

nel, for the purposes of assisting the Organization in carrying out its duties under the Convention. Such agencies may accept reimbursement from the Organization for providing such services, facilities, and personnel.

(Pub. L. 97-389, title III, §306, Dec. 29, 1982, 96 Stat. 1953.)

§ 3606. Violations and penalties

(a) Directed fishing for salmon; Convention, rules and regulations

It is unlawful for any person, or any vessel, subject to the jurisdiction of the United States—

(1) to conduct directed fishing for salmon in waters seaward of twelve miles from the baselines from which the breadths of territorial seas are measured, in waters of the Atlantic Ocean north of 36 degrees north latitude; or

(2) to violate any provision of the Convention or this chapter, or of any regulation promulgated under this chapter.

(b) Civil and criminal penalties

Any person who commits any act that is unlawful under subsection (a) of this section shall—

(1) be liable to the United States for a civil penalty under section 308 of the Act of 1976 (16 U.S.C. 1858) to the same extent as if such act were an act prohibited under section 307 of the Act of 1976 (16 U.S.C. 1857); and

(2) be guilty of an offense under section 309 of the Act of 1976 (16 U.S.C. 1859) to the same extent as if such act were an act prohibited by section 307(1)(D), (E), (F), or (H) of the Act of 1976 (16 U.S.C. 1857(1)(D), (E), (F), or (H)).

(c) Civil forfeiture of vessel

Any vessel used, and any fish (or the fair market value thereof) taken or retained in any manner, in connection with or as the result of the commission of an act which is unlawful under subsection (a) of this section shall be subject to civil forfeiture under section 310 of the Act of 1976 (16 U.S.C. 1860) to the same extent as if such vessel was used in, or such fish was taken or retained in connection with or as the result of, the commission of an act prohibited by section 307 of the Act of 1976 (16 U.S.C. 1857).

(Pub. L. 97-389, title III, §307, Dec. 29, 1982, 96 Stat. 1953; Pub. L. 98-44, title I, §102(2), July 12, 1983, 97 Stat. 216.)

AMENDMENTS

1983—Subsec. (c). Pub. L. 98-44 inserted provision that any fish, or the fair market value thereof, taken or retained in connection with or as the result of the commission of an act unlawful under subsection (a) of this section shall be subject to civil forfeitures under section 1860 of this title to the same extent as if such fish was taken or retained in connection with or as the result of the commission of an act prohibited by section 1857 of this title.

§ 3607. Enforcement

The Secretary of Commerce and the Secretary of the department in which the Coast Guard is operating shall enforce the provisions of this chapter and any regulation issued under this chapter. For purposes of such enforcement, such

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,