port privileges and sanctions.
1826c. Definitions.
1826d. Prohibition.
1826e. Negotiations.
1826f. Certification.
1826g. Enforcement.
1826h. Biennial report on international compliance.
1826i. Action to strengthen international fishery management organizations.
1826j. Illegal, unreported, or unregulated fishing.
1826k. Equivalent conservation measures.
1827. Observer program regarding certain foreign fishing.
1827a. Prohibition on sale of billfish.
1828. Foreign fishing incursions.
1829. International monitoring and compliance.

SUBCHAPTER IV—NATIONAL FISHERY MANAGEMENT PROGRAM

1851. National standards for fishery conservation and management.
1852. Regional Fishery Management Councils.
1853. Contents of fishery management plans.
1853a. Limited access privilege programs.
1854. Action by Secretary.
1855. Other requirements and authority.
1856. State jurisdiction.
1857. Prohibited acts.
1858. Civil penalties and permit sanctions.
1859. Criminal offenses.
1860. Civil forfeitures.
1861. Enforcement.
1861a. Transition to sustainable fisheries.
1861b. Fisheries enforcement plans and reporting.
1862. North Pacific fisheries conservation.
1863. Northwest Atlantic Ocean Fisheries Reinvestment Program.
1864. Regional coastal disaster assistance, transition, and recovery program.

- Sec.
 1865. Bycatch reduction engineering program.
 1866. Shark feeding.
 1867. Cooperative research and management program.
 1868. Herring study.
 1869. Restoration study.

SUBCHAPTER V—FISHERY MONITORING AND RESEARCH

1881. Registration and information management.
 1881a. Information collection.
 1881b. Observers.
 1881c. Fisheries research.
 1881d. Incidental harvest research.
 1882. Fisheries systems research.
 1883. Gulf of Mexico red snapper research.
 1884. Deep sea coral research and technology program.

SUBCHAPTER VI—MISCELLANEOUS

1891. Investment in United States seafood processing facilities.
 1891a. Community-based restoration program for fishery and coastal habitats.
 1891b. Fisheries Conservation and Management Fund.
 1891c. United States catch history.
 1891d. Secretarial representative for international fisheries.

SUBCHAPTER I—GENERALLY

§ 1801. Findings, purposes and policy

(a) Findings

The Congress finds and declares the following:

(1) The fish off the coasts of the United States, the highly migratory species of the high seas, the species which dwell on or in the Continental Shelf appertaining to the United States, and the anadromous species which spawn in United States rivers or estuaries, constitute valuable and renewable natural resources. These fishery resources contribute to the food supply, economy, and health of the Nation and provide recreational opportunities.

(2) Certain stocks of fish have declined to the point where their survival is threatened, and other stocks of fish have been so substantially reduced in number that they could become similarly threatened as a consequence of (A) increased fishing pressure, (B) the inadequacy of fishery resource conservation and management practices and controls, or (C) direct and indirect habitat losses which have resulted in a diminished capacity to support existing fishing levels.

(3) Commercial and recreational fishing constitutes a major source of employment and contributes significantly to the economy of the Nation. Many coastal areas are dependent upon fishing and related activities, and their economies have been badly damaged by the overfishing of fishery resources at an ever-increasing rate over the past decade. The activities of massive foreign fishing fleets in waters adjacent to such coastal areas have contributed to such damage, interfered with domestic fishing efforts, and caused destruction of the fishing gear of United States fishermen.

(4) International fishery agreements have not been effective in preventing or terminating the overfishing of these valuable fishery resources. There is danger that irreversible ef-

fects from overfishing will take place before an effective international agreement on fishery management jurisdiction can be negotiated, signed, ratified, and implemented.

(5) Fishery resources are finite but renewable. If placed under sound management before overfishing has caused irreversible effects, the fisheries can be conserved and maintained so as to provide optimum yields on a continuing basis.

(6) A national program for the conservation and management of the fishery resources of the United States is necessary to prevent overfishing, to rebuild overfished stocks, to insure conservation, to facilitate long-term protection of essential fish habitats, and to realize the full potential of the Nation's fishery resources.

(7) A national program for the development of fisheries which are underutilized or not utilized by the United States fishing industry, including bottom fish off Alaska, is necessary to assure that our citizens benefit from the employment, food supply, and revenue which could be generated thereby.

(8) The collection of reliable data is essential to the effective conservation, management, and scientific understanding of the fishery resources of the United States.

(9) One of the greatest long-term threats to the viability of commercial and recreational fisheries is the continuing loss of marine, estuarine, and other aquatic habitats. Habitat considerations should receive increased attention for the conservation and management of fishery resources of the United States.

(10) Pacific Insular Areas contain unique historical, cultural, legal, political, and geographical circumstances which make fisheries resources important in sustaining their economic growth.

(11) A number of the Fishery Management Councils have demonstrated significant progress in integrating ecosystem considerations in fisheries management using the existing authorities provided under this chapter.

(12) International cooperation is necessary to address illegal, unreported, and unregulated fishing and other fishing practices which may harm the sustainability of living marine resources and disadvantage the United States fishing industry.

(b) Purposes

It is therefore declared to be the purposes of the Congress in this chapter—

(1) to take immediate action to conserve and manage the fishery resources found off the coasts of the United States, and the anadromous species and Continental Shelf fishery resources of the United States, by exercising (A) sovereign rights for the purposes of exploring, exploiting, conserving, and managing all fish, within the exclusive economic zone established by Presidential Proclamation 5030, dated March 10, 1983, and (B) exclusive fishery management authority beyond the exclusive economic zone over such anadromous species and Continental Shelf fishery resources;

(2) to support and encourage the implementation and enforcement of international fish-