

priate. The Federal Advisory Committee Act (5 U.S.C. App. et seq.) shall not apply to consultations described in this subsection.

(Pub. L. 97-389, title III, §303, Dec. 29, 1982, 96 Stat. 1952; Pub. L. 98-44, title I, §102(1), July 12, 1983, 97 Stat. 216.)

#### REFERENCES IN TEXT

The Federal Advisory Committee Act (5 U.S.C. App. et seq.), referred to in subsec. (d), is Pub. L. 92-463, Oct. 6, 1972, 86 Stat. 770, as amended, which is set out in the Appendix to Title 5, Government Organization and Employees.

#### AMENDMENTS

1983—Subsec. (c). Pub. L. 98-44 substituted “shall not be considered” for “shall be considered”.

### § 3603. Receipt of Organization communications by Secretary of State

#### (a) Concurrence with Secretaries of Commerce and the Interior on regulatory measures; action on other matters

The Secretary of State may—

(1) receive, on behalf of the United States, reports, requests, recommendations, proposals, and other communications of the Organization and its subsidiary organs;

(2) with the concurrence of the Secretary of Commerce and the Secretary of the Interior, approve, object to, or withdraw objections to regulatory measures proposed in accordance with the Convention; and

(3) act upon, or refer to other appropriate authority, any communication referred to in paragraph (1) of this subsection other than a proposed regulatory measure.

#### (b) Submission to President on failure of concurrence on regulatory matters

If the concurrence required under subsection (a)(2) of this section has not been obtained by the Secretary of State—

(1) regarding the approval of, or the objection to, a proposed regulatory measure within forty-five days after the measure was received on behalf of the United States; or

(2) regarding the withdrawal of an objection of the United States to a proposed regulatory measure within forty-five days after such withdrawal is proposed by the Secretary of State;

the Secretary of State shall submit the matter in disagreement, together with a statement of the opposing positions, to the President for timely disposition.

(Pub. L. 97-389, title III, §304, Dec. 29, 1982, 96 Stat. 1952.)

### § 3604. Regulations and reports

#### (a) Promulgation of regulations; implementation; applicability

The Secretary of Commerce, in cooperation with the Secretary of the Interior and the Secretary of the department in which the Coast Guard is operating, shall promulgate such regulations pursuant to section 553 of title 5 as may be necessary to carry out the purposes and objectives of the Convention and this chapter, and

to implement regulatory measures that are binding on the United States under the Convention. Any such regulation may be made applicable, as necessary, to all persons and all vessels subject to the jurisdiction of the United States, wherever located.

#### (b) Preparation and submission of reports by certain Secretaries

The Secretary of Commerce, in cooperation with the Secretary of the Interior, shall prepare all statements, reports, and notifications, required by articles 14 and 15 of the Convention and submit such documents to the Secretary of State for transmission to the Organization.

(Pub. L. 97-389, title III, §305, Dec. 29, 1982, 96 Stat. 1953.)

#### TRANSFER OF FUNCTIONS

For transfer of authorities, functions, personnel, and assets of the Coast Guard, including the authorities and functions of the Secretary of Transportation relating thereto, to the Department of Homeland Security, and for treatment of related references, see sections 468(b), 551(d), 552(d), and 557 of Title 6, Domestic Security, and the Department of Homeland Security Reorganization Plan of November 25, 2002, as modified, set out as a note under section 542 of Title 6.

### § 3605. Cooperation with other agencies and institutions

#### (a) Federal and State agencies; private institutions

In carrying out the provisions of the Convention, the Secretary of Commerce, in consultation with the Secretary of the Interior, may arrange for the cooperation of agencies of the United States and the States, and of private institutions and organizations.

#### (b) Use of Federal facilities; reimbursement

Appropriate agencies of the United States may cooperate in the conduct of scientific and other programs, and may furnish facilities and personnel, for the purposes of assisting the Organization in carrying out its duties under the Convention. Such agencies may accept reimbursement from the Organization for providing such services, facilities, and personnel.

(Pub. L. 97-389, title III, §306, Dec. 29, 1982, 96 Stat. 1953.)

### § 3606. Violations and penalties

#### (a) Directed fishing for salmon; Convention, rules and regulations

It is unlawful for any person, or any vessel, subject to the jurisdiction of the United States—

(1) to conduct directed fishing for salmon in waters seaward of twelve miles from the baselines from which the breadths of territorial seas are measured, in waters of the Atlantic Ocean north of 36 degrees north latitude; or

(2) to violate any provision of the Convention or this chapter, or of any regulation promulgated under this chapter.

#### (b) Civil and criminal penalties

Any person who commits any act that is unlawful under subsection (a) of this section shall—