

(2) documentation of procedures used for collecting, preparing, and archiving those samples; and

(3) appropriate scientific use of the tissues in the Great Lakes Fish and Wildlife Tissue Bank.

(Pub. L. 102-440, title II, §202, Oct. 23, 1992, 106 Stat. 2233.)

SHORT TITLE

Section 201 of title II of Pub. L. 102-440 provided that: “This title [enacting this chapter] may be cited as ‘The Great Lakes Fish and Wildlife Tissue Bank Act’.”

§ 943a. Data base

(a) Maintenance

The Secretary shall maintain a central data base which provides an effective means for tracking and assessing relevant reference data on Great Lakes fish and wildlife, including data on tissues collected for and maintained in the Great Lakes Fish and Wildlife Tissue Bank.

(b) Access

The Secretary shall establish criteria, after an opportunity for public review and comment, for access to the data base which provides for appropriate use of the information by the public.

(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

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CHAPTER REFERRED TO IN OTHER SECTIONS

This chapter is referred to in section 3377 of this title.

§ 951. Definitions

As used in this chapter, the term—

(a) “convention” includes (1) the Convention for the Establishment of an International Commission for the Scientific Investigation of Tuna, signed at Mexico City, January 25, 1949, by the United States of America and the United Mexican States, (2) 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, or both such conventions, as the context requires;

(b) “commission” includes (1) the International Commission for the Scientific Investigation of Tuna, (2) the Inter-American Tropical Tuna Commission provided for by the conventions referred to in subsection (a) of this section, or both such commissions, as the context requires;

(c) “United States Commissioners” means the members of the commissions referred to in subsection (b) of this section representing the United States of America and appointed pursuant to the terms of the pertinent convention and section 952 of this title;

(d) “person” means every individual, partnership, corporation, and association subject to the jurisdiction of the United States; and

(e) “United States” shall include all areas under the sovereignty of the United States, the Trust Territory of the Pacific Islands, and the Canal Zone.

(Sept. 7, 1950, ch. 907, §2, 64 Stat. 777; Pub. L. 87-814, §1, Oct. 15, 1962, 76 Stat. 923.)

REFERENCES IN TEXT

For definition of Canal Zone, referred to in subsec. (e), see section 3602(b) of Title 22, Foreign Relations and Intercourse.

AMENDMENTS

1962—Subsec. (e). Pub. L. 87-814 substituted definition of “United States” for definition of “enforcement agency”.

EFFECTIVE DATE

Section 14 of act Sept. 7, 1950, 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

Section 1 of act Sept. 7, 1950, provided: “That this Act [enacting this chapter] may be cited as the ‘Tuna Conventions Act of 1950’.”

SEPARABILITY

Section 13 of act Sept. 7, 1950, 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.”

TERMINATION OF TRUST TERRITORY OF THE PACIFIC ISLANDS

For termination of Trust Territory of the Pacific Islands, see note set out preceding section 1681 of Title 48, Territories and Insular Possessions.

LANDING OF CATCH OF FISH BY FOREIGN VESSELS

Section 6 of Pub. L. 87-814 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 (46 U.S.C. 251).”

§ 952. Commissioners; number, appointment, and qualification

The United States shall be represented on the two commissions by a total of not more than four United States Commissioners, who shall be appointed by the President, serve as such during his pleasure, and receive no compensation for their services as such Commissioners. 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. Of such Commissioners—

(a) not more than one shall be a person residing elsewhere than in a State whose vessels maintain a substantial fishery in the areas of the conventions;

(b) at least one of the Commissioners who are such legal residents shall be a person chosen from the public at large, and who is not a salaried employee of a State or of the Federal Government;

(c) at least one shall be either the Administrator, or an appropriate officer, of the National Marine Fisheries Service; and

(d) at least one shall be chosen from a non-governmental conservation organization.

(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.)

AMENDMENTS

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 compensa-

tion 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).

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

Secretary of State authorized to designate Alternate United States Commissioners, see sections 2672a and 2672b of Title 22, Foreign Relations and Intercourse.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 951, 1413 of this title.

§ 953. General Advisory Committee and Scientific Advisory Subcommittee

(a) Appointments; public participation; compensation

The Secretary, in consultation with the United States Commissioners, shall—

(1) appoint a General Advisory Committee which shall be composed of not less than 5 nor more than 15 persons with balanced representation from the various groups participating in the fisheries included under the conventions, and from nongovernmental conservation organizations;

(2) appoint a Scientific Advisory Subcommittee which shall be composed of not less than 5 nor more than 15 qualified scientists with balanced representation from the public and private sectors, including nongovernmental conservation organizations;

(3) establish procedures to provide for appropriate public participation and public meetings and to provide for the confidentiality of confidential business data; and

(4) fix the terms of office of the members of the General Advisory Committee and Scientific Advisory Subcommittee, who shall receive no compensation for their services as such members.

(b) Functions

(1) General Advisory Committee

The General Advisory Committee shall be invited to have representatives attend all non-executive meetings of the United States sections and shall be given full opportunity to examine and to be heard on all proposed programs of investigations, reports, recommendations, and regulations of the Commission. The General Advisory Committee may attend all meetings of the international commissions to which they are invited by such commissions.

(2) Scientific Advisory Subcommittee

(A) Advice

The Scientific Advisory Subcommittee shall advise the General Advisory Committee and the Commissioners on matters including—