

Public Law 94-58
94th Congress

An Act

July 24, 1975
[H.R. 5709]

To extend until September 30, 1977, the provisions of the Offshore Shrimp Fisheries Act of 1973 relating to the shrimp fishing agreement between the United States and Brazil, and for other purposes.

Offshore Shrimp
Fisheries Act
Amendments of
1975.
16 USC 1100b
note.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SHORT TITLE

SECTION 1. This Act may be cited as the "Offshore Shrimp Fisheries Act Amendments of 1975".

EXTENSION OF CERTAIN PROVISIONS

SEC. 2. Section 13 of the Offshore Shrimp Fisheries Act of 1973 (16 U.S.C. 1100b note) (hereinafter in this Act referred to as the "Act") is amended by striking out "June 15, 1975" and inserting in lieu thereof "September 30, 1977".

TECHNICAL AMENDMENTS

SEC. 3. (a) Section 2(a) of the Act (16 U.S.C. 1100b(a)) is amended by striking out "May 9, 1972" and inserting in lieu thereof "March 14, 1975".

(b)(1) The first sentence of section 3(a) of the Act (16 U.S.C. 1100b-1(a)) is amended by inserting immediately before the period at the end thereof the following: " : *Provided further*, That no more than two hundred vessels with permits shall be authorized to fish in any quarter of 1975 beginning March 1 and ending February 29, 1976, and no more than one hundred and seventy-five vessels with permits shall be authorized to fish in any quarter of 1976 beginning March 1 and ending February 28, 1977, or such other number or period as may be specified in the treaty from time to time".

(2) Section 3(f) of the Act (16 U.S.C. 1100b-1(f)) is amended—

(A) by striking out "for any year other than 1973";

(B) by striking out "\$615" the first place it appears therein and inserting in lieu thereof "\$1,115"; and

(C) by striking out the second sentence thereof.

(c)(1) Section 4(d)(1) of the Act (16 U.S.C. 1100b-2(d)(1)) is amended by inserting immediately after "issued" the following: "after March 14, 1975".

(2) The first sentence of section 4(d)(2) of the Act (16 U.S.C. 1100b-2(d)(2)) is amended—

(A) by inserting "under permits" immediately after "fishing"; and

(B) by striking out "during the last five years" and inserting in lieu thereof "after May 9, 1972".

(3) The second sentence of section 4(d)(2) of the Act (16 U.S.C. 1100b-2(d)(2)) is amended—

(A) by striking out “of this Act” the first place it appears therein and inserting in lieu thereof the following: “described in section 4(b) of the Offshore Shrimp Fisheries Act Amendments of 1975”;

(B) by striking out “May 9, 1972” and inserting in lieu thereof “March 14, 1975”;

(C) by striking out “the effective date of this Act” the second place it appears therein and inserting in lieu thereof the following: “such effective date”;

(D) by inserting “section” immediately before “8(a)(5)” the second place it appears therein;

(E) by inserting immediately after “fishing gear” the following: “, fishing vessels and fishing methods.”; and

(F) by striking out “, if the Act had been in effect during such period”.

(d) Section 5 of the Act (16 U.S.C. 1100b-3) is amended—

(1) by striking out “May 9, 1972” and inserting in lieu thereof “March 14, 1975”; and

(2) by striking out “\$700” and inserting in lieu thereof “\$1,215”.

(e) Section 6(a) of the Act (16 U.S.C. 1100b-4(a)) is amended by adding at the end thereof the following new sentence: “Any funds remaining in the fund shall remain available for expenditure under this Act.”.

(f) (1) Section 8(a) of the Act (16 U.S.C. 1100b-6(a)) is amended—

(A) by striking out “master” and inserting in lieu thereof “vessel owner, master.”;

(B) by striking out the period at the end of paragraph (5) thereof and inserting in lieu thereof a semicolon; and

(C) by adding at the end thereof the following new paragraph:

“(6) engage in fishing in the area of agreement contrary to regulations establishing a procedure for limiting the number of vessels with permits which may be authorized to fish during any period in 1975 or 1976 as specified in section 3(a).”.

(2) Section 8(a)(4) of the Act (16 U.S.C. 1100b-6(a)(4)) is amended by inserting immediately after “one hundred and sixty” the following: “in 1975 and one hundred and twenty in 1976”.

(3) Section 8(b) of the Act (16 U.S.C. 1100b-6(b)) is amended by striking out “master” and inserting in lieu thereof “vessel owner, master.”.

(g) (1) Section 9(a) of the Act (16 U.S.C. 1100b-7(a)) is amended by inserting immediately after “section 8 hereof” the following: “, or any vessel owner whose vessel is involved in such violation.”.

(2) Section 9(b) of the Act (16 U.S.C. 1100b-7(b)) is amended by inserting immediately after “any proceeding” the following: “against the master or other person in charge of the vessel”.

(3) Section 9(c) of the Act (16 U.S.C. 1100b-7(c)) is amended by striking out “section 8(a)(1)” and all that follows through “or subsequent violation.” and inserting in lieu thereof “section 8.”.

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EFFECTIVE DATES

16 USC 1100b
note.

SEC. 4. (a) Except as provided in subsection (b), the foregoing provisions of this Act shall take effect on the date of the enactment of this Act.

(b) The amendments made by subsections (a), (b), (c), (e), (f), and (g) of section 3 shall take effect upon the entry into force of the Agreement Between the Government of the Federative Republic of Brazil and the Government of the United States of America Concerning Shrimp, signed on March 14, 1975.

Approved July 24, 1975.

LEGISLATIVE HISTORY:

HOUSE REPORT No. 94-216 (Comm. on Merchant Marine and Fisheries).

SENATE REPORT No. 94-270 (Comm. on Commerce).

CONGRESSIONAL RECORD, Vol. 121 (1975):

May 19, considered and passed House.

July 11, considered and passed Senate.