

South Pacific Tuna Act of 1988

Agencies: National Oceanic and Atmospheric Administration, U.S. Department of State, and U.S. Department of Homeland Security

Citation: [16 U.S.C. §§ 973 et seq.](#)

Enacted as: the “South Pacific Tuna Act of 1988”, June 7, 1988

Summary:

The [South Pacific Tuna Act \(Tuna Act\)](#) in part provides for the issuance of licenses, the assessment and collection of civil penalties, confers jurisdiction upon the U.S. District Courts in cases involving criminal offenses under the Act, and sets forth general enforcement provisions (16 U.S.C. § 973g, h, f, e). It is the implementing legislation for the 1987 Treaty on Fisheries Between the Governments of Certain Pacific Island States and the Government of the United States of America (Treaty). The Tuna Act authorizes and directs the Secretary of Commerce, with the concurrence of the Secretary of State, to promulgate regulations implementing the Treaty which are applicable to all persons and vessels subject to the jurisdiction of the United States, wherever located (16 U.S.C. § 973b).

The Tuna Act gives the U.S. Department of Commerce, upon request by the U.S. Department of State, the authority and responsibility to investigate any alleged infringement of the Treaty involving a vessel of the United States (16 U.S.C. § 973h). In the course of such investigations, authorized enforcement officers may arrest any persons suspected of violating the Tuna Act, board and search or inspect any vessel subject to the Act, seize fish samples or other items of evidence related to any suspected violation of the Act, and exercise any other lawful authority under the Act.

The Tuna Act imposes a vessel observer requirement upon all vessels subject to the Act and imposes upon vessel operators the customary duties to accommodate observers and enable them to perform their observer functions under the Treaty (16 U.S.C. § 973l).

Source: [16 U.S.C. §§ 973 et seq.](#)

Information last updated: September 20, 2012