

### **Northern Pacific Halibut Act**

**Agencies:** National Oceanic and Atmospheric Administration, U.S. Department of State, and U.S. Coast Guard

**Citation:** [16 U.S.C. §§ 773 et seq.](#)

**Enacted as:** the “Northern Pacific Halibut Act of 1982”, May 17, 1982

#### **Summary:**

The [Northern Pacific Halibut Act of 1982 \(Halibut Act or Act\)](#) is the implementing legislation for the Convention between the United States and Canada for the Preservation of the Halibut Fishery of the Northern Pacific Ocean and Bering Sea (Convention). The Halibut Act establishes the President’s authority to appoint three Commissioners to the International Pacific Halibut Commission (IPHC), one being a NOAA official, one a resident of the State of Alaska, and one a non-resident of Alaska. The Act authorizes the Secretary of State, with the concurrence of the Secretary of Commerce, to accept or reject on behalf of the United States the halibut fishery regulations and management recommendations developed by the IPHC. The Act also authorizes the North Pacific Fishery Management Council and the Pacific Fishery Management Council to develop, and the Secretary of Commerce to implement, additional halibut fishery regulations governing the U.S. portion of Convention waters. The Act further outlines civil and criminal violations and their respective penalties. Specifically, any violation of the Convention or regulation adopted pursuant to the Halibut Act constitutes a civil violation of the Act, and five enumerated violations constitute a criminal violation of the Act. Civil remedies include monetary penalties up to \$25,000 per violation and/or asset forfeitures. Criminal remedies include fines up to \$100,000 and/or imprisonment for up to 10 years per offense.

The Halibut Act gives enforcement agents of the Department of Commerce and United States Coast Guard full authority to search and inspect persons or vessels suspected of violating the Act, to seize evidence of suspected violations, to execute warrants and other legal process, and to arrest suspected violators.

Finally, the Act broadly authorizes appropriations for all “such sums as may be necessary for carrying out the Convention and this Act”.

**Source:** [16 U.S.C. §§ 773 et seq.](#)

**Information last updated:** September 20, 2012