

(f) Coordination and consultation**(1) In general**

In carrying out their functions under the Convention, Commissioners, Alternate Commissioners, Representatives, and Alternate Representatives shall—

(A) coordinate with the appropriate Regional Fishery Management Councils established by section 1852 of this title; and

(B) consult with the committee established under section 5607 of this title.

(2) Relationship to other law

Chapter 10 of title 5 shall not apply to coordination and consultations under this subsection.

(Pub. L. 104-43, title II, §202, Nov. 3, 1995, 109 Stat. 377; Pub. L. 114-327, title V, §502, Dec. 16, 2016, 130 Stat. 1995; Pub. L. 117-286, §4(a)(124), Dec. 27, 2022, 136 Stat. 4319.)

Editorial Notes

AMENDMENTS

2022—Subsec. (f)(2). Pub. L. 117-286 substituted “Chapter 10 of title 5” for “The Federal Advisory Committee Act (5 U.S.C. App.)”.

2016—Subsec. (a)(1). Pub. L. 114-327, §502(1), in introductory provisions, struck out “General Council and the Fisheries” before “Commission”.

Subsec. (b)(1). Pub. L. 114-327, §502(2), struck out “at a meeting of the General Council or the Fisheries Commission” after “appointed Commissioner”.

Subsec. (b)(2). Pub. L. 114-327, §502(3), struck out “, at any meeting of the General Council or the Fisheries Commission for which the Alternate Commissioner is designated” before period at end.

Subsec. (d)(1). Pub. L. 114-327, §502(4), struck out “at a meeting of the Scientific Council” after “appointed Representative”.

Subsec. (d)(2). Pub. L. 114-327, §502(5), struck out “, at any meeting of the Scientific Council for which the Alternate Representative is designated” before period at end.

Subsec. (f)(1)(A). Pub. L. 114-327, §502(6), made technical amendment to reference in original act which appears in text as reference to section 1852 of this title.

Statutory Notes and Related Subsidiaries

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.)

Editorial Notes

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.)

Editorial Notes

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—