

(3) to refuse to permit any officer authorized to enforce this chapter to board a fishing vessel subject to such person's control for the purposes of conducting any investigation or inspection in connection with the enforcement of this chapter;

(4) to assault, resist, oppose, impede, intimidate, or interfere with any such authorized officer in the conduct of any search, investigation, or inspection in connection with the enforcement of this chapter or any regulation promulgated or permit issued under this chapter;

(5) to resist a lawful arrest for any act prohibited by this chapter or any regulation promulgated or permit issued under this chapter;

(6) to ship, transport, offer for sale, sell, purchase, import, export, or have custody, control, or possession of, any fishery resources taken or retained in violation of this chapter or any regulation or permit referred to in paragraph (1) or (2);

(7) to interfere with, delay, or prevent, by any means, the apprehension or arrest of another person, knowing that such other person has committed any act prohibited by this chapter;

(8) to submit to the Secretary false information, regarding any matter that the Secretary is considering in the course of carrying out this chapter;

(9) to assault, resist, oppose, impede, intimidate, sexually harass, bribe, or interfere with any observer on a vessel pursuant to the requirements of this chapter, or any data collector employed by the National Oceanic and Atmospheric Administration or under contract to any person to carry out responsibilities under this chapter;

(10) to fail to make, keep, or furnish any catch returns, statistical records, or other reports as are required by regulations adopted pursuant to this chapter to be made, kept, or furnished;

(11) to fail to stop a vessel upon being hailed and instructed to stop by a duly authorized official of the United States;

(12) to import, in violation of any regulation promulgated under this chapter, any fishery resources in any form of those species subject to regulation pursuant to a decision of the Commission;

(13) to make or submit any false record, account, or label for, or any false identification of, any fishery resources that have been or are intended to be imported, exported, transported, sold, offered for sale, purchased, or received in interstate or foreign commerce; or

(14) to refuse to authorize and accept boarding by a duly authorized inspector pursuant to procedures adopted by the Commission for the boarding and inspection of fishing vessels in the Convention Area.

(Pub. L. 114-327, title II, §206, Dec. 16, 2016, 130 Stat. 1991.)

§ 7807. Cooperation in carrying out the Convention

(a) Federal and State agencies; private institutions and organizations

The Secretary may cooperate with agencies of the United States Government, any public or

private institutions or organizations within the United States or abroad, and, through the Secretary of State, the duly authorized officials of the government of any party to the South Pacific Fishery Resources Convention, in carrying out responsibilities under this chapter.

(b) Scientific and other programs; facilities and personnel

All Federal agencies may, upon the request of the Secretary, cooperate in the conduct of scientific and other programs and to furnish facilities and personnel for the purpose of assisting the Commission in carrying out its duties under the South Pacific Fishery Resources Convention.

(c) Sanctioned fishing operations and biological experiments

Nothing in this chapter, or in the laws or regulations of any State, prevents the Secretary or the Commission from—

(1) conducting or authorizing the conduct of fishing operations and biological experiments at any time for purposes of scientific investigation; or

(2) discharging any other duties prescribed by the South Pacific Fishery Resources Convention.

(d) State jurisdiction not affected

Nothing in this chapter shall be construed to diminish or to increase the jurisdiction of any State in the territorial sea of the United States.

(Pub. L. 114-327, title II, §207, Dec. 16, 2016, 130 Stat. 1992.)

§ 7808. Territorial participation

The Secretary of State shall ensure participation in the Commission and its subsidiary bodies by American Samoa, Guam, and the Commonwealth of the Northern Mariana Islands to the extent allowed under United States law.

(Pub. L. 114-327, title II, §208, Dec. 16, 2016, 130 Stat. 1992.)

§ 7809. Exclusive economic zone notification

Masters of commercial fishing vessels of countries fishing under the management authority of the South Pacific Fisheries Convention that do not carry vessel monitoring systems capable of communicating with United States enforcement authorities shall, before or as soon as reasonably possible after, entering and transiting the exclusive economic zone bounded by the Convention Area, ensure that all fishing gear on board the vessel is stowed below deck or otherwise removed from the place it is normally used for fishing activities and placed where it is not readily available for fishing activities.

(Pub. L. 114-327, title II, §209, Dec. 16, 2016, 130 Stat. 1993.)

§ 7810. Authorization of appropriations

(a) In general

There is authorized to be appropriated out of funds made available to the Secretary and the Secretary of State \$300,000 for each of fiscal years 2017 through 2021 to carry out this chapter

and to pay the United States contribution to the Commission under Article 15 of the South Pacific Fisheries Convention.

(b) International cooperation and assistance

(1) In general

Subject to the limits of available appropriations and consistent with applicable law, the Secretary or the Secretary of State may provide appropriate assistance, including grants, to developing nations and international organizations of which such nations are members to assist those nations in meeting their obligations under the South Pacific Fisheries Convention.

(2) Transfer of funds

Subject to the limits of available appropriations and consistent with other applicable law, the Secretary and the Secretary of State are authorized to transfer funds to any foreign government and any international, non-governmental, or international organization, including the Commission, for purposes of carrying out the international responsibilities under paragraph (1).

(Pub. L. 114-327, title II, §210, Dec. 16, 2016, 130 Stat. 1993.)

CHAPTER 98—SPORTSMEN'S ACCESS TO FEDERAL LAND

SUBCHAPTER I—NATIONAL POLICY

Sec.
7901. Congressional declaration of national policy.

SUBCHAPTER II—SPORTSMEN'S ACCESS TO FEDERAL LAND

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SUBCHAPTER III—MISCELLANEOUS

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SUBCHAPTER I—NATIONAL POLICY

§ 7901. Congressional declaration of national policy

(a) In general

Congress declares that it is the policy of the United States that Federal departments and agencies, in accordance with the missions of the departments and agencies, Executive Orders 12962 and 13443 (60 Fed. Reg. 30769 (June 7, 1995); 72 Fed. Reg. 46537 (August 16, 2007)), and applicable law, shall—

(1) facilitate the expansion and enhancement of hunting, fishing, and recreational shooting opportunities on Federal land, in consultation with the Wildlife and Hunting Heritage Conservation Council, the Sport Fishing and Boating Partnership Council, State and Tribal fish and wildlife agencies, and the public;

(2) conserve and enhance aquatic systems and the management of game species and the

habitat of those species on Federal land, including through hunting and fishing, in a manner that respects—

(A) State management authority over wildlife resources; and
(B) private property rights; and

(3) consider hunting, fishing, and recreational shooting opportunities as part of all Federal plans for land, resource, and travel management.

(b) Exclusion

In this title,¹ the term “fishing” does not include commercial fishing in which fish are harvested, either in whole or in part, that are intended to enter commerce through sale.

(Pub. L. 116-9, title IV, §4001, Mar. 12, 2019, 133 Stat. 756.)

Editorial Notes

REFERENCES IN TEXT

Executive Order 12962, referred to in subsec. (a), is Ex. Ord. No. 12962, June 7, 1995, 60 F.R. 30769, which is set out as a note under section 1801 of this title.

Executive Order 13443, referred to in subsec. (a), is Ex. Ord. No. 13443, Aug. 16, 2007, 72 F.R. 46537, which is set out as a note under section 661 of this title.

This title, referred to in subsec. (b), means title IV of Pub. L. 116-9, Mar. 12, 2019, 133 Stat. 756, which enacted this chapter and amended section 704 of this title, section 504 of Title 5, Government Organization and Employees, section 2412 of Title 28, Judiciary and Judicial Procedure, and section 1304 of Title 31, Money and Finance. For complete classification of title IV to the Code, see Tables.

SUBCHAPTER II—SPORTSMEN'S ACCESS TO FEDERAL LAND

§ 7911. Definitions

In this subchapter:

(1) Federal land

The term “Federal land” means—

(A) any land in the National Forest System (as defined in section 1609(a) of this title) that is administered by the Secretary of Agriculture, acting through the Chief of the Forest Service; and

(B) public lands (as defined in section 1702 of title 43), the surface of which is administered by the Secretary, acting through the Director of the Bureau of Land Management.

(2) Secretary concerned

The term “Secretary concerned” means—

(A) the Secretary of Agriculture, with respect to land described in paragraph (1)(A); and

(B) the Secretary, with respect to land described in paragraph (1)(B).

(Pub. L. 116-9, title IV, §4101, Mar. 12, 2019, 133 Stat. 757.)

Statutory Notes and Related Subsidiaries

DEFINITION OF “SECRETARY”

Secretary means the Secretary of the Interior, see section 2 of Pub. L. 116-9, set out as a note under section 1 of this title.

¹ See References in Text note below.