

(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.)

**Editorial Notes**

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.)

**Editorial Notes**

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.

**Statutory Notes and Related Subsidiaries**

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.
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**§ 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	<i>Oncorhynchus kisutch</i>

Popular names	Scientific name	Statutory Notes and Related Subsidiaries
Pink or Humpback		EFFECTIVE DATE OF 1996 AMENDMENT
Salmon .....	Oncorhynchus gorbuscha	Pub. L. 104-208, div. A, title I, §101(a) [title II, §211(b)], Sept. 30, 1996, 110 Stat. 3009, 3009-41, provided that the amendment made by that section is effective 15 days after Oct. 11, 1996.
Chum or Dog Salmon	Oncorhynchus keta	
Sockeye or Red		
Salmon .....	Oncorhynchus nerka	
and shall also include Steelhead ( <i>Salmo gairdneri</i> );		EFFECTIVE DATE OF 1992 AMENDMENT
(g) "Secretary" means the Secretary of Commerce;		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.
(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		SHORT TITLE
(j) "United States Section" means the four United States Commissioners appointed by the President pursuant to this chapter.		Pub. L. 99-5, §1, Mar. 15, 1985, 99 Stat. 7, provided: "That this Act [enacting this chapter and repealing sections 776 to 776f of this title and provisions set out as notes under section 776 of this title] may be cited as the 'Pacific Salmon Treaty Act of 1985'."
(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		
<i>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:</i>		
<i>(h) "Special areas" means the areas referred to as eastern special areas in Article 3(I) 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, the term refers to 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.</i>		
Editorial Notes		
REFERENCES IN TEXT		
<p>The Magnuson-Stevens Fishery Conservation and Management Act, referred to in subsec. (c), is Pub. L. 94-265, Apr. 13, 1976, 90 Stat. 331, which is classified principally to chapter 38 (§1801 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 1801 of this title and Tables.</p>		
AMENDMENTS		
<p>1996—Subsec. (c). Pub. L. 104-208 substituted "Magnuson-Stevens Fishery" for "Magnuson Fishery".</p>		

<sup>1</sup> So in original. Probably should be "State".

<sup>2</sup> So in original. The comma probably should not appear.