

SHORT TITLE OF 2016 AMENDMENT

Pub. L. 114-327, title V, §501(a), Dec. 16, 2016, 130 Stat. 1995, provided that: “This title [amending this section and sections 5602 to 5604, 5606, 5607, 5609, and 5610 of this title and repealing section 5612 of this title] may be cited as the ‘Northwest Atlantic Fisheries Convention Amendments Act’.”

SHORT TITLE

Pub. L. 104-43, title II, §201, Nov. 3, 1995, 109 Stat. 377, provided that: “This title [enacting this chapter] may be cited as the ‘Northwest Atlantic Fisheries Convention Act of 1995’.”

§ 5602. Requests for scientific advice**(a) Restriction**

A Representative may not make a request or specification described in paragraph (1) or (2) of subsection (b), respectively, unless the Representative has first—

- (1) consulted with the appropriate Regional Fishery Management Councils; and
- (2) received the consent of the Commissioners for that action.

(b) Requests and terms of reference described

The requests and specifications referred to in subsection (a) are, respectively—

- (1) any request, under Article VII(10)(b) of the Convention, that the Scientific Council consider and report on a question pertaining to the scientific basis for the management and conservation of fishery resources in waters under the jurisdiction of the United States within the Convention Area; and
- (2) any specification, under Article VII(11) of the Convention, of the terms of reference for the consideration of a question referred to the Scientific Council pursuant to Article VII(10)(b) of the Convention.

(Pub. L. 104-43, title II, §203, Nov. 3, 1995, 109 Stat. 378; Pub. L. 114-327, title V, §503, Dec. 16, 2016, 130 Stat. 1995.)

AMENDMENTS

2016—Subsec. (a). Pub. L. 114-327, §503(1), in introductory provisions, substituted “A Representative may” for “The Representatives may”, “described in paragraph (1) or (2) of subsection (b)” for “described in subsection (b)(1) or (2)”, and “the Representative has” for “the Representatives have”.

Subsec. (b)(1). Pub. L. 114-327, §503(2), substituted “VII(10)(b)” for “VII(1)”.

Subsec. (b)(2). Pub. L. 114-327, §503(2)(3), substituted “VII(11)” for “VIII(2)” and “VII(10)(b)” for “VII(1)”.

§ 5603. Authorities of Secretary of State with respect to Convention

The Secretary of State may, on behalf of the Government of the United States—

- (1) receive and transmit reports, requests, recommendations, proposals, and other communications of and to the Organization and its subsidiary organs;
- (2) object, or withdraw an objection, to the proposal of the Commission consistent with the procedures detailed in Articles XIV and XV of the Convention;
- (3) give or withdraw notice of intent not to be bound by a measure of the Commission consistent with the procedures detailed in Articles XIV and XV of the Convention;

(4) object or withdraw an objection to an amendment to the Convention; and

(5) act upon, or refer to any other appropriate authority, any other communication referred to in paragraph (1).

(Pub. L. 104-43, title II, §204, Nov. 3, 1995, 109 Stat. 379; Pub. L. 114-327, title V, §504, Dec. 16, 2016, 130 Stat. 1996.)

AMENDMENTS

2016—Pars. (2), (3). Pub. L. 114-327 substituted “Commission consistent with the procedures detailed in Articles XIV and XV of the Convention” for “Fisheries Commission”.

§ 5604. Interagency cooperation**(a) Authorities of the Secretary**

In carrying out the provisions of the Convention and this chapter, the Secretary may arrange for cooperation with—

- (1) any department, agency, or instrumentality of the United States;
- (2) a State;
- (3) a Council; or
- (4) a private institution or an organization.

(b) Other agencies

The head of any Federal agency may—

- (1) cooperate in the conduct of scientific and other programs, and furnish facilities and personnel, for the purposes of assisting the Organization in carrying out its duties under the Convention; and
- (2) accept reimbursement from the Organization for providing such services, facilities, and personnel.

(Pub. L. 104-43, title II, §205, Nov. 3, 1995, 109 Stat. 379; Pub. L. 114-327, title V, §505, Dec. 16, 2016, 130 Stat. 1996.)

AMENDMENTS

2016—Subsec. (a). Pub. L. 114-327 amended subsec. (a) generally. Prior to amendment, text read as follows: “In carrying out the provisions of the Convention and this chapter, the Secretary may arrange for cooperation with other agencies of the United States, the States, the New England and the Mid-Atlantic Fishery Management Councils, and private institutions and organizations.”

§ 5605. Rulemaking

The Secretary shall promulgate regulations as may be necessary to carry out the purposes and objectives of the Convention and this chapter. Any such regulation may be made applicable, as necessary, to all persons and all vessels subject to the jurisdiction of the United States, wherever located.

(Pub. L. 104-43, title II, §206, Nov. 3, 1995, 109 Stat. 379.)

§ 5606. Prohibited acts and enforcement**(a) Prohibition**

It is unlawful for any person or vessel that is subject to the jurisdiction of the United States—

- (1) to violate any regulation issued under this chapter or any measure that is legally binding on the United States under the Convention;