

conservation and management of Atlantic bluefin tuna and other highly migratory species that shall—

(A) identify and define the range of stocks of highly migratory species in the Atlantic Ocean, including Atlantic bluefin tuna; and

(B) provide for appropriate participation by nations which are members of the Commission.

(2) The program shall provide for, but not be limited to—

(A) statistically designed cooperative tagging studies;

(B) genetic and biochemical stock analyses;

(C) population censuses carried out through aerial surveys of fishing grounds and known migration areas;

(D) adequate observer coverage and port sampling of commercial and recreational fishing activity;

(E) collection of comparable real-time data on commercial and recreational catches and landings through the use of permits, logbooks, landing reports for charter operations and fishing tournaments, and programs to provide reliable reporting of the catch by private anglers;

(F) studies of the life history parameters of Atlantic bluefin tuna and other highly migratory species;

(G) integration of data from all sources and the preparation of data bases to support management decisions;

(H) include a cooperative research program on Atlantic billfish based on the Southeast Fisheries Science Center Atlantic Billfish Research Plan of 2002; and

(I) other research as necessary.

(3) In developing a program under this section, the Secretary shall—

(A) ensure that personnel and resources of each regional research center shall have substantial participation in the stock assessments and monitoring of highly migratory species that occur in the region;

(B) provide for comparable monitoring of all United States fishermen to which the Atlantic Tunas Convention Act of 1975 applies with respect to effort and species composition of catch and discards;

(C) consult with relevant Federal and State agencies, scientific and technical experts, commercial and recreational fishermen, and other interested persons, public and private, and shall publish a proposed plan in the Federal Register for the purpose of receiving public comment on the plan; and

(D) through the Secretary of State, encourage other member nations to adopt a similar program.

(Pub. L. 96-339, §3, Sept. 4, 1980, 94 Stat. 1070; Pub. L. 104-43, title III, §302(b), Nov. 3, 1995, 109 Stat. 382; Pub. L. 105-384, title II, §202(b)(2), Nov. 13, 1998, 112 Stat. 3453; Pub. L. 109-479, title IV, §405(b), Jan. 12, 2007, 120 Stat. 3633.)

REFERENCES IN TEXT

The Atlantic Tunas Convention Act of 1975, referred to in subsec. (b)(3)(B), is Pub. L. 94-70, Aug. 5, 1975, 89 Stat. 385, as amended, which is classified generally to

this chapter. For complete classification of this Act to the Code, see Short Title note set out under section 971 of this title and Tables.

CODIFICATION

Subsection (a), which required the Secretary of Commerce to prepare and submit to Congress a biennial report on the level of taking of bluefin tuna by United States fishermen in the Convention area as defined in Article I of the International Convention for the Conservation of Atlantic Tunas, the status of bluefin tuna stocks within the Convention area and the trends in their population level, and related information resulting from implementation of the observer program under section 1827 of this title, terminated, effective May 15, 2000, pursuant to section 3003 of Pub. L. 104-66, as amended, set out as a note under section 1113 of Title 31, Money and Finance. See, also, page 50 of House Document No. 103-7.

Section was not enacted as part of the Atlantic Tunas Convention Act of 1975 which comprises this chapter.

AMENDMENTS

2007—Subsec. (b)(2)(H), (I). Pub. L. 109-479 added subpar. (H) and redesignated former subpar. (H) as (I).

1998—Subsec. (b)(3)(B). Pub. L. 105-384 inserted “of 1975” after “Act”.

1995—Pub. L. 104-43 amended section catchline generally, designated existing provisions as subsec. (a), inserted heading, struck out last sentence which read as follows: “There are authorized to be appropriated such sums as may be necessary to carry out this section.”, and added subsec. (b).

§ 971j. Repealed. Pub. L. 114-81, title I, § 107(5), Nov. 5, 2015, 129 Stat. 658

Section, Pub. L. 94-70, §11, as added Pub. L. 104-43, title III, §308, Nov. 3, 1995, 109 Stat. 386; amended Pub. L. 105-384, title II, §202(b)(1)(E), Nov. 13, 1998, 112 Stat. 3453, required the Secretary to submit an annual report.

§ 971k. Savings clause

Nothing in this chapter shall have the effect of diminishing the rights and obligations of any Nation under Article VIII(3) of the Convention.

(Pub. L. 94-70, §11, formerly §12, as added Pub. L. 104-43, title III, §308, Nov. 3, 1995, 109 Stat. 387; amended Pub. L. 105-384, title II, §202(b)(1)(E), Nov. 13, 1998, 112 Stat. 3453; renumbered §11, Pub. L. 114-81, title I, §107(5), Nov. 5, 2015, 129 Stat. 658.)

PRIOR PROVISIONS

A prior section 11 of Pub. L. 94-70 was renumbered section 12 and is set out as a Separability note under section 971 of this title.

Another prior section 11 of Pub. L. 94-70 was classified to section 971j of this title, prior to repeal by Pub. L. 114-81, title I, §107(5), Nov. 5, 2015, 129 Stat. 658.

AMENDMENTS

1998—Pub. L. 105-384 made technical amendment to style of heading and section designation in original act.

CHAPTER 16B—EASTERN PACIFIC TUNA FISHING

§§ 972 to 972h. Repealed. Pub. L. 114-81, title II, § 210, Nov. 5, 2015, 129 Stat. 664

Section 972, Pub. L. 98-445, §2, Oct. 4, 1984, 98 Stat. 1715, provided definitions for this chapter.

Section 972a, Pub. L. 98-445, §3, Oct. 4, 1984, 98 Stat. 1716, related to United States representation on the Council.