

85-141, §8(b), 71 Stat. 360; June 30, 1958, Pub. L. 85-477, ch. III, §301, ch. V, §501(12)(B), 72 Stat. 268, 271; July 24, 1959, Pub. L. 86-108, ch. III, §301, 73 Stat. 252; May 14, 1960, Pub. L. 86-472, ch. III, §301, 74 Stat. 138, related to declaration of purpose and use of funds in connection with right of self-determination for people subject to captivity of Communist despotism, and was repealed by Pub. L. 87-510, §6, June 28, 1962, 76 Stat. 124.

CHAPTER 24A—MIDDLE EAST PEACE AND STABILITY

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| Sec. | |
| 1961. | Economic assistance. |
| 1962. | Military assistance; use of armed forces. |
| 1963. | United Nations Emergency Force. |
| 1964. | Report to Congress. |
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§ 1961. Economic assistance

The President is authorized to cooperate with and assist any nation or group of nations in the general area of the Middle East desiring such assistance in the development of economic strength dedicated to the maintenance of national independence.

(Pub. L. 85-7, §1, Mar. 9, 1957, 71 Stat. 5.)

APPROPRIATIONS, FISCAL YEAR 1957; RESTRICTION; REPORT TO CONGRESS

Pub. L. 85-7, §3, Mar. 9, 1957, 71 Stat. 5, authorized President to use, for balance of fiscal year 1957, funds not to exceed \$200,000,000 for military and economic assistance for Middle East from appropriations available under Mutual Security Act of 1954, restricted availability of funds for military assistance to funds appropriated for military assistance and for economic assistance to funds appropriated for other than military assistance, and required that funds not be available until 15 days after reports on proposed use of funds be supplied to appropriate Congressional committees.

§ 1962. Military assistance; use of armed forces

The President is authorized to undertake, in the general area of the Middle East, military assistance programs with any nation or group of nations of that area desiring such assistance. Furthermore, the United States regards as vital to the national interest and world peace the preservation of the independence and integrity of the nations of the Middle East. To this end, if the President determines the necessity thereof, the United States is prepared to use armed forces to assist any such nation or group of such nations requesting assistance against armed aggression from any country controlled by international communism: *Provided*, That such employment shall be consonant with the treaty obligations of the United States and with the Constitution of the United States.

(Pub. L. 85-7, §2, Mar. 9, 1957, 71 Stat. 5.)

§ 1963. United Nations Emergency Force

The President should continue to furnish facilities and military assistance, within the provisions of applicable law and established policies, to the United Nations Emergency Force in the Middle East, with a view to maintaining the truce in that region.

(Pub. L. 85-7, §4, Mar. 9, 1957, 71 Stat. 6.)

§ 1964. Report to Congress

The President shall whenever appropriate report to the Congress his action hereunder.

(Pub. L. 85-7, §5, Mar. 9, 1957, 71 Stat. 6; Pub. L. 87-195, pt. IV, §705, Sept. 4, 1961, 75 Stat. 463.)

AMENDMENTS

1961—Pub. L. 87-195 substituted “whenever appropriate” for “within the months of January and July of each year”.

REPEALS

Section 705 of Pub. L. 87-195, cited as a credit to this section, was repealed by section 401 of Pub. L. 87-565, pt. IV, Aug. 1, 1962, 76 Stat. 263, except insofar as section 705 affected this section.

§ 1965. Expiration

This chapter shall expire when the President shall determine that the peace and security of the nations in the general area of the Middle East are reasonably assured by international conditions created by action of the United Nations or otherwise except that it may be terminated earlier by a concurrent resolution of the two Houses of Congress.

(Pub. L. 85-7, §6, Mar. 9, 1957, 71 Stat. 6.)

CHAPTER 25—PROTECTION OF VESSELS ON THE HIGH SEAS AND IN TERRITORIAL WATERS OF FOREIGN COUNTRIES

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| Sec. | |
| 1971. | “Vessel of the United States” defined. |
| 1972. | Action by Secretary of State upon seizure of vessel by foreign country; preconditions. |
| 1973. | Reimbursement of owner for any direct charges paid to secure release of vessel and crew. <ul style="list-style-type: none"> (a) Reimbursement by Secretary of State; “other direct charge” defined; source of reimbursement. (b) Determination and certification of charges by Secretary of State; reimbursement as lien on vessel; termination of lien. |
| 1974. | Inapplicability of chapter to certain seizures. |
| 1975. | Claims for amounts expended because of seizure. <ul style="list-style-type: none"> (a) Action by Secretary. (b) Withholding amount of unpaid claim from foreign assistance funds. |
| 1976. | Authorization of appropriations. |
| 1977. | Reimbursement for seized commercial fishermen. <ul style="list-style-type: none"> (a) Agreement to reimburse for actual costs, confiscation or spoilage of fish, and loss of income. (b) Distribution of payments according to commercial fishing practices and procedures. (c) Establishment of fees; amount of fees; credit of fees to separate Treasury account; payment from collected fees; authorization of appropriations. (d) Finality of determinations; insured losses. (e) Effective date. (f) Definitions. |
| 1978. | Restriction on importation of fishery or wildlife products from countries which violate international fishery or endangered or threatened species programs. <ul style="list-style-type: none"> (a) Certification to President. (b) Notification to Congress. (c) Importation of fish products from offending country prohibited. (d) Periodic review by Secretary of Commerce or Secretary of the Interior; termination of certification; notice. |

Sec.

- (e) Penalties; forfeiture; customs laws.
- (f) Enforcement.
- (g) Regulations.
- (h) Definitions.

1979. Fishermen's Protective Fund.
1980. Compensation for loss or destruction of commercial fishing vessel or gear.
- (a) Definitions.
 - (b) Causes of loss or destruction.
 - (c) Eligibility for compensation.
 - (d) Application for compensation; initial determination of eligibility; amount of compensation; review of initial determination; subrogation of United States upon payment.
 - (e) Surcharge on foreign fishing vessels.
 - (f) Fishing Vessel and Gear Damage Compensation Fund; requirements, etc.
 - (g) Penalty for false or misleading statements.

CHAPTER REFERRED TO IN OTHER SECTIONS

This chapter is referred to in title 16 section 972c; title 48 section 1904.

§ 1971. "Vessel of the United States" defined

For the purposes of this chapter the term "vessel of the United States" shall mean any private vessel documented or certificated under the laws of the United States. Notwithstanding any other law, the documentation or certification of any such vessel shall not be considered to be affected, for the purposes of this chapter, in any manner or to any extent if at any time during any voyage for the purpose of fishing beyond the fishery conservation zone (as defined in section 1802(8)¹ of title 16), the vessel is commanded by other than a citizen of the United States.

(Aug. 27, 1954, ch. 1018, §1, 68 Stat. 883; Oct. 28, 1978, Pub. L. 95-541, §14(a), 92 Stat. 2057.)

REFERENCES IN TEXT

Section 1802(8) of title 16, referred to in text, which defined "fishery conservation zone", was repealed and section 1802(6) of Title 16, Conservation, defining "exclusive economic zone", was added by Pub. L. 99-659, title I, §101(a), Nov. 14, 1986, 100 Stat. 3706.

AMENDMENTS

1978—Pub. L. 95-541 provided that the documentation or certification of a vessel of the United States not be affected if at any time during the voyage for the purpose of fishing beyond the fishery conservation zone, the vessel is commanded by other than a citizen of the United States.

EFFECTIVE DATE OF 1978 AMENDMENT

Section 14(b) of Pub. L. 95-541 provided that: "The amendment made by subsection (a) [amending this section] shall take effect January 1, 1978."

SHORT TITLE

Pub. L. 90-482, §4, Aug. 12, 1968, 82 Stat. 730, provided that: "The Act of August 27, 1954 (68 Stat. 883; 22 U.S.C. 1971-1976), as amended by this Act [this chapter], may be cited as the 'Fishermen's Protective Act of 1967'."

CROSS REFERENCES

Documentation of vessels, see section 12101 et seq. of Title 46, Shipping.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in title 48 section 1904.

§ 1972. Action by Secretary of State upon seizure of vessel by foreign country; preconditions

If—

(1) any vessel of the United States is seized by a foreign country on the basis of claims to jurisdiction that are not recognized by the United States, or on the basis of claims to jurisdiction recognized by the United States but exercised in a manner inconsistent with international law as recognized by the United States;¹

(2) any general claim of any foreign country to exclusive fishery management authority is recognized by the United States, and any vessel of the United States is seized by such foreign country on the basis of conditions and restrictions under such claim, if such conditions and restrictions—

(A) are unrelated to fishery conservation and management.

(B) fail to consider and take into account traditional fishing practices of vessels of the United States,

(C) are greater or more onerous than the conditions and restrictions which the United States applies to foreign fishing vessels subject to the exclusive fishery management authority of the United States (as established in title I of the Magnuson Fishery Conservation and Management Act [16 U.S.C. 1811 et seq.]), or

(D) fail to allow fishing vessels of the United States equitable access to fish subject to such country's exclusive fishery management authority;

the Secretary of State, unless there is clear and convincing credible evidence that the seizure did not meet the requirements under paragraph (1) or (2), as the case may be, shall immediately take such steps as are necessary—

(i) for the protection of such vessel and for the health and welfare of its crew;

(ii) to secure the release of such vessel and its crew; and

(iii) to determine the amount of any fine, license, fee, registration fee, or other direct charge reimbursable under section 1973(a) of this title.

(Aug. 27, 1954, ch. 1018, §2, 68 Stat. 883; Oct. 26, 1972, Pub. L. 92-569, §1, 86 Stat. 1182; Apr. 13, 1976, Pub. L. 94-265, title IV, §403(a)(1), 90 Stat. 360; Dec. 22, 1980, Pub. L. 96-561, title II, §238(b), 94 Stat. 3300; July 17, 1984, Pub. L. 98-364, title III, §303(a), 98 Stat. 444.)

REFERENCES IN TEXT

The Magnuson Fishery Conservation and Management Act, referred to in par. (2)(C), is Pub. L. 94-265, Apr. 13, 1976, 90 Stat. 331, as amended. Title I of the Act is classified generally to subchapter II (§1811 et seq.) of chapter 38 of Title 16, Conservation. For complete classification of this Act to the Code, see Short Title note set out under section 1801 of Title 16 and Tables.

AMENDMENTS

1984—Pub. L. 98-364, in par. (1), substituted "any vessel of the United States is seized by a foreign country

¹ See References in Text note below.

¹ So in original. Probably should be followed by "or".