

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

(6) forcibly assault, resist, oppose, impede, intimidate, or interfere with any such authorized officer in the conduct of any search or inspection under this chapter;

(7) resist a lawful arrest for any act prohibited by this section;

(8) ship, transport, offer for sale, sell, purchase, import, or have custody, control, or possession of, any fish taken or retained in violation of this chapter; or

(9) 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 section.

#### (f) Civil and criminal penalties

(1) Any person who commits any act that is unlawful under subsection (e) of this section shall be liable to the United States for a civil penalty as provided by section 308 of the Magnuson Fishery Conservation and Management Act (16 U.S.C. 1858).

(2) Any person who commits an act prohibited by paragraph (5), (6), (7), or (9) of subsection (e) of this section is guilty of an offense punishable as provided by section 309(a)(1) and (b) of the Magnuson Fishery Conservation and Management Act (16 U.S.C. 1859(a)(1) and (b)).

#### (g) Civil forfeitures

(1) Any vessel (including its gear, equipment, appurtenances, stores, and cargo) 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 any act that is unlawful under subsection (e) of this section, shall be subject to forfeiture to the United States as provided in section 310 of the Magnuson Fishery Conservation and Management Act (16 U.S.C. 1860).

(2) Any fish seized pursuant to this chapter may be disposed of pursuant to the order of a court of competent jurisdiction or, if perishable, in a manner prescribed in regulation.

#### (h) Enforcement

A person authorized by the Secretary or the Secretary of the department in which the Coast Guard is operating may take any action to enforce a moratorium declared under subsection (c) of this section that an officer authorized by the Secretary under section 311(b) of the Magnuson Fishery Conservation and Management Act (16 U.S.C. 1861(b)) may take to enforce that Act [16 U.S.C. 1801 et seq.]. The Secretary may, by agreement, on a reimbursable basis or otherwise, utilize the personnel, services, equipment (including aircraft and vessels), and facilities of any other Federal department or agency and of any agency of a State in carrying out that enforcement.

(Pub. L. 103-206, title VIII, § 807, Dec. 20, 1993, 107 Stat. 2451.)

#### REFERENCES IN TEXT

The Magnuson Fishery Conservation and Management Act, referred to in subsec. (h), is Pub. L. 94-265,

Apr. 13, 1976, 90 Stat. 331, as amended, 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.

#### § 5107. Financial assistance

The Secretary and the Secretary of the Interior may provide financial assistance to the Commission and to the States to carry out their respective responsibilities under this chapter, including—

(1) the preparation, implementation, and enforcement of coastal fishery management plans; and

(2) State activities that are specifically required within such plans.

(Pub. L. 103-206, title VIII, § 808, Dec. 20, 1993, 107 Stat. 2453.)

#### § 5108. Authorization of appropriations

To carry out the provisions of this chapter, there are authorized to be appropriated \$3,000,000 for fiscal year 1994, \$5,000,000 for fiscal year 1995, and \$7,000,000 for fiscal year 1996.

(Pub. L. 103-206, title VIII, § 809, Dec. 20, 1993, 107 Stat. 2453.)

### CHAPTER 72—RECREATIONAL HUNTING SAFETY

Sec.	
5201.	Obstruction of a lawful hunt.
5202.	Civil penalties. <ol style="list-style-type: none"> <li>(a) In general.</li> <li>(b) Computation of penalty.</li> <li>(c) Relationship to other penalties.</li> <li>(d) Procedure.</li> <li>(e) Use of penalty money collected.</li> </ol>
5203.	Other relief.
5204.	Relationship to State and local law and civil actions.
5205.	Regulations.
5206.	Rule of construction.
5207.	Definitions.

#### § 5201. Obstruction of a lawful hunt

It is a violation of this section intentionally to engage in any physical conduct that significantly hinders a lawful hunt.

(Pub. L. 103-322, title XXXII, § 320802, Sept. 13, 1994, 108 Stat. 2121.)

#### SHORT TITLE

Section 320801 of title XXXII of Pub. L. 103-322 provided that: "This subtitle [subtitle H (§§ 320801-320808) of title XXXII of Pub. L. 103-322, enacting this chapter] may be cited as the 'Recreational Hunting Safety and Preservation Act of 1994'."

#### SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 5202, 5203 of this title.

#### § 5202. Civil penalties

##### (a) In general

A person who violates section 5201 of this title shall be assessed a civil penalty in an amount computed under subsection (b) of this section.

##### (b) Computation of penalty

The penalty shall be—