

provisions and regulations shall be considered to be provisions of the Act of 1976 [16 U.S.C. 1801 et seq.] to which section 311(a), (b), (c), and (d) of the Act of 1976 (16 U.S.C. 1861(a), (b), (c), and (d), respectively) apply.

(Pub. L. 97-389, title III, §308, Dec. 29, 1982, 96 Stat. 1953.)

REFERENCES IN TEXT

For Act of 1976, referred to in text, see section 3601(1) of this title and References in Text note set out under section 3601 of this title.

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.

§ 3608. Authorization of appropriations

There are authorized to be appropriated from time to time such sums as may be necessary for carrying out the purposes and provisions of the Convention and this chapter including—

(1) necessary travel expenses of the Commissioners and alternate Commissioners in accordance with the Federal Travel Regulation and sections 5701, 5702, 5704 through 5708, and 5731 of title 5; and

(2) the United States contribution to the Organization as provided in Article 16 of the Convention, not to exceed \$50,000 for fiscal year 1983, and not to exceed, for each succeeding fiscal year, the amount assessed by the Organization for the United States for such year.

(Pub. L. 97-389, title III, §309, Dec. 29, 1982, 96 Stat. 1954.)

CHAPTER 56A—PACIFIC SALMON FISHING

| | |
|-------|---|
| Sec. | |
| 3631. | Definitions. |
| 3632. | United States Section. |
| 3633. | Authority and responsibility. |
| 3634. | Interagency cooperation. |
| 3635. | Preemption. |
| 3636. | Rulemaking. |
| 3637. | Prohibited acts and penalties. |
| 3638. | General standard. |
| 3639. | Advisory committee. |
| 3640. | Administrative matters. |
| 3641. | Authorization of appropriations. |
| 3642. | Disposition of property of International Pacific Salmon Fisheries Commission. |
| 3643. | Savings provision. |
| 3644. | Restriction on spending authority. |
| 3645. | Northern and Southern Funds; treaty implementation; additional authorization of appropriations. |

§ 3631. Definitions

As used in this chapter, unless the context otherwise requires, the term—

(a) “Commission” means the Pacific Salmon Commission established by the Treaty;

(b) “enhancement” means manmade improvements to natural habitats, or the application of artificial fish culture technology,

that will lead to the increase of salmon stocks;

(c) “Magnuson Act” means the Act entitled “the Magnuson-Stevens Fishery Conservation and Management Act,” as approved April 13, 1976, and as later amended (16 U.S.C. section 1801 et seq.);

(d) “Panel” means any of the Panels established by the Treaty;

(e) “person” means any individual (whether or not a citizen or national of the United States), any corporation, partnership, association, or other entity (whether or not organized or existing under the laws of any State);

(f) “salmon” means any anadromous species of the family Salmonidae and genus *Oncorhynchus*, commonly known as Pacific salmon, including but not limited to:

| Popular names | Scientific name |
|---|---------------------------------|
| Chinook or King Salmon | <i>Oncorhynchus tshawytscha</i> |
| Coho or Silver Salmon Pink or Humpback Salmon | <i>Oncorhynchus kisutch</i> |
| Chum or Dog Salmon Sockeye or Red Salmon | <i>Oncorhynchus gorbuscha</i> |
| | <i>Oncorhynchus keta</i> |
| | <i>Oncorhynchus nerka</i> |

and shall also include Steelhead (*Salmo gairdneri*);

(g) “Secretary” means the Secretary of Commerce;

(h) “Treaty” means the Treaty between the Government of the United States of America and the Government of Canada Concerning Pacific Salmon, signed at Ottawa, January 28, 1985;

(i) “treaty Indian tribe” means any of the federally recognized Indian tribes of the Columbia River basin, Washington coast or Puget Sound areas having reserved fishing rights to salmon stocks subject to the Treaty under treaties with the United States Government; and

(j) “United States Section” means the four United States Commissioners appointed by the President pursuant to this chapter.

(Pub. L. 99-5, §2, Mar. 15, 1985, 99 Stat. 7; Pub. L. 102-251, title III, §306(a), Mar. 9, 1992, 106 Stat. 66; Pub. L. 104-208, div. A, title I, §101(a) [title II, §211(b)], Sept. 30, 1996, 110 Stat. 3009, 3009-41.)

AMENDMENT OF SECTION

Pub. L. 102-251, title III, §§306(a), 308, Mar. 9, 1992, 106 Stat. 66, provided that, effective on the date on which the Agreement between the United States and the Union of Soviet Socialist Republics on the Maritime Boundary, signed June 1, 1990, enters into force for the United States, with authority to prescribe implementing regulations effective Mar. 9, 1992, but with no such regulation to be effective until the date on which the Agreement enters into force for the United States, this section is amended by redesignating subsections (h) to (j) as (i) to (k), respectively, and by inserting after subsection (g) the following new subsection:

(h) “Special areas” means the areas referred to as eastern special areas in Article 3(1) of the