

Public Law 91-279

AN ACT

To extend the provisions of the United States Fishing Fleet Improvement Act, as amended, and for other purposes.

June 12, 1970
[H. R. 4813]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 2 of the United States Fishing Fleet Improvement Act, as amended (46 U.S.C. 1402), is amended by inserting after the first sentence thereof a new sentence to read as follows: "Any citizen of the United States may apply to the Secretary for a construction subsidy to aid in the remodeling of any vessel in accordance with this Act."

United States
Fishing Fleet
Improvement Act,
amendments.
74 Stat. 212;
78 Stat. 614.

(b) Clause (1) of section 2 of the United States Fishing Fleet Improvement Act, as amended (46 U.S.C. 1402(1)), is amended by inserting after the words "and suitable" a comma and the words "in the case of a new fishing vessel and, when appropriate, a remodeled vessel,".

(c) Clause (2) of section 2 of the United States Fishing Fleet Improvement Act, as amended (46 U.S.C. 1402(2)), is amended by deleting the word "new" from said clause.

(d) Clause (7) of section 2 of the United States Fishing Fleet Improvement Act, as amended (46 U.S.C. 1402(7)), is amended to read as follows: "(7) the vessel will be modern in design and equipment, be capable, when appropriate, to operate in expanded areas, and will not operate in a fishery if such operation would cause economic hardship to operators of efficient vessels already operating in that fishery unless such vessel will replace a vessel of the applicant operating in the same fishery during the twenty-four-month period immediately preceding the date an application is filed by the applicant, and having a comparable fishing capacity of the replacement vessel, and".

SEC. 2. Section 3 of the United States Fishing Fleet Improvement Act, as amended (46 U.S.C. 1403), is amended by changing the words "after notice and hearing," to "after notice and opportunity for a public hearing,".

SEC. 3. Section 5 of the United States Fishing Fleet Improvement Act, as amended (46 U.S.C. 1405), is amended to read as follows:

Cost determina-
tion, survey by
Maritime Admin-
istrator.

"SEC. 5. (a) Within sixty days after the date of enactment of this subsection, and from time to time thereafter, the Maritime Administrator shall survey foreign shipyards to determine the estimated difference between the cost of constructing various classes of new fishing vessels engaged in the fisheries of the United States in such shipyards, and the cost of remodeling various classes of vessels in such shipyards, and the cost of constructing or remodeling such vessels in a shipyard of the United States.

"(b) The Secretary may pay, from funds appropriated under this Act for fiscal year 1970 and subsequent fiscal years with respect to any new fishing vessel for which an application is received in such years and approved under section 3 of this Act, a construction subsidy of not less than 35 per centum and not more than 50 per centum of the lowest responsible bid for the construction of such vessel in a shipyard of the United States, as determined and certified to the Secretary by the Maritime Administrator, excluding the costs, if any, of any feature incorporated in the vessel for national defense uses which costs shall be paid by the Department of Defense in addition to such subsidy. The amount of such subsidy for each such vessel shall be determined and certified to the Secretary by the Maritime Administrator based on the periodic survey conducted under subsection (a) of this section.

Construction
subsidy, limita-
tion.

46 USC 1403.

"(c) The Secretary may pay, from funds appropriated under this Act for fiscal year 1970 and subsequent fiscal years with respect to any

Payment of
funds.

74 Stat. 212.
46 USC 1403.

vessel for which an application is received in such years and approved under section 3 of this Act for the remodeling of any vessel, a construction subsidy of not more than 35 per centum of the lowest responsible bid for the remodeling of such vessel as a fishing vessel in a shipyard of the United States, as determined and certified to the Secretary by the Maritime Administrator, excluding the costs, if any, of any feature incorporated in the vessel for national defense uses which costs shall be paid by the Department of Defense in addition to such subsidy. The amount of such subsidy for each such vessel shall be determined and certified to the Secretary by the Maritime Administrator based on the periodic survey conducted under subsection (a) of this section."

78 Stat. 614.

SEC. 4. Section 7 of the United States Fishing Fleet Improvement Act, as amended (46 U.S.C. 1407), is amended by inserting after the first sentence thereof a new sentence to read as follows: "Beginning on the date of enactment of this sentence, if the applicant disapproves the lowest responsible domestic bid certified by the Maritime Administrator for convenience or other reasons, the Secretary may permit the applicant to accept another responsible domestic bid and agree to pay a construction subsidy under subsection (b) or (c) of section 5 of this Act which shall not exceed the amount the Secretary would have paid if the applicant had accepted the lowest responsible domestic bid."

Ante, p. 307.

Transfer of
vessels.

SEC. 5. Section 9 of the United States Fishing Fleet Improvement Act, as amended (46 U.S.C. 1409), is amended by changing the first sentence thereof to read as follows: "The Secretary, in the exercise of his discretion, after notice and a public hearing, may approve the transfer of any vessel constructed with the aid of a subsidy to another fishery when, as determined by the Secretary, the operations of such vessel are shown to be uneconomical or less economical either because of an actual decline of the resource in the particular fishery or fisheries in which such vessel operates, or because of changed market conditions or a combination of these factors, and where he determines that such transfer would not cause economic hardship to operators of efficient vessels already operating in the fishery to which the vessel would be transferred, or where he determines that such transfer would enable such vessel to operate in a newly developed fishery not yet utilized to its capacity by operators of efficient vessels."

74 Stat. 214.

SEC. 6. (a) Paragraph (3) of section 11 of the United States Fishing Fleet Improvement Act, as amended (46 U.S.C. 1411(3)), is amended to read as follows:

"Citizen of the
United States."

"(3) 'citizen of the United States' includes a corporation, partnership, or association if it is a citizen of the United States within the meaning of section 2 of the Shipping Act, 1916 (39 Stat. 729), as amended (46 U.S.C. 802), and the amount of interest required to be owned by a citizen of the United States shall be at least 75 per centum."

41 Stat. 1008.
46 USC 803.

(b) Section 11 of such Act is further amended by striking out "and" at the end of paragraph (4); by redesignating paragraph (5) as paragraph (6); and by inserting immediately after paragraph (4) the following new paragraph:

"Remodeling."

"(5) 'remodeling' includes the construction through the conversion or reconditioning of any vessel to a fishing vessel and through the rebuilding of any existing fishing vessel, and".

Appropriation.
74 Stat. 214;
78 Stat. 614.

SEC. 7. Section 12 of the United States Fishing Fleet Improvement Act, as amended (46 U.S.C. 1412), is amended to read as follows:

"SEC. 12. There is authorized to be appropriated for the fiscal years 1970, 1971, and 1972, \$20,000,000 per fiscal year to carry out this Act. Such sums are authorized without fiscal year limitation."

SEC. 8. Section 13 of the United States Fishing Fleet Improvement Act, as amended (46 U.S.C. 1413), is amended by striking out "1969" and inserting in lieu thereof "1972".

Termination
date.
74 Stat. 214;
78 Stat. 614.

SEC. 9. Section 4(b)(2) of the Fish and Wildlife Act of 1956 (16 U.S.C. 742c(b)(2)) is amended to read as follows:

70 Stat. 1121.

"(2) Mature in not more than ten years, except that where a loan is for all or part of the costs of constructing a new fishing vessel, such period may be fourteen years."

Approved June 12, 1970.

Public Law 91-280

AN ACT

June 12, 1970
[H. R. 11628]

To transfer from the Architect of the Capitol to the Librarian of Congress the authority to purchase office equipment and furniture for the Library of Congress.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first section of the Act entitled "An Act to abolish the office of Superintendent of the Library Building and Grounds and to transfer the duties thereof to the Architect of the Capitol and the Librarian of Congress", approved June 29, 1922 (42 Stat. 715; 2 U.S.C. 141), is amended—

Librarian of
Congress, addi-
tional authority.

(1) by striking out, in the second sentence thereof, "and the purchasing and supplying of all furniture and equipment for the building" and inserting in lieu thereof the following: "and the purchasing of all equipment other than office equipment"; and

(2) by inserting after the fourth sentence thereof a new sentence as follows: "The Librarian of Congress shall provide for the purchase and supply of office equipment and furniture for library purposes."

Approved June 12, 1970.

Public Law 91-281

AN ACT

June 17, 1970
[H. R. 12619]

To amend section 11 of an Act approved August 4, 1950 entitled "An Act relating to the policing of the buildings and grounds of the Library of Congress".

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 11 of the Act of August 4, 1950 (64 Stat. 412; 2 U.S.C. 167j) is amended by—

(1) inserting therein, immediately after "Sec. 11.", the subsection designation "(a)"; and

(2) inserting at the end thereof the following new subsection:

"(b) For the purposes of this Act, the term 'Library of Congress buildings and grounds' shall include (1) the whole or any part of any building or structure which is occupied under lease or otherwise by the Library of Congress and is subject to supervision and control by the Librarian of Congress, (2) the land upon which there is situated any building or structure which is occupied wholly by the Library of Congress, and (3) any subway or enclosed passageway connecting two or more buildings or structures occupied in whole or in part by the Library of Congress."

"Library of Con-
gress buildings and
grounds."

Approved June 17, 1970.