

servation management programs, or law enforcement, or both.

(b) Fund

(1) Establishment

There is established in the Treasury a separate account, which shall be known as the “Exotic Bird Conservation Fund”.

(2) Contents

The Fund shall consist of—

(A) all amounts received by the United States in the form of penalties, fines, or forfeiture of property collected under this chapter in excess of the cost of paying rewards under section 4912(c) of this title;

(B) donations received by the Secretary for exotic bird conservation; and

(C) such amounts as are appropriated to the Secretary for conserving exotic birds.

(c) Review and report on other conservation opportunities

The Secretary, in consultation with appropriate representatives of industry, the conservation community, the Secretariat of the Convention, and other national and international bodies, shall—

(1) review opportunities for a voluntary program of labeling exotic birds, certification of exotic bird breeding facilities and retail outlets, and provision of privately organized or funded technical assistance to other nations; and

(2) report to the Congress the results of this review within 2 years after October 23, 1992.

(Pub. L. 102-440, title I, §114, Oct. 23, 1992, 106 Stat. 2232.)

§ 4914. Marking and recordkeeping

(a) In general

The Secretary is authorized to promulgate regulations to require marking or recordkeeping that the Secretary determines will contribute significantly to the ability of the Secretary to ensure compliance with the prohibitions of section 4910 of this title, for—

(1) any exotic bird that is imported after October 23, 1992; or

(2) any other exotic bird that is—

(A) hatched after October 23, 1992;

(B) offered for sale; and

(C) of a species—

(i) the export of which from any country of origin is prohibited; and

(ii) that is subject to a high level of illegal trade.

(b) Avoiding deterrence of breeding

The Secretary shall seek to ensure that regulations promulgated under this section will not have the effect of deterring captive breeding of exotic birds.

(Pub. L. 102-440, title I, §115, Oct. 23, 1992, 106 Stat. 2232.)

§ 4915. Authorization of appropriations

There are authorized to be appropriated to the Secretary \$5,000,000 for each of the fiscal years 1993, 1994, and 1995 to carry out this chapter, to remain available until expended.

(Pub. L. 102-440, title I, §116, Oct. 23, 1992, 106 Stat. 2233.)

§ 4916. Relationship to State law

Nothing in this chapter may be construed as precluding the regulation under State law of the sale, transfer, or possession of exotic birds if such regulation—

(1) does not authorize any sale, transfer, or possession of exotic birds that is prohibited under this chapter; and

(2) is consistent with the international obligations of the United States.

(Pub. L. 102-440, title I, §117, Oct. 23, 1992, 106 Stat. 2233.)

CHAPTER 70—NORTH PACIFIC ANADROMOUS STOCKS CONVENTION

Sec.	Purpose.
5001.	Definitions.
5002.	United States Commissioners.
5003.	(a) Commissioners.
	(b) Alternate Commissioners.
	(c) United States Section.
	(d) Compensation.
5004.	Advisory Panel.
	(a) Establishment of Panel.
	(b) Qualifications.
	(c) Limitation on service.
	(d) Functions.
	(e) Compensation and expenses.
5005.	Commission recommendations.
5006.	Administration and enforcement of Convention.
	(a) Responsibilities.
	(b) Consultation and cooperation.
5007.	Cooperation with other agencies.
	(a) In general.
	(b) Functions of Secretary of Commerce.
5008.	Enforcement provisions.
	(a) Duties of Secretaries of Commerce and Transportation.
	(b) District court jurisdiction.
	(c) Powers of enforcement officers.
	(d) Additional powers.
5009.	Unlawful activities.
5010.	Penalties.
	(a) Civil penalties.
	(b) Offenses.
	(c) Forfeiture.
5011.	Funding requirements.
	(a) Authorization.
	(b) Research.
5012.	Disposition of property.

§ 5001. Purpose

It is the purpose of this chapter to implement the Convention for the Conservation of Anadromous Stocks in the North Pacific Ocean, signed in Moscow, February 11, 1992.

(Pub. L. 102-567, title VIII, §802, Oct. 29, 1992, 106 Stat. 4309; Pub. L. 102-587, title VIII, §8002, Nov. 4, 1992, 106 Stat. 5098.)

REFERENCES IN TEXT

This chapter, referred to in text, was in the original “this title”, meaning title VIII of Pub. L. 102-567 and Pub. L. 102-587, which is classified generally to this chapter. For complete classification of title VIII to the Code, see Short Title note below and Tables.

CODIFICATION

Pub. L. 102-567 and Pub. L. 102-587 enacted identical sections.