

Land acquisition.

SEC. 2. Section 3 of the Act of June 2, 1936 (49 Stat. 1393; 16 U.S.C. 433c), is amended by adding at the end thereof the following new sentence: "The Secretary of the Interior is authorized to purchase with appropriated funds not to exceed four acres of land, or interests in land, for addition to the Perry's Victory and International Peace Memorial."

Repeals.

SEC. 3. The following laws and parts of laws are repealed:

(1) Sections 1, 2, 4, 5, 6, and 7 of the Act of March 3, 1919 (ch. 116 (40 Stat. 1322)).

(2) Section 4 of the Act of June 2, 1936 (49 Stat. 1393; 16 U.S.C. 433d).

Appropriation limitation.

SEC. 4. There are authorized to be appropriated such sums as may be necessary to carry out the purposes of this Act, but not more than \$370,000 shall be appropriated for the acquisition of lands and interests in lands and not more than \$5,177,000 shall be appropriated for development. The sums authorized in this section shall be available for acquisition and development undertaken subsequent to the approval of this Act.

Approved October 26, 1972.

Public Law 92-569

AN ACT

October 26, 1972
[H. R. 7117]

To amend the Fishermen's Protective Act of 1967 to expedite the reimbursement of United States vessel owners for charges paid by them for the release of vessels and crews illegally seized by foreign countries; to strengthen the provisions therein relating to the collection of claims against such foreign countries for amounts so reimbursed and for certain other amounts, and for other purposes.

Fishermen's Protective Act of 1967, amendments.

68 Stat. 883.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 2(b) of the Fishermen's Protective Act of 1967 (22 U.S.C. 1972(b)) is amended by striking out "and to secure the release of such vessel and crew." and inserting in lieu thereof the following: ", to secure the release of such vessel and crew, and to immediately ascertain the amount of any fine, fee, or other direct charge which may be reimbursable under section 3(a)."

Vessel owners' reimbursement.

82 Stat. 730.

SEC. 2. Section 3 of the Fishermen's Protective Act of 1967 (22 U.S.C. 1973) is amended by inserting "(a)" immediately before "In", and by adding at the end thereof the following: "Any reimbursement under this section shall be made from the Fishermen's Protective Fund established pursuant to section 9.

Post, p. 1183.

"(b) The Secretary of State shall make a certification under subsection (a) of this section as soon as possible after he is notified pursuant to section 2(b) of the amounts of the fines, fees, and other direct charges which were paid by the owners to secure the release of their vessel and crew. The amount of reimbursement made by the Secretary of the Treasury to the owners of any vessel under subsection (a) of this section shall constitute a lien on the vessel which may be recovered in proceedings by libel in rem in the district court of the United States for any district within which the vessel may be. Any such lien shall terminate on the ninetieth day after the date on which the Secretary of the Treasury reimburses the owners under this section unless before such ninetieth day the United States initiates action to enforce the lien."

SEC. 3. Section 5 of the Fishermen's Protective Act of 1967 (22 U.S.C. 1975) is amended to read as follows:

"Sec. 5. (a) The Secretary of State shall—

"(1) immediately notify a foreign country of—

"(A) any reimbursement made by the Secretary of the

Treasury under section 3 as a result of the seizure of a vessel of the United States by such country,

Ante, p. 1182.

“(B) any payment made pursuant to section 7 in connection with such seizure, and

82 Stat. 729.
22 USC 1977.

“(2) take such action as he deems appropriate to make and collect claims against such foreign country for the amounts so reimbursed and payments so made.

“(b) If a foreign country fails or refuses to make payment in full on any claim made under subsection (a) (2) of this section within one hundred and twenty days after the date on which such country is notified pursuant to subsection (a) (1) of this section, the Secretary of State shall transfer an amount equal to such unpaid claim or unpaid portion thereof from any funds appropriated by Congress and programed for the current fiscal year for assistance to the government of such country under the Foreign Assistance Act of 1961 unless the President certifies to the Congress that it is in the national interest not to do so in the particular instance (and if such funds are insufficient to cover such claim, transfer shall be made from any funds so appropriated and programed for the next and any succeeding fiscal year) to (1) the Fishermen’s Protective Fund established pursuant to section 9 if the amount is transferred with respect to an unpaid claim for a reimbursement made under section 3, or (2) the separate account established in the Treasury of the United States pursuant to section 7(c) if the amount is transferred with respect to an unpaid claim for a payment made under section 7(a). Amounts transferred under this section shall not constitute satisfaction of any such claim of the United States against such foreign country.”

75 Stat. 424.
22 USC 2151
note.

Ante, p. 1182.

Infra.

SEC. 4. Section 7(c) of the Fishermen’s Protective Act of 1967 (22 U.S.C. 1977(c)) is amended by inserting immediately before the last sentence thereof the following new sentence: “If a transfer of funds is made to the separate account under section 5(b) (2) with respect to an unpaid claim and such claim is later paid, the amount so paid shall be covered into the Treasury as miscellaneous receipts.”

82 Stat. 729.

SEC. 5. The Fishermen’s Protective Act of 1967 is further amended by adding at the end thereof the following new section:

Fishermen’s
Protective Fund,
establishment.

“SEC. 9. There is created a Fishermen’s Protective Fund which shall be used by the Secretary of the Treasury to reimburse owners of vessels for amounts certified to him by the Secretary of State under section 3. The amount of any claim or portion thereof collected by the Secretary of State from any foreign country pursuant to section 5(a) shall be deposited in the fund and shall be available for the purpose of reimbursing vessel owners under section 3; except that if a transfer to the fund was made pursuant to section 5(b) (1) with respect to any such claim, an amount from the fund equal to the amount so collected shall be covered into the Treasury as miscellaneous receipts. There is authorized to be appropriated to the fund (1) the sum of \$3,000,000 to provide initial capital, and (2) such additional sums as may be necessary from time to time to supplement the fund in order to meet the requirements of the fund.”

Appropriation.

SEC. 6. The amendments made by this Act shall apply with respect to seizures of vessels of the United States occurring on or after the date of the enactment of this Act; except that reimbursements under section 3 of the Fishermen’s Protective Act of 1967 (as in effect before such date of enactment) may be made from the fund established by the amendment made by section 5 of this Act with respect to any seizure of a vessel occurring before such date of enactment and after December 31, 1970, if no reimbursement was made before such date of enactment.

Effective date.

Approved October 26, 1972.