

(2) Relationship to other law

The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to coordination and consultations under this subsection.

(Pub. L. 104-43, title II, §202, Nov. 3, 1995, 109 Stat. 377.)

REFERENCES IN TEXT

The Federal Advisory Committee Act, referred to in subsec. (f)(2), 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.

SHORT TITLE

Section 201 of title II of Pub. L. 104-43 provided that: “This title [enacting this chapter] may be cited as the ‘Northwest Atlantic Fisheries Convention Act of 1995’.”

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 5608, 5609 of this title.

§ 5602. Requests for scientific advice**(a) Restriction**

The Representatives may not make a request or specification described in subsection (b)(1) or (2) of this section, respectively, unless the Representatives have first—

- (1) consulted with the appropriate Regional Fishery Management Councils; and
- (2) received the consent of the Commissioners for that action.

(b) Requests and terms of reference described

The requests and specifications referred to in subsection (a) of this section are, respectively—

- (1) any request, under Article VII(1) of the Convention, that the Scientific Council consider and report on a question pertaining to the scientific basis for the management and conservation of fishery resources in waters under the jurisdiction of the United States within the Convention Area; and
- (2) any specification, under Article VIII(2) of the Convention, of the terms of reference for the consideration of a question referred to the Scientific Council pursuant to Article VII(1) of the Convention.

(Pub. L. 104-43, title II, §203, Nov. 3, 1995, 109 Stat. 378.)

§ 5603. Authorities of Secretary of State with respect to Convention

The Secretary of State may, on behalf of the Government of the United States—

- (1) receive and transmit reports, requests, recommendations, proposals, and other communications of and to the Organization and its subsidiary organs;
- (2) object, or withdraw an objection, to the proposal of the Fisheries Commission;
- (3) give or withdraw notice of intent not to be bound by a measure of the Fisheries Commission;
- (4) object or withdraw an objection to an amendment to the Convention; and
- (5) act upon, or refer to any other appropriate authority, any other communication referred to in paragraph (1).

(Pub. L. 104-43, title II, §204, Nov. 3, 1995, 109 Stat. 379.)

§ 5604. Interagency cooperation**(a) Authorities of Secretary**

In carrying out the provisions of the Convention and this chapter, the Secretary may arrange for cooperation with other agencies of the United States, the States, the New England and the Mid-Atlantic Fishery Management Councils, and private institutions and organizations.

(b) Other agencies

The head of any Federal agency may—

- (1) cooperate in the conduct of scientific and other programs, and furnish facilities and personnel, for the purposes of assisting the Organization in carrying out its duties under the Convention; and
- (2) accept reimbursement from the Organization for providing such services, facilities, and personnel.

(Pub. L. 104-43, title II, §205, Nov. 3, 1995, 109 Stat. 379.)

§ 5605. Rulemaking

The Secretary shall promulgate regulations as may be necessary to carry out the purposes and objectives of the Convention and this chapter. 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.

(Pub. L. 104-43, title II, §206, Nov. 3, 1995, 109 Stat. 379.)

§ 5606. Prohibited acts and penalties**(a) Prohibition**

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

- (1) to violate any regulation issued under this chapter or any measure that is legally binding on the United States under the Convention;
- (2) to refuse to permit any authorized enforcement officer to board a fishing vessel that is subject to the person's control for purposes of conducting any search or inspection in connection with the enforcement of this chapter, any regulation issued under this chapter, or any measure that is legally binding on the United States under the Convention;
- (3) forcibly to assault, resist, oppose, impede, intimidate, or interfere with any authorized enforcement officer in the conduct of any search or inspection described in paragraph (2);
- (4) to resist a lawful arrest for any act prohibited by this section;
- (5) to ship, transport, offer for sale, sell, purchase, import, export, or have custody, control, or possession of, any fish taken or retained in violation of this section; or
- (6) to interfere with, delay, or prevent, by any means, the apprehension or arrest of another person, knowing that the other person has committed an act prohibited by this section.

(b) Civil penalty

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