

(d) Sole recreation fee authority

Recreation fees charged under this chapter shall be in lieu of fees charged for the same purposes under any other provision of law.

(e) Fees charged by third parties

Notwithstanding any other provision of this chapter, a third party may charge a fee for providing a good or service to a visitor of a unit or area of the Federal land management agencies in accordance with any other applicable law or regulation.

(f) Migratory Bird Hunting Stamp Act

Revenues from the stamp established under the Act of March 16, 1934 (16 U.S.C. 718 et seq.; commonly known as the Migratory Bird Hunting Stamp Act or Duck Stamp Act), shall not be covered by this chapter.

(Pub. L. 108-447, div. J, title VIII, §814, Dec. 8, 2004, 118 Stat. 3392.)

REFERENCES IN TEXT

This chapter, referred to in text, was in the original “this Act”, and was translated as reading “this title”, meaning title VIII of div. J of Pub. L. 108-447, Dec. 8, 2004, 118 Stat. 3377, known as the Federal Lands Recreation Enhancement Act, to reflect the probable intent of Congress. For complete classification of title VIII to the Code, see Short Title note set out under section 6801 of this title and Tables.

Section 6805 of this title, referred to in subsec. (b), was in the original a reference to section 6, and was translated as meaning section 806 of title VIII of div. J of Pub. L. 108-447, to reflect the probable intent of Congress.

The Act of August 8, 1937, referred to in subsec. (b)(5), probably means act Aug. 28, 1937, ch. 876, 50 Stat. 874. Title II of the Act enacted section 2605 of Title 43, Public Lands, repealed section 1174 of Title 43, and enacted provisions set out as a note under section 2601 of Title 43. For complete classification of this Act to the Code, see Tables.

The Act of May 24, 1939, referred to in subsec. (b)(5), is act May 24, 1939, ch. 144, 53 Stat. 753, was formerly classified to sections 1181f-1 to 1181f-4 of Title 43, Public Lands, and provisions set out as a note under section 1181f-1 of Title 43 prior to editorial reclassification, and is now classified generally to subchapter II (§2621 et seq.) of chapter 44 of Title 43. For complete classification of this Act to the Code, see Tables.

The Secure Rural Schools and Community Self-Determination Act of 2000, referred to in subsec. (b)(9), is Pub. L. 106-393, Oct. 30, 2000, 114 Stat. 1607. Sections 1 to 3 and titles I to IV of the Act were set out as notes under section 500 of this title prior to the repeal and reenactment of sections 1 to 403 of the Act by Pub. L. 110-343, div. C, title VI, §601(a), Oct. 3, 2008, 122 Stat. 3893-3910. The new sections 1 to 403 of the Act are classified generally to chapter 90 (§7101 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 7101 of this title and Tables.

The Federal Water Project Recreation Act, referred to in subsec. (b)(11), is Pub. L. 89-72, July 9, 1965, 79 Stat. 213, as amended, which is classified principally to part C (§4601-12 et seq.) of subchapter LXIX of chapter 1 of this title. For complete classification of this Act to the Code, see Short Title note set out under section 4601-12 of this title and Tables.

The Act of February 25, 1920, referred to in subsec. (b)(13), is act Feb. 25, 1920, ch. 85, 41 Stat. 437, as amended, known as the Mineral Leasing Act, which is classified generally to chapter 3A (§181 et seq.) of Title 30, Mineral Lands and Mining. For complete classification of this Act to the Code, see Short Title note set out under section 181 of Title 30 and Tables.

Section 4(e) of the Southern Nevada Public Land Management Act of 1998, referred to in subsec. (b)(14), is section 4(e) of Pub. L. 105-263, Oct. 19, 1998, 112 Stat. 2345, which is not classified to the Code.

Section 5(a) of the Lincoln County Land Act of 2000, referred to in subsec. (b)(15), is section 5(a) of Pub. L. 106-298, Oct. 13, 2000, 114 Stat. 1047, which is not classified to the Code.

The Migratory Bird Hunting Stamp Act, referred to in subsec. (f), subsequently renamed the Migratory Bird Hunting and Conservation Stamp Act, is act Mar. 16, 1934, ch. 71, 48 Stat. 451, as amended, which is classified generally to subchapter IV (§718 et seq.) of chapter 7 of this title. For complete classification of this Act to the Code, see Short Title note set out under section 718 of this title and Tables.

§ 6814. Limitation on use of fees for employee bonuses

Notwithstanding any other provision of law, fees collected under the authorities of the chapter may not be used for employee bonuses.

(Pub. L. 108-447, div. J, title VIII, §815, Dec. 8, 2004, 118 Stat. 3393.)

REFERENCES IN TEXT

The chapter, referred to in text, was in the original “the Act”, and was translated as reading “this title”, meaning title VIII of div. J of Pub. L. 108-447, Dec. 8, 2004, 118 Stat. 3377, known as the Federal Lands Recreation Enhancement Act, to reflect the probable intent of Congress. For complete classification of title VIII to the Code, see Short Title note set out under section 6801 of this title and Tables.

CHAPTER 88—WESTERN AND CENTRAL PACIFIC FISHERIES CONVENTION

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§ 6901. Definitions

In this chapter:

(1) 1982 Convention

The term “1982 Convention” means the United Nations Convention on the Law of the Sea of 10 December 1982.

(2) Agreement

The term “Agreement” means the Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks.

(3) Commission

The term “Commission” means the Commission for the Conservation and Management of Highly Migratory Fish Stocks in the Western

and Central Pacific Ocean established in accordance with this Convention.

(4) Convention area

The term “convention area” means all waters of the Pacific Ocean bounded to the south and to the east by the following line:

From the south coast of Australia due south along the 141th meridian of east longitude to its intersection with the 55th parallel of south latitude; thence due east along the 55th parallel of south latitude to its intersection with the 150th meridian of east longitude; thence due south along the 150th meridian of east longitude to its intersection with the 60th parallel of south latitude; thence due east along the 60th parallel of south latitude to its intersection with the 130th meridian of west longitude; thence due north along the 130th meridian of west longitude to its intersection with the 4th parallel of south latitude; thence due west along the 4th parallel of south latitude to its intersection with the 150th meridian of west longitude; thence due north along the 150th meridian of west longitude.

(5) Exclusive economic zone

The term “exclusive economic zone” means the zone established by Presidential Proclamation Numbered 5030 of March 10, 1983.

(6) Fishing

The term “fishing” means—

(A) searching for, catching, taking, or harvesting fish;

(B) attempting to search for, catch, take, or harvest fish;

(C) engaging in any other activity which can reasonably be expected to result in the locating, catching, taking, or harvesting of fish for any purpose;

(D) placing, searching for, or recovering fish aggregating devices or associated electronic equipment such as radio beacons;

(E) any operations at sea directly in support of, or in preparation for, any activity described in subparagraphs (A) through (D), including transshipment; and

(F) use of any other vessel, vehicle, aircraft, or hovercraft, for any activity described in subparagraphs (A) through (E) except for emergencies involving the health and safety of the crew or the safety of a vessel.

(7) Fishing vessel

The term “fishing vessel” means any vessel used or intended for use for the purpose of fishing, including support ships, carrier vessels, and any other vessel directly involved in such fishing operations.

(8) Highly migratory fish stocks

The term “highly migratory fish stocks” means all fish stocks of the species listed in Annex 1 of the 1982 Convention, except sauries, occurring in the Convention Area,¹ and such other species of fish as the Commission may determine.

(9) Secretary

The term “Secretary” means the Secretary of Commerce.

(10) State

The term “State” means each of the several States of the United States, the District of Columbia, the Commonwealth of the Northern Mariana Islands, American Samoa, Guam, and any other commonwealth, territory, or possession of the United States.

(11) Transshipment

The term “transshipment” means the unloading of all or any of the fish on board a fishing vessel to another fishing vessel either at sea or in port.

(12) WCPFC Convention; Western and Central Pacific Convention

The terms “WCPFC Convention” and “Western and Central Pacific Convention” means the Convention on the Conservation and Management of the Highly Migratory Fish Stocks in the Western and Central Pacific Ocean, (including any annexes, amendments, or protocols which are in force, or have come into force, for the United States) which was adopted at Honolulu, Hawaii, on September 5, 2000, by the Multilateral High Level Conference on the Highly Migratory Fish Stocks in the Western and Central Pacific Ocean.

(Pub. L. 109–479, title V, §502, Jan. 12, 2007, 120 Stat. 3635.)

REFERENCES IN TEXT

Presidential Proclamation Numbered 5030, referred to in par. (5), is Proc. No. 5030, Mar. 10, 1983, 48 F.R. 10605, which is set out as a note under section 1453 of this title.

SHORT TITLE

Pub. L. 109–479, title V, §501, Jan. 12, 2007, 120 Stat. 3635, provided that: “This title [enacting this chapter] may be cited as the ‘Western and Central Pacific Fisheries Convention Implementation Act’.”

§ 6902. Appointment of United States Commissioners

(a) In general

The United States shall be represented on the Commission by 5 United States Commissioners. The President shall appoint individuals to serve on the Commission at the pleasure of the President. In making the appointments, the President shall select Commissioners from among individuals who are knowledgeable or experienced concerning highly migratory fish stocks and commercial fishing in the Western and Central Pacific Ocean, one of whom shall be an officer or employee of the Department of Commerce, and one of whom shall be the chairman or a member of the Western Pacific Fishery Management Council, and one of whom shall be the chairman or a member of the Pacific Fishery Management Council. The Commissioners shall be entitled to adopt such rules of procedures as they find necessary and to select a chairman from among members who are officers or employees of the United States Government.

(b) Alternate Commissioners

The Secretary of State, in consultation with the Secretary, may designate from time to time and for periods of time deemed appropriate Al-

¹ So in original. Probably should not be capitalized.