(Pub. L. 102–440, title II, § 203, Oct. 23, 1992, 106 Stat. 2233.)

§ 943b. Definitions

In this chapter—

(1) ''Secretary'' means the Secretary of the Interior, acting through the Director of the United States Fish and Wildlife Service.

(2) ''Great Lakes fish and wildlife'' means fauna, fish, and invertebrates dependent on Great Lakes resources, and located within the Great Lakes Basin.

(Pub. L. 102–440, title II, § 204, Oct. 23, 1992, 106 Stat. 2233.)

§ 943c. Authorization of appropriations

There is authorized to be appropriated to the Secretary, $250,000 for each of fiscal years 1993 and 1994 to carry out this chapter.

(Pub. L. 102–440, title II, § 205, Oct. 23, 1992, 106 Stat. 2234.)

CHAPTER 16—TUNA CONVENTIONS

Sec.
951. Definitions.
952. Commissioners.
953. General Advisory Committee and Scientific Advisory Subcommittee.
954. Repealed.
955. Rulemaking.
956. Inspection of returns, records, or other reports.
957. Violations; fines and forfeitures; application of related laws.
958. Cooperation with other agencies.
959. Enforcement.
960. Commissions' functions not restrained by this chapter or State laws.
961. Authorization of appropriations.
962. Reduction of bycatch in eastern tropical Pacific Ocean.

§ 951. Definitions

In this chapter:

(1) Antigua Convention

The term ''Antigua Convention'' means the Convention for the Strengthening of the Inter-American Tropical Tuna Commission Established by the 1949 Convention Between the United States of America and the Republic of Costa Rica, signed at Washington, November 14, 2003.

(2) Commission

The term ''Commission'' means the Inter-American Tropical Tuna Commission provided for by the Convention.

(3) Convention

The term ''Convention'' means—

(A) the Convention for the Establishment of an Inter-American Tropical Tuna Commission, signed at Washington, May 31, 1949, by the United States of America and the Republic of Costa Rica;

(B) the Antigua Convention, upon its entry into force for the United States, and any amendments thereto that are in force for the United States; or

(C) both such Conventions, as the context requires.

(4) Person

The term ''person'' means an individual, partnership, corporation, or association subject to the jurisdiction of the United States.

(5) United States

The term ''United States'' includes all areas under the sovereignty of the United States.

(6) United States Commissioners

The term ''United States commissioners''[1] means the individuals appointed in accordance with section 952(a) of this title.

(Sept. 7, 1950, ch. 907, § 2, 64 Stat. 777; Pub. L. 87–814, § 1, Oct. 15, 1962, 76 Stat. 923; Pub. L. 114–81, title II, § 203, Nov. 5, 2015, 129 Stat. 660.)

Editorial Notes

AMENDMENTS

2015—Pub. L. 114–81 amended section generally. Prior to amendment, section defined terms for this chapter.

1962—Subsec. (e). Pub. L. 87–814 substituted definition of ''United States'' for definition of ''enforcement agency''.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE

Act Sept. 7, 1950, ch. 907, § 14, 64 Stat. 780, provided: ''This Act [this chapter] shall take effect with respect to each of the conventions upon the entry into force of that convention, unless such entry into force shall be prior to the date of approval of this Act [Sept. 7, 1950] in which case this Act [this chapter] shall take effect immediately.'' The Costa Rican convention was ratified on March 3, 1950, and the Mexican convention on July 11, 1950. Therefore, the act took effect upon its approval on Sept. 7, 1950.

SHORT TITLE OF 2015 AMENDMENT

Pub. L. 114–81, title II, § 201, Nov. 5, 2015, 129 Stat. 660, provided that: ''This title [amending sections 951 to 953, 955, 957, 959, and 962 of this title and repealing chapter 16B of this title and provisions set out as a note under section 972 of this title] may be cited as the 'Antigua Convention Implementing Act of 2015'.''

SHORT TITLE

Act Sept. 7, 1950, ch. 907, § 1, 64 Stat. 777, provided: ''That this Act [enacting this chapter] may be cited as the 'Tuna Conventions Act of 1950'.''

SEPARABILITY

Act Sept. 7, 1950, ch. 907, § 13, 64 Stat. 780, provided: ''If any provision of this Act [this chapter] or the application of such provision to any circumstances or persons shall be held invalid, the validity of the remainder of the Act and the applicability of such provision to other circumstances or persons shall not be affected thereby.''

LANDING OF CATCH OF FISH BY FOREIGN VESSELS

Pub. L. 87–814, § 6, Oct. 15, 1962, 76 Stat. 926, provided that: ''Nothing in this Act [amending this section and sections 955 to 957, 959 of this title] shall be construed to amend or repeal the provisions of section 4311 of the Revised Statutes, as amended ([former] 46 U.S.C. [App.] 251) [see 46 U.S.C. 55114].''

§ 952. Commissioners

(a) Commissioners

The United States shall be represented on the Commission by four United States Commis-

[1] So in original. Probably should be capitalized.

sioners. The President shall appoint individuals to serve on the Commission. The United States Commissioners shall be subject to supervision and removal by the Secretary of State, in consultation with the Secretary. In making the appointments, the President shall select United States Commissioners from among individuals who are knowledgeable or experienced concerning highly migratory fish stocks in the eastern tropical Pacific Ocean, one of whom shall be an officer or employee of the Department of Commerce. Not more than two United States Commissioners may be appointed who reside in a State other than a State whose vessels maintain a substantial fishery in the area of the Convention.

(b) Alternate Commissioners

The Secretary of State, in consultation with the Secretary, may designate from time to time and for periods of time deemed appropriate Alternate United States Commissioners to the Commission. Any Alternate United States Commissioner may exercise, at any meeting of the Commission or of the General Advisory Committee or Scientific Advisory Subcommittee established pursuant to section 953(b) of this title, all powers and duties of a United States Commissioner in the absence of any United States Commissioner appointed pursuant to subsection (a) of this section for whatever reason. The number of such Alternate United States Commissioners that may be designated for any such meeting shall be limited to the number of United States Commissioners appointed pursuant to subsection (a) of this section who will not be present at such meeting.

(c) Administrative matters

(1) Employment status

Individuals serving as United States Commissioners, other than officers or employees of the United States Government, shall not be considered Federal employees except for the purposes of injury compensation or tort claims liability as provided in chapter 81 of title 5 and chapter 171 of title 28.

(2) Compensation

The United States Commissioners or Alternate Commissioners, although officers of the United States while so serving, shall receive no compensation for their services as United States Commissioners or Alternate Commissioners.

(3) Travel expenses

(A) The Secretary of State shall pay the necessary travel expenses of United States Commissioners and Alternate United States Commissioners to meetings of the Inter-American Tropical Tuna Commission and other meetings the Secretary of State deems necessary to fulfill their duties, in accordance with the Federal Travel Regulations and sections 5701, 5702, 5704 through 5708, and 5731 of title 5.

(B) The Secretary may reimburse the Secretary of State for amounts expended by the Secretary of State under this subsection.

(Sept. 7, 1950, ch. 907, § 3, 64 Stat. 777; 1970 Reorg. Plan No. 4, eff. Oct. 3, 1970, 35 F.R. 15627, 84 Stat. 2090; Pub. L. 102–523, § 3(a)(1), Oct. 26, 1992, 106 Stat. 3433; Pub. L. 105–42, § 7(a), Aug. 15, 1997, 111 Stat. 1137; Pub. L. 106–562, title III, § 302, Dec. 23, 2000, 114 Stat. 2806; Pub. L. 114–81, title II, § 204, Nov. 5, 2015, 129 Stat. 660.)

Editorial Notes

AMENDMENTS

2015—Pub. L. 114–81 amended section generally. Prior to amendment, section related to number, appointment, and qualification of United States Commissioners.

2000—Pub. L. 106–562 inserted after first sentence ''Individuals serving as such Commissioners shall not be considered to be Federal employees while performing such service, except for purposes of injury compensation or tort claims liability as provided in chapter 81 of title 5 and chapter 171 of title 28.''

1997—Subsec. (c). Pub. L. 105–42, which directed the general amendment of section 3(c) of the Tuna Convention Act, was executed by making the amendment to subsec. (c) of this section, to reflect the probable intent of Congress. Prior to amendment, subsec. (c) read as follows: ''at least one shall be an officer of the Department of Commerce; and''.

1992—Par. (d). Pub. L. 102–523 added par. (d).

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 1997 AMENDMENT

For effective date of amendment by Pub. L. 105–42, see section 8 of Pub. L. 105–42, set out as a note under section 1362 of this title.

ALTERNATE UNITED STATES COMMISSIONERS

For additional provisions relating to the designation of Alternate United States Commissioners, see sections 2672a and 2672b of Title 22, Foreign Relations and Intercourse.

§ 953. General Advisory Committee and Scientific Advisory Subcommittee

(a) General Advisory Committee

(1) Appointments; public participation; compensation

(A) The Secretary, in consultation with the Secretary of State, shall appoint a General Advisory Committee which shall consist of not more than 25 individuals who shall be representative of the various groups concerned with the fisheries covered by the Convention, including nongovernmental conservation organizations, providing to the maximum extent practicable an equitable balance among such groups. Members of the General Advisory Committee will be eligible to participate as members of the United States delegation to the Commission and its working groups to the extent the Commission rules and space for delegations allow.

(B) The chair of the Pacific Fishery Management Council's Advisory Subpanel for Highly Migratory Fisheries and the chair of the Western Pacific Fishery Management Council's Advisory Committee shall be ex-officio members of the General Advisory Committee by virtue of their positions in those Councils.

(C) Each member of the General Advisory Committee appointed under subparagraph (A) shall serve for a term of 3 years and is eligible for reappointment.

(D) The General Advisory Committee shall be invited to attend all non-executive meet-