

Select Committee on Intelligence of the Senate and the Committee on the Judiciary, the Committee on International Relations, and the Permanent Select Committee on Intelligence of the House of Representatives.

(Pub. L. 105-277, div. I, title III, §309, Oct. 21, 1998, 112 Stat. 2681-879.)

CHANGE OF NAME

Committee on International Relations of House of Representatives changed to Committee on Foreign Affairs of House of Representatives by House Resolution No. 6, One Hundred Tenth Congress, Jan. 5, 2007.

DELEGATION OF FUNCTIONS

For delegation of congressional reporting functions of President under this section, see section 1 of Ex. Ord. No. 13313, July 31, 2003, 68 F.R. 46074, set out as a note under section 301 of Title 3, The President.

§ 6729. United States assistance in inspections at private facilities

(a) Assistance in preparation for inspections

At the request of an owner of a facility not owned or operated by the United States Government, or contracted for use by or for the United States Government, the Secretary of Defense may assist the facility to prepare the facility for possible inspections pursuant to the Convention.

(b) Reimbursement requirement

(1) In general

Except as provided in paragraph (2), the owner of a facility provided assistance under subsection (a) of this section shall reimburse the Secretary for the costs incurred by the Secretary in providing the assistance.

(2) Exception

In the case of assistance provided under subsection (a) of this section to a facility owned by a person described in subsection (c) of this section, the United States National Authority shall reimburse the Secretary for the costs incurred by the Secretary in providing the assistance.

(c) Owners covered by United States National Authority reimbursements

Subsection (b)(2) of this section applies in the case of assistance provided to the following:

(1) Small business concerns

A small business concern as defined in section 632 of title 15.

(2) Domestic producers of Schedule 3 or unscheduled discrete organic chemicals

Any person located in the United States that—

(A) does not possess, produce, process, consume, import, or export any Schedule 1 or Schedule 2 chemical; and

(B) in the calendar year preceding the year in which the assistance is to be provided, produced—

(i) more than 30 metric tons of Schedule 3 or unscheduled discrete organic chemicals that contain phosphorous, sulfur, or fluorine; or

(ii) more than 200 metric tons of unscheduled discrete organic chemicals.

(Pub. L. 105-277, div. I, title III, §310, Oct. 21, 1998, 112 Stat. 2681-880.)

SUBCHAPTER III—REPORTS

§ 6741. Reports required by United States National Authority

(a) Regulations on recordkeeping

(1) Requirements

The United States National Authority shall ensure that regulations are prescribed that require each person located in the United States who produces, processes, consumes, exports, or imports, or proposes to produce, process, consume, export, or import, a chemical substance that is subject to the Convention to—

(A) maintain and permit access to records related to that production, processing, consumption, export, or import of such substance; and

(B) submit to the Director of the United States National Authority such reports as the United States National Authority may reasonably require to provide to the Organization, pursuant to subparagraph 1(a) of the Annex on Confidentiality of the Convention, the minimum amount of information and data necessary for the timely and efficient conduct by the Organization of its responsibilities under the Convention.

(2) Rulemaking

The Director of the United States National Authority shall ensure that regulations pursuant to this section are prescribed expeditiously.

(b) Coordination

(1) Avoidance of duplication

To the extent feasible, the United States Government shall not require the submission of any report that is unnecessary or duplicative of any report required by or under any other law. The head of each Federal agency shall coordinate the actions of that agency with the heads of the other Federal agencies in order to avoid the imposition of duplicative reporting requirements under this chapter or any other law.

(2) Definition

As used in paragraph (1), the term “Federal agency” has the meaning given the term “agency” in section 551(1) of title 5.

(Pub. L. 105-277, div. I, title IV, §401, Oct. 21, 1998, 112 Stat. 2681-880.)

REFERENCES IN TEXT

This chapter, referred to in subsec. (b)(1), was in the original “this Act” and was translated as reading “this division”, meaning div. I of Pub. L. 105-277, Oct. 21, 1998, 112 Stat. 2681-856, known as the Chemical Weapons Convention Implementation Act of 1998, to reflect the probable intent of Congress. For complete classification of division I to the Code, see Short Title note set out under section 6701 of this title and Tables.

REGULATIONS

Regulations under subsec. (a) to be issued by Department of Commerce by a date specified by Department of State as United States National Authority (USNA) and to be reviewed and approved by USNA in coordina-