

(Pub. L. 104-43, title II, §208, Nov. 3, 1995, 109 Stat. 380; Pub. L. 114-327, title V, §507, Dec. 16, 2016, 130 Stat. 1996.)

REFERENCES IN TEXT

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

AMENDMENTS

2016—Subsec. (b)(2). Pub. L. 114-327, §507(1), substituted “2” for “two”.

Subsec. (c)(1), (2). Pub. L. 114-327, §507(2), struck out “General Council or the Fisheries” before “Commission;”.

**§ 5608. Administrative matters**

**(a) Prohibition on compensation**

A person shall not receive any compensation from the Government by reason of any service of the person as—

- (1) a Commissioner, Alternate Commissioner, Representative, or Alternative Representative;
- (2) an expert or adviser authorized under section 5601(e) of this title; or
- (3) a member of the consultative committee established by section 5607 of this title.

**(b) Travel and expenses**

The Secretary of State shall, subject to the availability of appropriations, pay all necessary travel and other expenses of persons described in subsection (a)(1) and of not more than six experts and advisers authorized under section 5601(e) of this title with respect to their actual performance of their official duties pursuant to this chapter, in accordance with the Federal Travel Regulations and sections 5701, 5702, 5704 through 5708, and 5731 of title 5.

**(c) Status as Federal employees**

A person shall not be considered to be a Federal employee by reason of any service of the person in a capacity described in subsection (a), except for purposes of injury compensation and tort claims liability under chapter 81 of title 5 and chapter 171 of title 28, respectively.

(Pub. L. 104-43, title II, §209, Nov. 3, 1995, 109 Stat. 381; Pub. L. 105-384, title II, §201(b)(2), Nov. 13, 1998, 112 Stat. 3451.)

AMENDMENTS

1998—Subsec. (c). Pub. L. 105-384 substituted “171” for “17”.

**§ 5609. Definitions**

In this chapter:

**(1) 1982 Convention**

The term “1982 Convention” means the United Nations Convention on the Law of the Sea of 10 December 1982.

**(2) Authorized enforcement officer**

The term “authorized enforcement officer” means a person authorized to enforce this chapter, any regulation issued under this chapter, or any measure that is legally binding on the United States under the Convention.

**(3) Commission**

The term “Commission” means the body provided for by Articles V, VI, XIII, XIV, and XV of the Convention.

**(4) Commissioner**

The term “Commissioner” means a United States Commissioner to the Northwest Atlantic Fisheries Organization appointed under section 5601 of this title.

**(5) Convention**

The term “Convention” means the Convention on Future Multilateral Cooperation in the Northwest Atlantic Fisheries, done at Ottawa on October 24, 1978, and as amended on September 28, 2007.

**(6) Convention Area**

The term “Convention Area” means the waters of the Northwest Atlantic Ocean north of 35°00’ N and west of a line extending due north from 35°00’ N and 42°00’ W to 59°00’ N, thence due west to 44°00’ W, and thence due north to the coast of Greenland, and the waters of the Gulf of St. Lawrence, Davis Strait and Baffin Bay south of 78°10’ N.

**(7) Council**

The term “Council” means the New England Fishery Management Council or the Mid-Atlantic Fishery Management Council.

**(8) Fishery resources**

**(A) In general**

The term “fishery resources” means all fish, mollusks, and crustaceans, including any products thereof, within the Convention Area.

**(B) Exclusions**

The term “fishery resources” does not include—

- (i) sedentary species over which coastal States may exercise sovereign rights consistent with Article 77 of the 1982 Convention; or
- (ii) insofar as they are managed under other international treaties, anadromous and catadromous stocks and highly migratory species listed in Annex I of the 1982 Convention.

**(9) Fishing activities**

**(A) In general**

The term “fishing activities” means harvesting or processing fishery resources, or transshipping<sup>1</sup> of fishery resources or products derived from fishery resources, or any other activity in preparation for, in support of, or related to the harvesting of fishery resources.

**(B) Inclusions**

The term “fishing activities” includes—

- (i) the actual or attempted searching for or catching or taking of fishery resources;
- (ii) any activity that can reasonably be expected to result in locating, catching, taking, or harvesting of fishery resources for any purpose; and

<sup>1</sup> So in original. Probably should be “transshipping”.