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SUBCHAPTER I—FUR SEAL MANAGEMENT

§ 1151. Definitions

(a) “Commission” means the North Pacific Fur Seal Commission established pursuant to article V of the Convention.

(b) “Convention” means the Interim Convention on the Conservation of North Pacific Fur Seals signed at Washington on February 9, 1957, as amended by the protocol signed in Washington on October 8, 1963; by the exchange of notes among the party governments which became effective on September 3, 1969; by the protocol signed in Washington on May 7, 1976; and by the protocol signed in Washington on October 14, 1980, by the parties.

(c) “Cure” or “curing” means the performance of those post-harvest activities traditionally performed on the Pribilof Islands, including cooling, washing, removal of blubber, soaking in brine, draining, treating with salt or boric acid, and packing in containers for shipment of fur seal skins.

(d) “Fur Seal” means the North Pacific Fur Seal, *Callorhinus Ursinus*.

(e) “Import” means to land on, bring into, or introduce into, or attempt to land on, bring into, or introduce into, any place subject to the jurisdiction of the United States, whether or not such landing, bringing, or introduction constitutes an importation within the meaning of the customs laws of the United States.

(f) “Natives of the Pribilof Islands” means any Aleuts who are permanent residents of the Pribilof Islands, or any organization or entity representing such natives.

(g) “North Pacific Ocean” means the waters of the Pacific Ocean north of the thirtieth parallel of north latitude, including the Bering, Okhotsk, and Japan Seas.

(h) “Party” or “parties” means the United States of America, Canada, Japan, and Russia (except that as used in subsection (b) of this section, “party” and “parties” refer to the Union of Soviet Socialist Republics).

(i) “Person” means any individual, partnership, corporation, trust, association or any other private entity, or any officer, employee, agent, department, or instrumentality of the Federal Government, of any State or political subdivision thereof, or of any foreign government.

(j) “Pribilof Islands” means the islands of Saint Paul and Saint George, Walrus and Otter Islands, and Sea Lion Rock.

(k) “Sealing” means the taking of fur seals.

(l) “Secretary” means the Secretary of Commerce.

(m) “Take” or “taking” means to harass, hunt, capture, or kill, or attempt to harass, hunt, capture, or kill.

(Pub. L. 89-702, title I, §101, Nov. 2, 1966, 80 Stat. 1091; Pub. L. 98-129, §2, Oct. 14, 1983, 97 Stat. 835; Pub. L. 102-251, title III, §303, Mar. 9, 1992, 106 Stat. 65; Pub. L. 103-199, title VI, §602(1), Dec. 17, 1993, 107 Stat. 2327.)

AMENDMENT OF SECTION

Pub. L. 102-251, title III, §§303, 308, Mar. 9, 1992, 106 Stat. 65, 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 (f) to (m) as (g) to (n), respectively, and by inserting after subsection (e) the following new subsection:

(f) “Jurisdiction of the United States” includes jurisdiction over the areas referred to as eastern special areas in Article 3(1) of the Agreement between the United States of America and the Union of Soviet Socialist Republics on the Maritime Boundary, signed June 1, 1990; in particular, those areas east of the maritime boundary, as defined in that Agreement, that lie within 200 nautical miles of the baselines from which the breadth of the territorial sea of Russia is measured but beyond 200 nautical miles of the baselines from which the breadth of the territorial sea of the United States is measured.

Editorial Notes

AMENDMENTS

1993—Subsec. (h). Pub. L. 103-199 substituted “Russia (except that as used in subsection (b) of this section, ‘party’ and ‘parties’ refer to the Union of Soviet Socialist Republics)” for “the Union of Soviet Socialist Republics”.

1983—Pub. L. 98-129 amended section generally, substituting provisions defining terms, previously defined in former sections 1159 and 1186 of this title, for provi-

sions enumerating the activities prohibited under this chapter. See section 1152 of this title.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 1992 AMENDMENT

Amendment by Pub. L. 102-251 effective on date on which Agreement between United States and Union of Soviet Socialist Republics on the Maritime Boundary, signed June 1, 1990, enters into force for United States, with authority to prescribe implementing regulations effective Mar. 9, 1992, but with no such regulation to be effective until date on which Agreement enters into force for United States, see section 308 of Pub. L. 102-251, set out as a note under section 773 of this title.

SHORT TITLE OF 2016 AMENDMENT

Pub. L. 114-328, div. C, title XXXV, § 3531, Dec. 23, 2016, 130 Stat. 2794, provided that: “This subtitle [subtitle B (§§ 3531-3533) of title XXXV of div. C of Pub. L. 114-328, amending provisions set out as a note under section 1161 of this title] may be cited as the ‘Pribilof Islands Transition Completion Amendments Act of 2016’.”

Pub. L. 114-120, title V, § 521, Feb. 8, 2016, 130 Stat. 70, as amended by Pub. L. 114-328, div. C, title XXXV, § 3503(c), Dec. 23, 2016, 130 Stat. 2775, provided that: “This subtitle [subtitle B (§§ 521-524) of title V of Pub. L. 114-120, amending section 1165 of this title and provisions set out as a note under section 1161 of this title] may be cited as the ‘Pribilof Island [sic] Transition Completion Act of 2016’.”

SHORT TITLE OF 2000 AMENDMENTS

Pub. L. 106-562, title I, § 101, Dec. 23, 2000, 114 Stat. 2794, provided that: “This title [enacting section 1169b of this title, amending sections 1161, 1165, and 1166 of this title, repealing section 1165 of this title, enacting provisions set out as notes under this section and section 1161 of this title, amending provisions set out as a note under section 1165 of this title, and repealing provisions set out as a note under section 1165 of this title] may be referred to as the ‘Pribilof Islands Transition Act’.”

Pub. L. 106-554, § 1(a)(4) [div. B, title I, § 144(e)(1)], Dec. 21, 2000, 114 Stat. 2763, 2763A-244, provided that: “This subsection [enacting section 1169b of this title, amending sections 1161, 1165, and 1166 of this title, repealing section 1165 of this title, enacting provisions set out as notes under this section and section 1161 of this title, amending provisions set out as a note under section 1165 of this title, and repealing provisions set out as a note under section 1165 of this title] may be referred to as the ‘Pribilof Islands Transition Act’.”

SHORT TITLE OF 1983 AMENDMENT

Pub. L. 98-129, § 1, Oct. 14, 1983, 97 Stat. 835, provided: “That this Act [amending this chapter generally, sections 8332 and 8334 of Title 5, Government Organization and Employees, and section 5323 of Title 25, Indians] may be cited as the ‘Fur Seal Act Amendments of 1983’.”

SHORT TITLE

Pub. L. 89-702, § 1, as added by Pub. L. 106-554, § 1(a)(4) [div. B, title I, § 144(e)(6)(C)], Dec. 21, 2000, 114 Stat. 2763, 2763A-248, and Pub. L. 106-562, title I, § 106(c), Dec. 23, 2000, 114 Stat. 2799, provided that: “This Act [generally enacting this chapter, for complete classification, see Tables] may be cited as the ‘Fur Seal Act of 1966’.”

§ 1152. Prohibitions

It is unlawful, except as provided in this chapter or by regulation of the Secretary, for any person or vessel subject to the jurisdiction of the United States to engage in the taking of fur seals in the North Pacific Ocean or on lands or waters under the jurisdiction of the United

States, or to use any port or harbor or other place under the jurisdiction of the United States for any purpose connected in any way with such taking, or for any person to transport, import, offer for sale, or possess at any port or place or on any vessel, subject to the jurisdiction of the United States, fur seals or the parts thereof, including, but not limited to, raw, dressed, or dyed fur seal skins, taken contrary to the provisions of this chapter or the Convention, or for any person subject to the jurisdiction of the United States to refuse to permit, except within the Exclusive Economic Zone of the United States, a duly authorized official of Canada, Japan, or Russia to board and search any vessel which is outfitted for the harvesting of living marine resources and which is subject to the jurisdiction of the United States to determine whether such vessel is engaged in sealing contrary to the provisions of said Convention.

(Pub. L. 89-702, title I, § 102, Nov. 2, 1966, 80 Stat. 1091; Pub. L. 98-129, § 2, Oct. 14, 1983, 97 Stat. 836; Pub. L. 103-199, title VI, § 602(2), Dec. 17, 1993, 107 Stat. 2327.)

Editorial Notes

AMENDMENTS

1993—Pub. L. 103-199 substituted “Russia” for “the Union of Soviet Socialist Republics”.

1983—Pub. L. 98-129 amended section generally, substituting provisions enumerating the activities prohibited under this chapter, which were previously contained in section 1151 of this title, for provisions authorizing sealing by Aleuts, Eskimos, and Indians. See section 1153 of this title.

§ 1153. Sealing permitted by Aleuts, Eskimos, and Indians

(a) Indians, Aleuts, and Eskimos who dwell on the coasts of the North Pacific Ocean are permitted to take fur seals and dispose of their skins after the skins have been officially marked and certified by a person authorized by the Secretary: *Provided*, That the seals are taken for subsistence uses as defined in section 1379(f)(2) of this title, and only in canoes not transported by or used in connection with other vessels, and propelled entirely by oars, paddles, or sails, and manned by not more than five persons each, in the way hitherto practiced and without the use of firearms. This authority shall not apply to Indians, Aleuts, and Eskimos while they are employed by any person for the purpose of taking fur seals or are under contract to deliver the skins to any person.

(b) Indians, Aleuts, and Eskimos who live on the Pribilof Islands are authorized to take fur seals for subsistence purposes as defined in section 1379(f)(2) of this title, under such conditions as recommended by the Commission and accepted by the Secretary of State pursuant to regulations promulgated by the Secretary.

(Pub. L. 89-702, title I, § 103, Nov. 2, 1966, 80 Stat. 1091; Pub. L. 98-129, § 2, Oct. 14, 1983, 97 Stat. 836.)

Editorial Notes

AMENDMENTS

1983—Pub. L. 98-129 amended section generally, substituting provisions authorizing sealing by Aleuts, Es-