

REFERENCES IN TEXT

The Magnuson-Stevens Fishery Conservation and Management Act, referred to in text, is Pub. L. 94-265, Apr. 13, 1976, 90 Stat. 331, as amended, which is classified principally 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.

This chapter, referred to in subsec. (b), was in the original “this Act”, and was translated as reading “this title”, meaning title VIII of Pub. L. 103-206, Dec. 20, 1993, 107 Stat. 2447, which is classified principally to this chapter. For complete classification of title VIII to the Code, see Short Title note set out under section 5101 of this title and Tables.

PRIOR PROVISIONS

A prior section 809 of Pub. L. 103-206 was renumbered section 811, and is classified to section 5108 of this title.

AMENDMENTS

2000—Subsecs. (a), (b). Pub. L. 106-555 substituted “Magnuson-Stevens Fishery” for “Magnuson Fishery”.

§ 5107b. Transition to management of American lobster fishery by Commission

(a) Temporary limits

Notwithstanding any other provision of this chapter or of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.), if no regulations have been issued under section 5103(b) of this title by December 31, 1997, to implement a coastal fishery management plan for American lobster, then the Secretary shall issue interim regulations before March 1, 1998, that will prohibit any vessel that takes lobsters in the exclusive economic zone by a method other than pots or traps from landing lobsters (or any parts thereof) at any location within the United States in excess of—

- (1) 100 lobsters (or parts thereof) for each fishing trip of 24 hours or less duration (up to a maximum of 500 lobsters, or parts thereof, during any 5-day period); or
- (2) 500 lobsters (or parts thereof) for a fishing trip of 5 days or longer.

(b) Secretary to monitor landings

Before January 1, 1998, the Secretary shall monitor, on a timely basis, landings of American lobster, and, if the Secretary determines that catches from vessels that take lobsters in the exclusive economic zone by a method other than pots or traps have increased significantly, then the Secretary may, consistent with the national standards in section 301 of the Magnuson-Stevens Fishery Conservation and Management Act [16 U.S.C. 1851], and after opportunity for public comment and consultation with the Atlantic States Marine Fisheries Commission, implement regulations under section 5103(b) of this title that are necessary for the conservation of American lobster.

(c) Regulations to remain in effect until plan implemented

Regulations issued under subsection (a) or (b) shall remain in effect until the Secretary implements regulations under section 5103(b) of this title to implement a coastal fishery management plan for American lobster.

(Pub. L. 103-206, title VIII, § 810, as added Pub. L. 104-297, title IV, § 404(c), Oct. 11, 1996, 110 Stat.

3620; amended Pub. L. 106-555, title I, § 122(b)(3), Dec. 21, 2000, 114 Stat. 2766.)

REFERENCES IN TEXT

This chapter, referred to in subsec. (a), was in the original “this Act”, and was translated as reading “this title”, meaning title VIII of Pub. L. 103-206, Dec. 20, 1993, 107 Stat. 2447, which is classified principally to this chapter. For complete classification of title VIII to the Code, see Short Title note set out under section 5101 of this title and Tables.

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

PRIOR PROVISIONS

A prior section 810 of Pub. L. 103-206, which repealed section 9 of Pub. L. 98-613 set out in a note under section 1851 of this title, was renumbered section 812 by Pub. L. 104-297.

AMENDMENTS

2000—Subsecs. (a), (b). Pub. L. 106-555 substituted “Magnuson-Stevens Fishery” for “Magnuson Fishery”.

§ 5108. Authorization of appropriations

(a) In general

To carry out this chapter, there are authorized to be appropriated \$10,000,000 for each of fiscal years 2001 through 2005.

(b) Cooperative statistics program

Amounts authorized under subsection (a) may be used by the Secretary to support the Commission’s cooperative statistics program.

(Pub. L. 103-206, title VIII, § 811, formerly § 809, Dec. 20, 1993, 107 Stat. 2453; renumbered § 811 and amended Pub. L. 104-297, title IV, § 404(c), (d), Oct. 11, 1996, 110 Stat. 3619, 3620; Pub. L. 106-555, title I, § 122(a), Dec. 21, 2000, 114 Stat. 2766.)

PRIOR PROVISIONS

Another section 811 of Pub. L. 103-206 amended section 4107 of this title, prior to repeal by Pub. L. 106-555, title I, § 122(b)(1)(B), Dec. 21, 2000, 114 Stat. 2766.

AMENDMENTS

2000—Pub. L. 106-555 reenacted section catchline without change and amended text generally. Prior to amendment, text read as follows: “To carry out the provisions of this chapter, there are authorized to be appropriated \$3,000,000 for fiscal year 1994, \$5,000,000 for fiscal year 1995, and \$7,000,000 for fiscal year 1996, and \$7,000,000 for each of the fiscal years 1997, 1998, 1999, and 2000.”

1996—Pub. L. 104-297, § 404(d), which directed amendment of section 810 of Pub. L. 103-206 by substituting “1996, and \$7,000,000 for each of the fiscal years 1997, 1998, 1999, and 2000” for “1996”, was executed to this section to reflect the probable intent of Congress.

CHAPTER 71A—ATLANTIC STRIPED BASS CONSERVATION

Sec.	
5151.	Findings and purposes.
5152.	Definitions.
5153.	Monitoring of implementation and enforcement by coastal States.
5154.	Moratorium.
5155.	Continuing studies of striped bass populations.