



FEDERAL ACTIONS



Bureau of the Budget

ADDITIONAL FISHERY FUNCTIONS TRANSFERRED TO INTERIOR DEPARTMENT:

Additional commercial fisheries responsibilities of the Federal Government are being taken over by the Department of the Interior by transfer from the Commerce and Agriculture Departments. This was announced April 9 by Assistant Secretary of the Interior Ross Leffler, following Budget Bureau approval of the transfer of functions in line with provisions in the Fish and Wildlife Act of 1956.

Congress established a separate Bureau of Commercial Fisheries within the United States Fish and Wildlife Service of the Interior Department in the 1956 Act and assigned to the Bureau principal Federal responsibility for commercial fishery matters. Actual transfer of departmental operations will be made gradually as routines are worked out.

Two of the new responsibilities of the Bureau of Commercial Fisheries relate to mortgage insurance and loans for construction of fishing vessels, jurisdiction of which resided heretofore in the Maritime Administration. This authority is apart from that already lodged in Interior to administer the fisheries loan program for financing, operating, and maintaining fishing vessels.

All the functions of the Department of Agriculture pertaining to fish and shellfish now performed under the Agricultural Marketing Act of 1946 are also transferred to Interior. Among these is the authority for the development and promulgation of voluntary grade standards for fishery products and for the inspection and certification of such products. In the past the standards for

fishery products--such as those for fish sticks and breaded shrimp--were developed by Interior's Bureau of Commercial Fisheries but were promulgated by the Department of Agriculture.

The distribution and disposal of surplus fishery products also is transferred to Interior from Agriculture, subject to actual handling of the products through Agriculture's established distribution facilities to avoid duplication of similar facilities in Interior.

Interior also is being given authority, previously held by Agriculture, for conducting transportation studies for the fishing industry. The two Departments will work cooperatively on legal services required in rate-structure presentations.

The Interior Department is further developing a series of memoranda of understanding with the Department of Commerce, Agriculture, State, Health, Education, and Welfare, the Federal Trade Commission, and the Corps of Engineers, specifying the responsibilities of the various agencies in areas of joint interests on fishery matters.

The Budget Bureau order effecting the transfer of fishery activities to the Interior Department appeared in the April 9, 1958, issue of the Federal Register as follows:

BUREAU OF THE BUDGET

TRANSFER OF CERTAIN FUNCTIONS RELATING
TO COMMERCIAL FISHERIES TO DEPARTMENT
OF INTERIOR

DETERMINATIONS WITH RESPECT TO CERTAIN
MATTERS PURSUANT TO ACT OF AUGUST 8,
1956

MARCH 22, 1958.

Pursuant to section 6 (a) of the Act of August 8, 1956, popularly known as the Fish and Wildlife Act of 1956 (16 U. S. C. 742e), it is hereby determined that the following functions relate primarily to the development, advancement, management, conservation, and protection of commercial fisheries and shall be deemed

to be transferred to the Department of the Interior by that act:

1. The distribution and disposal of surplus fishery products now performed by the Department of Agriculture under the authority of the act of August 11, 1939 (15 U. S. C. 713c-2).

2. All functions of the Department of Agriculture which pertain to fish, shellfish and any products thereof, now performed under the authority of title II of

the act of August 14, 1946, popularly known as the Agricultural Marketing Act of 1946, as amended (7 U. S. C. 1621-1627), including but not limited to the development and promulgation of grade standards, the inspection and certification, and improvement of transportation facilities and rates for fish and shellfish and any products thereof.

3. All functions of the Maritime Administration, Department of Commerce,

which pertain to Federal ship mortgage insurance for fishing vessels under authority of title XI of the Merchant Marine Act of 1936, as amended (46 U. S. C. 1271-1279), provided that the amount of loans outstanding under this transferred authority shall not exceed \$10,000,000 at any one time.

4. All functions of the Maritime Administration, Department of Commerce, which pertain to direct loans to aid construction of fishing vessels under authority of title V of the Merchant Marine Act of 1936, as amended (46 U. S. C. 1151-1161o).

It is further determined that pursuant to said section 6 (b) of the Act of August 8, 1956, the following are necessary in connection with the exercise of the above listed functions and shall be deemed to be transferred to the Department of the Interior by that Act:

a. The amounts shown in Schedule 1, hereto attached, which amounts are hereby determined to be available for use, as specified in said schedule, in connection with the functions transferred by said Act;

b. The property and records shown in Schedule 2 hereto attached, which property and records were used or held in connection with the functions transferred by said Act.

MAURICE H. STANS,
Director.

SCHEDULE 1—FUNDS TO BE TRANSFERRED FROM U. S. DEPARTMENT OF AGRICULTURE TO U. S. DEPARTMENT OF INTERIOR UNDER SECTION 6 OF PUBLIC LAW 1024, 84TH CONG.

From—	Amount	To—
Department of Agriculture Agricultural Marketing Service		Department of Interior Fish and Wildlife Service
(B) 1282500.020 Marketing Research and Service, Agricultural Marketing Service, 1958, Marketing Services, general.	\$5,000	1481731 Management and Investigations of Resources, Bureau of Commercial Fisheries.

SCHEDULE 2—PROPERTY AND RECORDS TO BE TRANSFERRED FROM U. S. DEPARTMENT OF AGRICULTURE TO U. S. DEPARTMENT OF INTERIOR UNDER SECTION 6 OF PUBLIC LAW 1024, 84TH CONG.

Records—Description of property	Location	Method of storage	Number or volume transferred
I. C. J. dockets on fishery transportation rates.	Room 1441 South Bldg., USDA.	Record storage cartons....	Total cartons, 4.
Rail Freight Rate study 1957.	do.	do.	
Other items including current market reports, correspondence with National Fisheries Institute and Oyster Institute, etc.	do.	do.	



Federal Trade Commission

ILLEGAL FOR A BROKER TO PASS ON ANY PART OF BROKERAGE COMMISSION TO BUYER: The Federal Trade Commission on December 20, 1957, ruled that it is illegal for a broker to pass on any part of his customary brokerage commissions to the buyer. This ruling was made in a Commission decision (Order 6484, Food Products) ordering a Chicago food brokerage firm to stop cutting its usual brokerage fees to enable buyers to obtain better prices.

The Commission adopted the February 26, 1957, initial decision by one of its hearing examiners who had ruled this fee cutting is equivalent to granting a buyer allowances in lieu of brokerage, in violation of Sec. 2(c) of the Robinson-Patman Amendment to the Clayton Act.

Specifically, the examiner had found that an Ohio company placed an order for 500 barrels of apple concentrate, offering to pay \$1.25 per gallon. The seller in Canada would not sell for less than \$1.30. The sale was made, however, when the Chicago food broker accepted from the Canadian firm a fee of 3 percent instead of the agreed 5 percent.

In an opinion accompanying the Commission's order, Commissioner Sigurd Anderson said, "...The only reasonable inference possible to be drawn from those facts established of record is that ... respondent's acceptance of a reduced brokerage in such circumstances constitutes a payment of part of their commission to the buyer exactly as though respondents had paid two percent of their commission to the buyer direct."

Among other things, the Chicago broker had contended that Sec. 2(c) relates only to discriminatory practices on the part of sellers and buyers, and enacts no liability for independent seller's brokers.

Rejecting this contention, the Commission said "it is the office of that subsection to outlaw the diversion of bro-

kerage to buyers, or any form of commission or sales compensation, to buyers in any manner, directly or indirectly, from any source."

The Commission's order prohibits the respondents from granting buyers allowances in lieu of brokerage by selling to them at prices reduced from the sellers' prices, where the reduction is accompanied by a reduction in the respondents' regular rate of commission.

* * * * *

CANNED SEAFOOD FIRMS DENY CHARGES OF PAYING ILLEGAL BROKERAGE:

A Seattle, Wash., packing company and its affiliated selling agent, denied Federal Trade Commission charges of paying illegal brokerage to some customers, the Commission announced on March 19, 1958.

Answering (Answer 7021, Canned Seafood) the Commission's complaint of December 31, 1957, the firms deny granting some customers discounts or allowances in lieu of brokerage, or reduced prices reflecting brokerage.

Specifically, they deny the Commission's allegation that on direct sales not

involving field brokers, the price to favored customers is reduced by the 2½ percent which ordinarily would be paid as brokerage fees. They also deny that in other transactions handled through field brokers, favored customers are allowed discounts under the guise of advertising allowances, accomplished by cutting the field brokers' normal brokerage.

Joining in the answer are officers of the packing company and partners in the selling firm.

The respondents ask that the complaint be dismissed.

The Federal Trade Commission announced on March 20, 1958, that another Seattle, Wash., firm handling canned seafood, and its President, has denied charges of paying illegal brokerage to some customers.

Replying (Answer 7035, Canned Seafood) to a Federal Trade Commission complaint, issued January 14, 1958, they deny that favored customers are given reduced prices reflecting brokerage, or rebates in lieu of brokerage, in violation of Sec. 2(c) of the Robinson-Patman Amendment to the Clayton Act.

The respondents deny that in many direct sales not involving field brokers, at least one large buyer is granted a 2½-percent rebate under the guise of a promotional allowance. Among other things, they deny giving favored customers unlawful allowances by (1) selling their principals' seafood products at net prices lower than those accounted for to the packer-principals, and (2) selling their own canned salmon and other seafood at net prices lower than those charged non-flavored buyers.

In addition to owning all or substantially all of the firm's outstanding stock, the complaint said, the President substantially owns, and is president of, two seafood packing companies; one of which owns and operates canneries in Kodiak, Cordova, and Juneau, Alaska; and the other of which owns a clam-packing plant at Aberdeen, Wash.

According to the answer, the firm's President owns no interest in the Alaska canneries; the Aberdeen, Wash., firm does not own the Aberdeen plant.

The respondents ask that the complaint be dismissed.

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MORE SALMON BROKERS DENY CHARGES OF MAKING ILLEGAL BROKERAGE PAYMENTS: Three Seattle, Wash., primary brokers of canned salmon and other seafood have denied charges of unlawful payment of brokerage to some customers, the Federal Trade Commission announced on March 20, 1958. The three primary brokers filed separate answers (Nos. 6977, 6980, and 6982, Canned Salmon) to the Commission's complaints, issued on December 12, 1957.

All three deny the Commission's allegation that they have granted certain buyers discounts or allowances in lieu of brokerage, while the latter two deny receiving brokerage fees on purchases made for their own accounts. These activities, the complaints alleged, violate Sec. 2(c) of the Robinson-Patman Amendment to the Clayton Act.

The respondents make these specific denials: The first brokerage firm denied it had made illegal price concessions by (1) selling at net prices which were less than those accounted for to its packer-principals, and (2) granting price deductions which were not charged back to the packers.

The second firm denied that, in transactions where he acted as a primary broker, he (1) granted certain buyers rebates (such as freight payments, "trade discounts," and "promotional allowances") which were not charged back to his principals but taken from his fees, and (2) sold at net prices lower than those accounted for to the packers. He also denies accepting brokerage on canned seafood purchased for his own account and resold at a profit.

The third also denied using these means to give illegal grants: (1) selling at net prices less than those accounted for to the packers, (2) granting rebates not charged back to the packers but absorbed out of his brokerage earnings, and (3) taking reduced brokerage on large sales involving price concessions. Also denied are charges that he accepted the customary 5 percent brokerage on purchases of canned salmon for his own account and paid buyers 2½ percent brokerage on the resale of the product.

All parties ask that the complaints be dismissed.

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**CONSENT ORDER
PROHIBITS TWO MAINE
SARDINE CANNERS FROM MAKING
ILLEGAL BROKERAGE PAYMENTS:**

The Federal Trade Commission on January 10, 1958, approved a consent order (6752, Sardines) prohibiting two Maine sardine canners from making illegal brokerage payments to some of their customers.

The Commission adopted an initial decision by Hearing Examiner Joseph Callaway containing an order agreed to by the parties and the Commission's Bureau of Litigation.

A Commission complaint, issued March 27, 1957, had alleged the parties customarily sell canned sardines through brokers, who receive commissions

off up to 5 percent of the market price. However, the complaint charged, some sales are made directly to purchasers at prices as much as 5 percent below the market price.

The result of these latter transactions, the complaint alleged, is that the respondents are giving direct buyers discounts in lieu of brokerage in violation of Sec. 2(c) of the Robinson-Patman Amendment to the Clayton Act, which prohibits sellers from giving brokerage or other compensation to customers buying for their own account.

The complaint noted that the respondent's products are packaged in cans with and without keys, with brokers receiving a 3-percent fee on sales of keyless cans and 5 percent on sales of cans with keys.

Since early 1954, the complaint continued, brokers have been permitted to make sales to purchasers at 5 percent below market price. When the broker makes such a sale, however, the respondents pay him fees of less than 3 or 5 percent. (On these sales he is usually paid 10 cents per case of sardines.) The result of this transaction, the complaint charged, is that the buyer purchasing through the broker at 5 percent off is receiving part of the commission to which the broker is ordinarily entitled. This practice also violates the law, the complaint said.

The order prohibits these practices in the future. The agreement is for settlement purposes only and does not constitute an admission by the parties that they have violated the law.

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TUNA PRICE-FIXING CHARGES AGAINST FISHERMEN'S COOPERATIVE DISMISSED:

The Federal Trade Commission on March 13, 1958, dismissed without prejudice (Order 6623, Tuna) its charges that a Seattle, Wash., boat-owner association has engaged in a conspiracy to fix tuna prices and to prevent competition in this industry.

The Commission adopted an initial decision filed December 10, 1957, by a

Hearing Examiner, who had granted a motion to dismiss made by counsel supporting the complaint. Included in the order are the Association's officers, directors, and members.

On July 24, 1957, the Commission accepted agreements for consent order and issued its order to cease and desist as to 138 other respondents named in the complaint, filed August 29, 1956. The parties, comprising substantially all of the West Coast tuna industry, were ordered to stop fixing prices for the tuna they produced--well over half the nation's pack. The Commission's order also prohibits attempts to suppress competition.

Even though the Seattle Cooperative and its officers are not parties to that order, the attorney in support of the complaint said that it effectively will prevent the continuation or repetition of the alleged illegal practices.



Tariff Commission

HEARINGS ON SIMPLIFICATION OF TARIFFS:

The U. S. Tariff Commission held public hearings on March 4, 1958, to consider proposed revised and consolidated tariff schedules on animal and vegetable products pursuant to Title I of the Customs Simplification Act of 1954, as amended. The hearings were principally for the purpose of receiving information and views regarding the probable effects upon domestic industries concerned, of the incidental changes in rates of duty which are involved in the draft schedules.

Title I of the Customs Simplifications Act of 1954 directed the Commission to study the laws of the United States prescribing the tariff status of imported articles and to submit to the President, the Chairmen of the Ways and Means Committee of the House of Representatives, and the Finance Committee of the Senate a revision and consolidation of these laws which, in the judgment of the Commission, will be logical in arrangement and terminology and adapted

to the changes which have occurred since 1930 in the character and importance of articles produced in and imported into the United States and in markets in which they are sold; eliminate anomalies and illogical results in the classification of articles; and simplify the determination and application of tariff classifications.

Plans for the proposed changes call for 8 schedules and an appendix. The hearings in March considered the draft of proposed Schedule 1 entitled "Animal and Vegetable Products." Fish and shellfish products are included in this schedule. Several changes in classification terminology have been proposed which may result in minor duty changes.

The ultimate adoption of the proposed new schedules is dependent upon the enactment of further legislation by the Congress. Release of the remaining schedules and the hearings thereon will be announced from time to time. The final draft and report will be submitted to the Congress and the President, after all the schedules have been released and public hearings held.

Copies of the proposed new schedules are available for inspection at all field offices of the Department of Commerce; the offices of collectors of customs and appraisers at all headquarter ports of entry in the United States.

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PROPOSED REVISED TARIFF SCHEDULES FOR FISHERY PRODUCTS IMPORTS:

The proposed revised and consolidated tariff schedules which are in preparation by the U. S. Tariff Commission may result in changes in the classification and duties for certain fishery products. As is usual with changes in terminology, it is difficult to foresee all the possible changes in rates of duty that might result. Among the principal changes which the new fishery-product schedules propose are the following:

1. A separate classification would be established for scaled fish.
2. A new classification of fresh or frozen fish, "Otherwise processed," would be established which would include the present classification "filleted, skinned, boned, sliced, or divided into portions, n.s.p.f."
3. The term "in airtight containers" would be applied to fish which are "prepared or preserved in any manner, if packed in oil or in oil and other substances." The present classification for pack in oil is not limited to airtight containers.
4. Classifications which now provide for duties on fish packed in oil, valued "not over 9 cents per pound, including the weight of the immediate container" were elimi-

nated. The following changes would result in duties for any products coming under this value bracket:

Article	Present Rate	Under Proposed New Schedule
..... (% ad valorem)		
<u>In airtight containers:</u>		
Anchovies	22	15
Bonito and yellowtail	22	15
Herring	44	25.5
Sardines (not over 13¢ per lb.)	44	30
Antipasto	22	12.5
Smoked pollock	44	15
Other fish	44	25.5

Copies of the proposed revised schedules prepared by the Tariff Commission are available for inspection at field offices of the Department of Commerce, and at offices of collectors of customs and appraisers at all headquarter ports of entry in the United States.

A revised document, taking into account information obtained at public hearings, will ultimately be submitted by the Tariff Commission to the President and to the Chairmen of the House Ways and Means Committee and the Senate Finance Committee. The purpose of the study is to simplify commodity definitions and rate structures, and adapt terminology to trade changes which have occurred since passage of the Tariff Act of 1930. The ultimate adoption of the proposed new schedules is dependent upon the enactment of further legislation by the Congress.

On March 4, 1958, public hearings were held by the U. S. Tariff Commission to receive views and information regarding the probable effect upon domestic industries concerned of the incidental changes in rates of duty which are involved in the draft schedules.



Treasury Department

BUREAU OF CUSTOMS

UNITED STATES CANNED IN BRINE TUNA IMPORTS UNDER QUOTA PROVISIO FOR 1958:

The quantity of tuna canned in brine which may be imported into the United States during the calendar year 1958 at the 12½-percent rate of duty is limited to 44,693,874 pounds, 1.7 percent less than the 45,460,000-pound quota for 1957. Any imports in excess of that quantity will be dutiable at 25 percent ad valorem.

Any tuna classifiable under Tariff Act paragraph 718(b)--fish, prepared or preserved in any manner, when packed in airtight containers... (except fish packed in oil or in oil or other substances; ...)--which is entered or withdrawn for consumption during 1958 is included.

A proclamation (No. 3128), issued by the President on March 16, 1956, gave effect to an exchange of notes with the Government of Iceland to withdraw tuna

canned in brine from the 1943 trade agreement and invoked the right to increase the duty reserved by the United States in negotiations with Japan and other countries under the General Agreement on Tariffs and Trade. The quota is based on 20 percent of the previous year's United States pack of canned tuna.

The notice as published in the April 8, 1958, Federal Register follows:

DEPARTMENT OF THE TREASURY

Bureau of Customs

[T. D. 54560]

TUNA FISH

TARIFF RATE QUOTA

APRIL 3, 1958.

Pursuant to Presidential Proclamation No. 3128 of March 16, 1956 (T. D. 54051), it has been determined that 44,893,874 pounds of tuna may be entered for consumption or withdrawn from warehouse for consumption during the calendar year 1958 at the rate of 12½ per centum ad valorem under paragraph 718 (b), Tariff Act of 1930, as modified. Any tuna classifiable under paragraph 718 (b) of the tariff act which is entered, or withdrawn, for consumption during the current calendar year in excess of this quota will be dutiable at the full rate of 25 per centum ad valorem.

The above quota is based on the United States pack of canned tuna during the calendar year 1957, as reported by the United States Fish and Wildlife Service.

[SEAL]

RALPH KELLY,
Commissioner of Customs.



Eighty-Fifth Congress

(Second Session)

Public bills and resolutions which may directly or indirectly affect the fisheries and allied industries are reported upon. Introduction, referral to committees, pertinent legislative actions, hearings, and other chamber actions by the House and Senate, as well as signature into law or other final disposition are covered.



ALASKA-SPAWNED SALMON PROTECTION: H. Res. 451 (Tollefson) introduced in the House on January 23, 1958, a resolution calling on the Secretary of the Interior and all departments of Government to protect Alaska-spawned salmon. Reported (H. Rept. No. 1447) favorably on March 3, 1958 by House Merchant Marine and Fisheries Committee, with amendments, and referred to the House Calendar.

H. Rept. No. 1447, Protecting the Alaskan Fisheries (March 3, 1958, 85th Congress 2nd Session, to accompany H. Res. 451), 2 pp. printed. The report recommended that the resolution be amended to read as follows: Resolved, that the Secretary of the Interior is instructed to urge all departments of Government to immediately take such steps as are necessary to protect the salmon fisheries of the Territory of Alaska.

H. Res. 451 was adopted by the House on March 17, 1958, as amended.

S. Res. 263 (Magnuson, Jackson, and Morse) agreed to by the Senate without Amendment, on March 6, 1958, as follows: Resolved, that the Secretary of State; together with other appropriate officials of our Government, immediately initiate negotiations with the appropriate officials and agencies of the Government of Japan for the purpose of: (a) Effectuating the purposes of the treaty entered into by the United States, Canada, and Japan in 1952; and (b) Assuring in time for the 1958 season necessary action to prevent destruction of salmon stocks of North American origin.

See Commercial Fisheries Review, March 1958, p. 63, and April 1958, pp. 82-83, for other information on these resolutions.

COMMERCIAL PRODUCTION OF FISH ON RICE LANDS: S. 1552 (Fullbright), a bill to authorize the Secretary of the Interior to establish an experiment station or stations for the purpose of carrying on a program of research and experimentation to develop methods for commercial production of fish on flooded rice acreage in rotation with rice field crops. Passed the House on March 3, 1958, with amendments. This bill was passed by the Senate on August 5, 1957, with an amendment, that changed the wording of the original bill introduced on March 12, 1957, to "authorize the Secretary of the Interior" instead of the Secretary of Agriculture. S. 1552 was reported by the House Merchant Marine and Fisheries Committee, with amendments (H. Rept. No. 1212) on August 21, 1957. The bill as finally passed by the House was amended further to include the Secretary of Agriculture as cooperating agency. The bill was considered by the Senate on March 4, 1958, and the House amendments were accepted by the Senate and the bill was cleared for the President, and was signed on March 15, 1958 (P. L. No. 85-343). The bill as enacted reads as follows:

That the Secretary of the Interior is authorized and directed to establish an experiment station or stations for the purpose of carrying on a program of research and experimentation--

(1) to determine species of fishes most suitable for culture on a commercial basis in shallow reservoirs and flooded rice lands;

(2) to determine methods for production of fin-nerling fishes for stocking in commercial reservoirs;

(3) to develop methods for the control of parasites and diseases of brood fishes and of fingerlings prior to stocking;

(4) to develop economical methods for raising the more desirable species of fishes to a marketable size;

(5) to determine, in cooperation with the Department of Agriculture, the effects of fish-*rice* rotations, including crops other than rice commonly grown on rice farms, upon both the fish and other crops; and

(6) to develop suitable methods for harvesting the fish crop and preparing it for marketing, including a study of sport fishing as a means of such harvest.

For the purpose of carrying out the provisions of this Act, the Secretary of the Interior is authorized (1) to acquire by purchase, condemnation, or otherwise such suitable lands, to construct such buildings, to acquire such equipment and apparatus, and to employ such officers and employees as he deems necessary; (2) to cooperate with State and other institutions and agencies upon such terms and conditions as he determines to be appropriate; and (3) to make public the results of such research and experiments conducted pursuant to the first section of this Act.

The Department of Agriculture is authorized to cooperate in carrying out the provisions of this Act by furnishing such information and assistance as may be requested by the Secretary of the Interior.

There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act.

DISTRICT OF COLUMBIA FISH AND GAME LAWS: S. 532 (Beall) introduced in the first session of the 85th Congress, a bill to revise and modernize the fish and game laws of the District of Columbia, and for other purposes. Reported (S. Rept. No. 1388) by the Committee on the District of Columbia on March 13, 1958, with amendment.

S. 532 (Beall) passed the Senate as amended on March 17, 1958 and cleared for the House.

S. Rept. No. 1388, District of Columbia Fish and Game Laws, (March 13, 1958, 85th Congress, 2nd Session, to accompany S. 532), 12 pp. printed.

EXTENSION OF EXPORT CONTROL ACT OF 1949: (Hearings before the House Committee on Banking and Currency, House of Representatives, 85th Congress, 2nd Session, on H. R. 10127), 39 pp., printed. Contains statements submitted by the Secretary of Commerce and members of his staff plus data submitted by industry advisory committees.

FAIR LABOR STANDARDS ACT INCREASED COVERAGE: H. R. 11738 (Dent) and H. R. 11759 (Libonati) introduced in the House on March 28, 1958, bills to amend the Fair Labor Standards Act of 1938, as amended, to provide coverage for employees of employers who are engaged in activities affecting interstate commerce, to eliminate certain exemptions, and for other purposes;

to the Committee on Education and Labor. This bill is similar to 14 or more House bills introduced in the first session of the 85th Congress.

FISHERIES ASSISTANCE ACT OF 1958: H. R. 10976 (Lane) introduced in the House on February 25, 1958, a bill to provide a 5-year program of assistance to enable depressed segments of the fishing industry in the United States to regain a favorable economic status; to the Committee on Merchant Marine and Fisheries. H. R. 11004 (O'Neill) introduced in the House on February 26, 1958. These bills are similar to H. R. 10529 (Bates) and S. 3229 (Saltonstall).

See *Commercial Fisheries Review*, March 1958, p. 64, and April 1958, p. 83, for additional information on these bills.

FISHERIES COOPERATIVE MARKETING ACT AMENDMENT: S. 3530 (Payne and Smith of Maine) introduced in the Senate on March 20, 1958, a bill to amend the Fisheries Cooperative Marketing Act; to the Committee on Interstate and Foreign Commerce. This bill proposes to amend the Act entitled "An Act Authorizing Associations of Producers of Aquatic Products," approved June 25, 1934 (48 Stat. 1213; 15 U. S. C. 521-522), to be amended by adding the following:

"No association of persons engaged in the fishing industry as fishermen catching, collecting, or cultivating aquatic products, or as planters of aquatic products on public or private beds, and no officer, agent, employee, or member of any such association, shall be subject to the provisions of the Antitrust Acts with respect to any activity incident to the catching, collecting, cultivating, processing, or marketing of aquatic products. As used in this section, the term 'Antitrust Acts' shall have the meaning given to such term by section 4 of the Act entitled 'An Act to Create a Federal Trade Commission, to Define Its Powers and Duties, and for Other Purposes,' approved September 26, 1914 (38 Stat. 719, 15 U. S. C. 44)."

H. R. 11628 (McIntire) introduced in the House on March 25, 1958, H. R. 11701 (Hale) introduced March 27, 1958, and H. R. 11807 (Pelly) introduced on April 1, 1958, and similar to S. 3530.

FISHERIES POLICY AT "LAW OF THE SEA CONFERENCE.": H. Con. Res. 288 (Pelly) a concurrent resolution introduced in the House on March 10, 1958, to express the sense of Congress that at the present United Nations Conference on the Law of the Sea, at Geneva, Switzerland, the United States should endeavor to conclude an agreement embodying the principal of abatement and conservation with respect to fishing and fisheries; to the Committee on Foreign Affairs. The concurrent resolution calls for the inclusion in any agreement reached at the United Nations Geneva Conference the means of protecting fishes (such as Alaska salmon) that spawn in one country and are later exploited by another country or countries.

FOREIGN TRADE BOARD: H. R. 11250 (Dorn) introduced in the House on March 10, 1958, and H. R. 11536 (Riley) introduced in the House on March 20, 1958, bills to amend the Tariff Act of 1930, amended; to the Committee on Ways and Means. The bills provide for a "United States

"Foreign Trade Board" to replace the United States Tariff Commission. The new Board would consist of seven members appointed for seven years by the President by and with the advice and consent of Congress. The duties and responsibilities of the new Board are defined. The duties of the Board shall be to examine, study, and report annually to Congress on the subjects of international trade and its enlargement consistent with (1) a sound domestic economy, (2) our foreign trade policy, and (3) the trade aspects of our national security, and recommends to Congress appropriate policies, measures, and practices. The new Board would have responsibilities similar to the present Tariff Commission plus additional duties and authority, including an important role in the negotiation and administration of United States tariffs. Effect would be to prohibit multilateral trade agreement negotiations, but it would authorize the President to enter into a "bilateral trade agreement with the government of a principal supplier foreign country. . . ." Final decisions on the Board's report would be made by Congress if the President rejected the findings of the Board.

LOAN FUND FOR FISHERIES: S. 3295 (Magnuson) a bill to increase the authorization for the Fisheries Loan Fund from \$10 to \$20 million. Reported (S. Rept. No. 1373) by the Senate Committee on Interstate and Foreign Commerce on March 11, 1958, without amendment.

S. Rept. No. 1373, Increasing Fisheries Loan Fund Authorization Under Fish and Wildlife Act of 1956 (March 11, 1958, 85th Congress, 2nd Session, to accompany S. 3295), 5 pp., printed. Describes the purpose of bill, operation of the fisheries loan fund, the status of fund as of February 28, 1958, and supporting statements from Government officials.

MARKETING FACILITIES IMPROVEMENT: H. Res. 485 (Delaney), a resolution providing for the consideration and 2 hours of debate on H. R. 4504 (Cooley) introduced in the first session of the 85th Congress, a bill to encourage the improvement and development of market facilities for handling perishable agricultural commodities (including seafood); with amendment. Reported by Committee on Rules (H. Rept. No. 1394) and referred to the House calendar.

MAXIMUM WORKWEEK REDUCTIONS: H. R. 11741 (Dent) and H. R. 11755 (Libonati) introduced in the House on March 28, 1958, bills to reduce the maximum workweek under the Fair Labor Standards Act of 1938, as amended, to 35 hours, and for other purposes; to the Committee on Education and Labor. Similar bills were introduced in the first session of the 85th Congress.

MINIMUM HOURLY WAGE: H. R. 11740 (Dent) and H. R. 11756 (Libonati) introduced in House on March 28, 1958, bills to raise the minimum hourly wage under the Fair Labor Standards Act of 1938, as amended, to \$1.25 an hour, and for other purposes; to the Committee on Education and Labor. These bills are similar to 27 or more bills introduced in the House during the first session of the 85th Congress.

NAVIGATION AND INSPECTION LAWS AMENDMENT: S. 3349 (Magnuson) introduced in the

Senate on February 25, 1958, a bill to repeal and amend certain statutes fixing or prohibiting the collection of fees for certain services under the navigation and vessel inspection laws; to the Committee on Interstate and Foreign Commerce. This bill would repeal the statutory provisions against the charging and collection of fees by collectors or other offices of customs or by the U. S. Coast Guard for services provided vessels (including fishing vessels). Although the bill also would repeal some fees now collected, on the other hand, many services now rendered to vessels, owners of vessels, and masters would be on a fee basis.

NORTH PACIFIC FUR SEAL ACT OF 1958: Executive Communication: Letters from the Acting Secretary of State, transmitting a draft of proposed legislation to give effect to the Interim Convention on Conservation of North Pacific Fur Seals, signed at Washington, February 9, 1957, and for other purposes (with accompanying papers); to the Senate Committee on Interior and Insular Affairs on March 12, 1958 and to the House Committee on Merchant Marine and Fisheries on March 13, 1958.

NORTH PACIFIC FUR SEALS INTERIM CONVENTION: S. 3507 (Murray) introduced in the Senate on March 18, 1958, a bill to give effect to the Interim Convention on Conservation of North Pacific Fur Seals, signed at Washington, February 9, 1958, and for other purposes; to the Committee on Interior and Insular Affairs. Also a similar House bill H. R. 11582 (Bonner) introduced on March 24, 1958; to the Committee on Merchant Marine and Fisheries.

SMALL BUSINESS INVESTMENT CORPORATION: H. R. 10980 (Multer) introduced in the House on February 25, 1958, a bill to establish a Small Business Investment Corporation to furnish needed equity capital to small business concerns in the United States; and for other purposes; to the Committee on Banking and Currency.

SMALL BUSINESS TAX RELIEF: H. R. 11788 (Quie) introduced in the House March 31, 1958, a bill to provide a minimum initial program of tax relief for small business and for persons engaged in small business; to the Committee on Ways and Means. Similar to H. R. 6407 (Alger) introduced in the first session of the 85th Congress and eight or more other House bills and S. 3194 (Sparkman and others) introduced in the Senate on January 30, 1958.

TRADE AGREEMENT ACT EXTENSION: H. R. 11119 (Hoeven), H. R. 11124 (Patterson), H. R. 11130 (Byrd), and H. R. 11134 (Fisher) introduced in the House on March 4, 1958; identical bills to extend the authority of the President to enter into trade agreements under Section 350 of the Tariff Act of 1930, as amended, and for other purposes; to the Committee on Ways and Means. Also H. R. 11462 (Simpson) and H. R. 11463 (Davis) introduced in the House on March 18, 1958 and H. R. 11783 introduced on March 31, 1958. Similar to H. R. 10818 (Davis of Georgia) introduced on February 19, 1958. These bills are closely related to H. R. 10368 (Mills) except that extension of the President's authority to enter into trade agreements is limited to one year instead of the five-year extension provided for in H. R. 10368. H. R. 10368 was the subject of extended hearings from February 17 to March 25, 1958. See *Commercial Fisheries Review*, March 1958, p. 65 and April 1958 p. 84, for other related bills.