

on a quarterly basis, consult with the appropriate congressional committees and the Trade and Environment Policy Advisory Committee (or successor advisory committee) established under section 2155(c)(1) of this title regarding the public comments and relevant information described in paragraph (1) and the actions taken under paragraph (2).

(e) Application

Subsections (c) and (d) shall apply with respect to Mexico for such time as the USMCA is in force with respect to, and the United States applies the USMCA to, Mexico.

(Pub. L. 116–113, title VIII, § 813, Jan. 29, 2020, 134 Stat. 92.)

§ 4714. Enforcement actions

The Interagency Environment Committee—

(1) may request the Trade Representative to, within a reasonable period of time, request consultations under—

(A) article 24.29 of the USMCA (relating to environment consultations) with respect to the USMCA country; or

(B) articles 31.4 and 31.6 of the USMCA (relating to dispute settlement consultations) with respect to the USMCA country; or

(2) may request the heads of other Federal agencies described in section 4715 of this title to initiate monitoring or enforcement actions with respect to the USMCA country under the provisions of law described in section 4715 of this title.

(Pub. L. 116–113, title VIII, § 814, Jan. 29, 2020, 134 Stat. 93.)

§ 4715. Other monitoring and enforcement actions

(a) Marine Mammal Protection Act

The Secretary of Commerce has authority to take appropriate monitoring or enforcement actions under the Marine Mammal Protection Act of 1972 (16 U.S.C. 1361 et seq.).

(b) Magnuson-Stevens Fishery Conservation and Management Act

The Secretary of Commerce has authority to take appropriate monitoring or enforcement actions under the following provisions of law:

(1) The Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.).

(2) The Magnuson-Stevens Fishery Conservation and Management Reauthorization Act of 2006 (16 U.S.C. 1891 et seq.).

(3) The High Seas Driftnet Fishing Moratorium Protection Act (16 U.S.C. 1826d et seq.).

(4) The Shark Conservation Act of 2010 (16 U.S.C. 1826k note; 1857 note).

(5) The Shark Finning Prohibition Act (16 U.S.C. 1822 note).

(c) Fishermen’s Protective Act of 1967

The Secretary of Commerce and Secretary of the Interior have authority to take appropriate monitoring or enforcement actions under section 8 of the Fishermen’s Protective Act of 1967 (22 U.S.C. 1978).

(d) Agreement on Port State Measures To Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing

The Secretary of Commerce has authority to take appropriate monitoring or enforcement actions under the Port State Measures Agreement Act of 2015 (16 U.S.C. 7401 et seq.).

(e) Endangered Species Act

The Secretary of Agriculture, the Secretary of the Interior, the Secretary of Homeland Security, the Secretary of Commerce, and the Secretary of the Treasury have authority to take appropriate monitoring or enforcement actions under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.).

(f) Lacey Act

The Secretary of Agriculture, the Secretary of Commerce, the Secretary of the Interior, the Secretary of Homeland Security, and the Secretary of the Treasury have authority to take appropriate monitoring or enforcement actions under the Lacey Act Amendments of 1981 (16 U.S.C. 3371 et seq.).

(g) Migratory Bird Treaty Act

The Secretary of the Interior has authority to take appropriate monitoring or enforcement actions under the Migratory Bird Treaty Act of 1918¹ (16 U.S.C. 703 et seq.).

(h) Eliminate, Neutralize, and Disrupt Wildlife Trafficking Act

The Secretary of State, the Secretary of the Interior, the Attorney General, and Administrator of the United States Agency for International Development have authority to take appropriate monitoring or enforcement actions under the Eliminate, Neutralize, and Disrupt Wildlife Trafficking Act of 2016 (16 U.S.C. 7601 et seq.).

(i) Wild Bird Conservation Act

The Secretary of the Interior has authority to take appropriate monitoring or enforcement actions under the Wild Bird Conservation Act of 1992 (16 U.S.C. 4901 et seq.).

(j) Customs seizure and other authorities

The Secretary of Homeland Security has authority to take appropriate monitoring or enforcement actions under section 1499 of this title or section 1595a of this title.

(k) Other relevant provisions of law

The Interagency Environment Committee may request the heads of other Federal agencies to take appropriate monitoring or enforcement actions under other relevant provisions of law.

(l) Rule of construction

Nothing in this section may be construed to supersede or otherwise limit in any manner the functions or authority of the head of any Federal agency described in this section under any other provision of law.

(Pub. L. 116–113, title VIII, § 815, Jan. 29, 2020, 134 Stat. 93.)

¹ See References in Text note below.