

“(B) submit a report on the program to the Committee on Transportation and Infrastructure and the Committee on Resources of the House of Representatives, the Committee on Commerce, Science, and Transportation of the Senate, and the Committees on Armed Services of the House of Representatives and the Senate.

“(2) CONTENTS OF REPORT.—The report shall include information concerning the initial determination of scrapping capacity, both domestically and abroad, appropriate proposed regulations to implement the program, funding and staffing requirements, milestone dates for the disposal of each obsolete vessel, and longterm cost estimates for the program.

“(3) ALTERNATIVES.—In developing the program, the Secretary of Transportation, in consultation with the Secretary of the Navy and the Administrator of the Environmental Protection Agency, shall consider all alternatives and available information, including—

- “(A) alternative scrapping sites;
- “(B) vessel donations;
- “(C) sinking of vessels in deep water;
- “(D) sinking vessels for development of artificial reefs;
- “(E) sales of vessels before they become obsolete;
- “(F) results from the Navy Ship Disposal Program under section 8124 of the Department of Defense Appropriations Act, 1999 [Pub. L. 105–262, 10 U.S.C. 7291 note]; and
- “(G) the Report of the Department of Defense’s Interagency Panel on Ship Scrapping issued in April 1998.

“(e) REPORT.—Not later than 1 year after the date of the enactment of this Act [Oct. 30, 2000], and every 6 months thereafter, the Secretary of Transportation, in coordination with the Secretary of the Navy, shall report to the Committee on Transportation and Infrastructure and the Committee on Resources of the House of Representatives, the Committee on Commerce, Science, and Transportation of the Senate, and the Committees on Armed Services of the House of Representatives and the Senate on the progress of the vessel scrapping program developed under subsection (d)(1) and on the progress of any other scrapping of obsolete Government-owned vessels.

“(f) PRESIDENTIAL RECOMMENDATION.—The President shall transmit with the report required by subsection (d)(1) a recommendation on—

- “(1) whether it is necessary to amend the Toxic Substances Control Act (15 U.S.C. 2601 et seq.) or any other environmental statute or regulatory requirements relevant to the disposal of vessels described in section 6(c)(2) of the National Maritime Heritage Act of 1994 (16 U.S.C. 5405(c)(2)) by September 30, 2006; and
- “(2) any proposed changes to those requirements to carry out such disposals.”

§ 5406. Definitions

In this chapter:

(1) Committee

The term “Committee” means the Maritime Heritage Grants Advisory Committee established under section 5404 of this title.

(2) National Trust

The term “National Trust” means the National Trust for Historic Preservation created by section 468 of this title.

(3) Private nonprofit organization

The term “private nonprofit organization” means any person that is exempt from taxation under section 501(a) of title 26 and described in section 501(c)(3) of title 26.

(4) Program

The term “Program” means the National Maritime Heritage Grants Program established by section 5403(a) of this title.

(5) Secretary

The term “Secretary” means the Secretary of the Interior.

(6) State Historic Preservation Officer

The term “State Historic Preservation Officer” means a State Historic Preservation Officer appointed pursuant to paragraph (1)(A) of section 470a(b) of this title by the Governor of a State having a State Historic Preservation Program approved by the Secretary under that section.

(Pub. L. 103–451, § 7, Nov. 2, 1994, 108 Stat. 4777.)

§ 5407. Regulations

The Secretary, after consultation with the National Trust, the National Conference of State Historic Preservation Officers, and appropriate members of the maritime heritage community, shall promulgate appropriate guidelines, procedures, and regulations within 1 year after November 2, 1994, to carry out the chapter, including regulations establishing terms of office for the initial membership of the Committee, direct grant and subgrant priorities, the method of solicitation and review of direct grant and subgrant proposals, criteria for review of direct grant and subgrant proposals, administrative requirements, reporting and recordkeeping requirements, and any other requirements the Secretary considers appropriate.

(Pub. L. 103–451, § 8, Nov. 2, 1994, 108 Stat. 4778.)

§ 5408. Savings provision

The authorities contained in this chapter shall be in addition to, and shall not be construed to supercede or modify those contained in the National Historic Preservation Act (16 U.S.C. 470–470x–6).

(Pub. L. 103–451, § 9, Nov. 2, 1994, 108 Stat. 4778.)

REFERENCES IN TEXT

The National Historic Preservation Act, referred to in text, is Pub. L. 89–665, Oct. 15, 1966, 80 Stat. 915, as amended, which is classified generally to subchapter II (§ 470 et seq.) of chapter 1A of this title. For complete classification of this Act to the Code, see section 470 of this title and Tables.

§ 5409. Designation of America’s National Maritime Museum

(a) In general

America’s National Maritime Museum is comprised of those museums designated by law to be museums of America’s National Maritime Museum on the basis that they—

- (1) house a collection of maritime artifacts clearly representing the Nation’s maritime heritage; and
- (2) provide outreach programs to educate the public about the Nation’s maritime heritage.

(b) Initial designation of museums

The following museums (meeting the criteria specified in subsection (a) of this section) are hereby designated as museums of America’s National Maritime Museum:

- (1) The Mariners’ Museum, located at 100 Museum Drive, Newport News, Virginia.

(2) The South Street Seaport Museum, located at 207 Front Street, New York, New York.

(c) Future designation of other museums not precluded

The designation of the museums referred to in subsection (b) of this section as museums of America's National Maritime Museum does not preclude the designation by law after October 17, 1998, of any other museum that meets the criteria specified in subsection (a) of this section as a museum of America's National Maritime Museum.

(d) Reference to museums

Any reference in any law, map, regulation, document, paper, or other record of the United States to a museum designated by law to be a museum of America's National Maritime Museum shall be deemed to be a reference to that museum as a museum of America's National Maritime Museum.

(Pub. L. 105–261, div. A, title X, §1068, Oct. 17, 1998, 112 Stat. 2135.)

CODIFICATION

Section enacted as part of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999, and not as part of the National Maritime Heritage Act of 1994 which comprises this chapter.

CHAPTER 75—HIGH SEAS FISHING COMPLIANCE

Sec.	Purpose.
5501.	Purpose.
5502.	Definitions.
5503.	Permitting.
	(a) In general.
	(b) Eligibility.
	(c) Application.
	(d) Conditions.
	(e) Fees.
	(f) Duration.
5504.	Responsibilities of Secretary.
	(a) Record.
	(b) Information to FAO.
	(c) Information to flag nations.
	(d) Regulations.
	(e) Notice of international conservation and management measures.
5505.	Unlawful activities.
5506.	Enforcement provisions.
	(a) Duties of Secretaries.
	(b) District court jurisdiction.
	(c) Powers of enforcement officers.
	(d) Issuance of citations.
	(e) Liability for costs.
5507.	Civil penalties and permit sanctions.
	(a) Civil penalties.
	(b) Permit sanctions.
	(c) Hearing.
	(d) Judicial review.
	(e) Collection.
5508.	Criminal offenses.
	(a) Offenses.
	(b) Punishment.
5509.	Forfeitures.
	(a) In general.
	(b) Jurisdiction of district courts.
	(c) Judgment.
	(d) Procedure.
	(e) Rebuttable presumption.

§ 5501. Purpose

It is the purpose of this chapter—

- (1) to implement the Agreement to Promote Compliance with International Conservation and Management Measures by Fishing Vessels on the High Seas, adopted by the Conference of the Food and Agriculture Organization of the United Nations on November 24, 1993; and
- (2) to establish a system of permitting, reporting, and regulation for vessels of the United States fishing on the high seas.

(Pub. L. 104–43, title I, §102, Nov. 3, 1995, 109 Stat. 367.)

REFERENCES IN TEXT

This chapter, referred to in text, was in the original “this Act”, and was translated as reading “this title”, meaning title I of Pub. L. 104–43, to reflect the probable intent of Congress.

EFFECTIVE DATE

Section 111 of title I of Pub. L. 104–43 provided that: “This title [enacting this chapter] shall take effect 120 days after the date of enactment of this Act [Nov. 3, 1995].”

SHORT TITLE

Section 1 of Pub. L. 104–43 provided that: “This Act [enacting this chapter, chapters 76 (§5601 et seq.) and 77 (§5701 et seq.) of this title, sections 971j, 971k, and 1826d to 1826g of this title, and sections 1980a and 1980b of Title 22, Foreign Relations and Intercourse, amending sections 971, 971b, 971c to 971e, 971h, 971i, 973g, 1383a, and 5002 of this title and section 1977 of Title 22, enacting provisions set out as notes under this section, sections 971, 971c, 1383a, 1801, 1821, 1823, 1826d, 5601, and 5701 of this title, and section 1980a of Title 22, and amending provisions set out as a note under section 1823 of this title] may be cited as the ‘Fisheries Act of 1995’.”

Section 101 of title I of Pub. L. 104–43 provided that: “This title [enacting this chapter] may be cited as the ‘High Seas Fishing Compliance Act of 1995’.”

§ 5502. Definitions

As used in this chapter—

(1) The term “Agreement” means the Agreement to Promote Compliance with International Conservation and Management Measures by Fishing Vessels on the High Seas, adopted by the Conference of the Food and Agriculture Organization of the United Nations on November 24, 1993.

(2) The term “FAO” means the Food and Agriculture Organization of the United Nations.

(3) The term “high seas” means the waters beyond the territorial sea or exclusive economic zone (or the equivalent) of any nation, to the extent that such territorial sea or exclusive economic zone (or the equivalent) is recognized by the United States.

(4) The term “high seas fishing vessel” means any vessel of the United States or subject to the jurisdiction of the United States used or intended for use—

(A) on the high seas;

(B) for the purpose of the commercial exploitation of living marine resources; and

(C) as a harvesting vessel, as a mother ship, or as any other support vessel directly engaged in a fishing operation.

(5) The term “international conservation and management measures” means measures to conserve or manage one or more species of living marine resources that are adopted and