

REFERENCES IN TEXT

This chapter, referred to in subsec. (a)(1)(E), was in the original “this title” and was translated as reading “this Act” to reflect the probable intent of Congress. Act Sept. 7, 1950, which comprises this chapter, does not contain titles.

The Magnuson-Stevens Fishery Conservation and Management Act, referred to in subsec. (a)(1)(E), is Pub. L. 94-265, Apr. 13, 1976, 90 Stat. 331, which is classified generally 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.

The Federal Advisory Committee Act, referred to in subsec. (a)(1)(E), is Pub. L. 92-463, Oct. 6, 1972, 86 Stat. 770, which is set out in the Appendix to Title 5, Government Organization and Employees.

AMENDMENTS

2015—Subsec. (a). Pub. L. 114-81, §205(1), added subsec. (a) and struck out former subsec. (a), which related to General Advisory Committee appointment, public participation, and compensation.

Subsec. (b). Pub. L. 114-81, §205(2), substituted “Scientific Advisory Subcommittee” for “Functions” in heading.

Subsec. (b)(1). Pub. L. 114-81, §205(2), added par. (1) and struck out former par. (1) which read as follows: “The General Advisory Committee shall be invited to have representatives attend all nonexecutive meetings of the United States sections and shall be given full opportunity to examine and to be heard on all proposed programs of investigations, reports, recommendations, and regulations of the Commission. The General Advisory Committee may attend all meetings of the international commissions to which they are invited by such commissions.”

Subsec. (b)(3). Pub. L. 114-81, §205(3), substituted “General Advisory Committee” for “General Advisory Subcommittee”.

1997—Pub. L. 105-42 which directed insertion of catchline and general amendment of text of section 4 of the Tuna Conventions Act, was executed to this section, to reflect the probable intent of Congress. Prior to amendment, text read as follows: “The United States Commissioners shall (a) appoint an advisory committee which shall be composed of not less than five nor more than fifteen persons who shall be selected from the various groups participating in the fisheries included under the conventions, and from nongovernmental conservation organizations, and (b) shall fix the terms of office of the members of such committee, who shall receive no compensation for their services as such members. The advisory committee shall be invited to attend all nonexecutive meetings of the United States sections and shall be given full opportunity to examine and to be heard on all proposed programs of investigation, reports, recommendations, and regulations of the commissions. The advisory committee may attend all meetings of the international commissions to which they are invited by such commissions.”

1992—Pub. L. 102-523 inserted “and from nongovernmental conservation organizations,” after “under the conventions,”.

EFFECTIVE DATE OF 1997 AMENDMENT

For effective date of amendment by Pub. L. 105-42, see section 8 of Pub. L. 105-42, set out as a note under section 1362 of this title.

TERMINATION OF ADVISORY COMMITTEES

Advisory committees established after Jan. 5, 1973, to terminate not later than the expiration of the 2-year period beginning on the date of their establishment, unless, in the case of a committee established by the President or an officer of the Federal Government, such committee is renewed by appropriate action prior to the expiration of such 2-year period, or in the case of a committee established by the Congress, its duration

is otherwise provided by law. See section 14 of Pub. L. 92-463, Oct. 6, 1972, 86 Stat. 776, set out in the Appendix to Title 5, Government Organization and Employees.

§ 954. Repealed. Pub. L. 92-471, title II, §203(b), Oct. 9, 1972, 86 Stat. 787

Section, act Sept. 7, 1950, ch. 907, §5, 64 Stat. 778, provided that service of individuals appointed as United States Commissioners shall not be treated as service for the purposes of certain sections of Title 18, Crimes and Criminal Procedure, and Title 5, Government Organization and Employees.

§ 955. Rulemaking**(a) Regulations**

The Secretary, in consultation with the Secretary of State and, with respect to enforcement measures, the Secretary of the Department in which the Coast Guard is operating, may promulgate such regulations as may be necessary to carry out the United States international obligations under the Convention and this chapter, including recommendations and decisions adopted by the Commission. In cases where the Secretary has discretion in the implementation of one or more measures adopted by the Commission that would govern fisheries under the authority of a Regional Fishery Management Council, the Secretary may, to the extent practicable within the implementation schedule of the Convention and any recommendations and decisions adopted by the Commission, promulgate such regulations as may be necessary to carry out the United States international obligations under the Convention and this chapter, in accordance with the procedures established by the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.).

(b) Jurisdiction

The Secretary may promulgate regulations as may be necessary to carry out the United States international obligations under the Convention and this chapter, applicable to all vessels and persons subject to the jurisdiction of the United States, including vessels documented under chapter 121 of title 46, wherever they may be operating, on such date as the Secretary shall prescribe.

(Sept. 7, 1950, ch. 907, §6, 64 Stat. 778; Pub. L. 87-814, §2, Oct. 15, 1962, 76 Stat. 923; 1970 Reorg. Plan No. 4, eff. Oct. 3, 1970, 35 F.R. 15627, 84 Stat. 2090; Pub. L. 114-81, title II, §206, Nov. 5, 2015, 129 Stat. 663.)

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AMENDMENTS

2015—Pub. L. 114-81 amended section generally. Prior to amendment, section authorized Secretary of State to act for United States.

1962—Subsecs. (a), (b). Pub. L. 87-814 substituted “Secretary of the Interior” for “head of the enforcement agency”.

Subsec. (c). Pub. L. 87-814 added subsec. (c).