

(Aug. 27, 1954, ch. 1018, §11, as added Pub. L. 104-43, title IV, §402(a), Nov. 3, 1995, 109 Stat. 389.)

CONGRESSIONAL FINDINGS

Section 401 of Pub. L. 104-43 provided that: “The Congress finds that—

“(1) customary international law and the United Nations Convention on the Law of the Sea guarantee the right of passage, including innocent passage, to vessels through the waters commonly referred to as the ‘Inside Passage’ off the Pacific Coast of Canada;

“(2) in 1994 Canada required all commercial fishing vessels of the United States to pay 1,500 Canadian dollars to obtain a ‘license which authorizes transit’ through the Inside Passage;

“(3) this action was inconsistent with international law, including the United Nations Convention on the Law of the Sea, and, in particular, Article 26 of that Convention, which specifically prohibits such fees, and threatened the safety of United States commercial fishermen who sought to avoid the fee by traveling in less protected waters;

“(4) the Fishermen’s Protective Act of 1967 [22 U.S.C. 1971 et seq.] provides for the reimbursement of vessel owners who are forced to pay a license fee to secure the release of a vessel which has been seized, but does not permit reimbursement of a fee paid by the owner in advance in order to prevent a seizure;

“(5) Canada required that the license fee be paid in person in 2 ports on the Pacific Coast of Canada, or in advance by mail;

“(6) significant expense and delay was incurred by commercial fishing vessels of the United States that had to travel from the point of seizure back to one of those ports in order to pay the license fee required by Canada, and the costs of that travel and delay cannot be reimbursed under the Fishermen’s Protective Act;

“(7) the Fishermen’s Protective Act of 1967 should be amended to permit vessel owners to be reimbursed for fees required by a foreign government to be paid in advance in order to navigate in the waters of that foreign country if the United States considers that fee to be inconsistent with international law;

“(8) the Secretary of State should seek to recover from Canada any amounts paid by the United States to reimburse vessel owners who paid the transit license fee;

“(9) the United States should review its current policy with respect to anchorage by commercial fishing vessels of Canada in waters of the United States off Alaska, including waters in and near the Dixon Entrance, and should accord such vessels the same treatment that commercial fishing vessels of the United States are accorded for anchorage in the waters of Canada off British Columbia;

“(10) the President should ensure that, consistent with international law, the United States Coast Guard has available adequate resources in the Pacific Northwest and Alaska to provide for the safety of United States citizens, the enforcement of United States law, and to protect the rights of the United States and keep the peace among vessels operating in disputed waters;

“(11) the President should continue to review all agreements between the United States and Canada to identify other actions that may be taken to convince Canada that any reinstatement of the transit license fee would be against Canada’s long-term interests, and should immediately implement any actions which the President deems appropriate if Canada reinstates the fee;

“(12) the President should continue to convey to Canada in the strongest terms that the United States will not now, nor at any time in the future, tolerate any action by Canada which would impede or otherwise restrict the right of passage of vessels of the United States in a manner inconsistent with international law; and

“(13) the United States should continue its efforts to seek expeditious agreement with Canada on appropriate fishery conservation and management measures that can be implemented through the Pacific Salmon Treaty to address issues of mutual concern.”

§ 1980b. Sanctions for imposition of conditions on U.S. fishing vessel found inconsistent with international law

(a) Certification

If the Secretary of State finds that the government of any nation imposes conditions on the operation or transit of United States fishing vessels which the United States regards as being inconsistent with international law or an international agreement, the Secretary of State shall certify that fact to the President.

(b) Sanctions

Upon receipt of a certification under subsection (a) of this section, the President shall direct the heads of Federal agencies to impose similar conditions on the operation or transit of fishing vessels registered under the laws of the nation which has imposed conditions on United States fishing vessels.

(c) “Fishing vessel” defined

For the purposes of this section, the term “fishing vessel” has the meaning given that term in section 2101(11a) of title 46.

(d) Sanctions commensurate with conditions certified

It is the sense of the Congress that any action taken by any Federal agency under subsection (b) of this section should be commensurate with any conditions certified by the Secretary of State under subsection (a) of this section.

(Aug. 27, 1954, ch. 1018, §12, as added Pub. L. 104-43, title IV, §402(b), Nov. 3, 1995, 109 Stat. 390.)

CHAPTER 26—ARMED FORCES PARTICIPATION IN INTERNATIONAL AMATEUR SPORTS COMPETITIONS

§§ 1981 to 1985. Repealed. Pub. L. 85-861, § 36A, Sept. 2, 1958, 72 Stat. 1569

Section 1981, acts July 1, 1947, ch. 203, §1, 61 Stat. 243; Mar. 14, 1955, ch. 11, 69 Stat. 11, defined terms used in sections 1981 to 1985 of this title. See section 716 of Title 10, Armed Forces.

Section 1982, act July 1, 1947, ch. 203, §2, as added Mar. 14, 1955, ch. 11, 69 Stat. 11, related to training, attendance, and participation, report to Congress, and to funds and equipment. See section 716 of Title 10.

Section 1983, act July 1, 1947, ch. 203, §3, as added Mar. 14, 1955, ch. 11, 69 Stat. 11, prescribed limitations on expenditure of funds, and related to use of appropriations. See section 716 of Title 10.

Sections 1984, 1985, act July 1, 1947, ch. 203, §§4, 5, as added Mar. 14, 1955, ch. 11, 69 Stat. 11, authorized payment of allowances, travel and transportation, and subsistence and quarters. See section 419 of Title 37, Pay and Allowances of the Uniformed Services.

CHAPTER 27—INTERNATIONAL CULTURAL EXCHANGE AND TRADE FAIR PARTICIPATION

§§ 1991 to 2001. Repealed. Pub. L. 87-256, § 111(a)(3), Sept. 21, 1961, 75 Stat. 538

Sections, act Aug. 1, 1956, ch. 811, §§2-12, 70 Stat. 778-780, related to international cultural exchange and