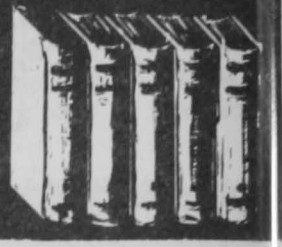




# FEDERAL ACTIONS



## Department of Commerce

### SMALL BUSINESS ADMINISTRATION

#### ALASKA FIRM TO RECEIVE LOAN FUNDS FROM SBA INSTEAD OF ARA:

The Small Business Administration (SBA) approved a loan of \$155,000 to the Aleutian Development Company on November 20, 1963. The Area Redevelopment Administration (ARA) had previously, on June 13, 1963, approved an industrial loan of \$148,367 to the company to be used to replace and modernize its canning plant equipment and to permit expansion of salmon and crab canning operations at Jamal, Alaska. The ARA loan, however, was cancelled on December 27, 1963, following the approval of the loan to the Aleutian Development Company.



## Department of the Interior

### FISH AND WILDLIFE SERVICE

#### BUREAU OF COMMERCIAL FISHERIES

#### NEW FEES FOR FISHERY PRODUCTS INSPECTION SERVICES:

New fees and charges for fishery products inspection services of the U. S. Department of the Interior became effective on February 15, 1964. The basic change was the increase in regular hourly rates for continuous inspection from \$4.45 to \$5.55 and for lot inspection from \$6.50 to \$7.80. The cost of maintaining the inspection service for processed fishery products and other products has increased since the adjustment of fees which became effective February 1, 1963.

The amendment as it appeared in the Federal Register of February 7, 1964, follows:

### Title 50—WILDLIFE AND FISHERIES

#### Chapter II—Bureau of Commercial Fisheries, Fish and Wildlife Service, Department of the Interior

#### SUBCHAPTER G—PROCESSED FISHERY PRODUCTS, PROCESSED PRODUCTS THEREOF, AND CERTAIN OTHER PROCESSED FOOD PRODUCTS

#### PART 260—INSPECTION AND CERTIFICATION

#### Changes in Fees and Charges

The regulations governing Part 260—Inspection and Certification of Subchapter G—Processed Fishery Products, Processed Products Thereof, and Certain Other Processed Food Products, relating to fees and charges (50 CFR 260.70 to 260.81) are hereby amended pursuant to the authority contained in section 8(a) of the Fish and Wildlife Act of 1956 (16 U.S.C. 724e(a)), as amended. The amendment as hereinafter set forth revises the schedule of fees and charges for inspection services.

As a result of the Federal pay increase effective January 1, 1964, and increased operating expenses, the cost of maintaining the inspection service for processed fishery products and other products has increased since the adjustment of fees which became effective February 1, 1963. The basic change is the increase in the hourly rates for continuous inspection from \$4.45 to \$5.55 and for lot inspection and related inspection services from \$6.50 to \$7.80.

The amendment is as follows:

1. Section 260.70 is hereby revised to read as follows:

#### § 260.70 Schedule of fees.

(a) Unless otherwise provided in a written agreement between the applicant and the Secretary, the fees to be charged and collected for any inspection service performed under the regulations in this part at the request of the United States, or any agency or instrumentality thereof, shall be in accordance with the applicable provisions of §§ 260.70 to 260.81.

(b) Unless otherwise provided in the regulations in this part, the fees to be charged and collected for any inspection service performed under the regulations in this part shall be based on the applicable rates specified in this section for the type of service performed.

(1) Continuous inspection:

	<i>Per hour</i>
Regular time.....	\$5.55
Overtime.....	6.00

Applicants shall be charged at an hourly rate of \$5.55 per hour for regular time and \$6.00 per hour for overtime in excess of 40 hours per week for services performed by inspectors assigned to plants operating under continuous in-

pection. Applicants shall be billed monthly at a minimum charge of 8 hours per working day plus overtime, when appropriate, for each inspector. A minimum yearly charge of 260 days will be made for each inspector permanently assigned to each plant.

(2) Lot inspection, official and unofficially drawn samples.

For lot inspection services performed between the hours of 7 a.m. and 5 p.m. of any regular workday—\$7.80 per hour.

For lot inspection services performed between the hours of 5 p.m. and 7 a.m. of any regular workday—\$10.00 per hour.

For lot inspection services performed on Saturday, Sunday, and National legal holidays—\$10.00 per hour.

The minimum fee to be charged and collected for inspection of any lot of product will be \$4.00.

(c) Fees to be charged and collected for lot inspection services furnished on an hourly basis shall be based on the actual time required to render such service including, but not limited to, the travel, sampling, and waiting time required of the inspector, or inspectors, in connection therewith, at the rate of \$7.80 per hour for each inspector, except as provided in paragraph (b) (2) of this section.

2. Section 260.71(c) is hereby revised to read as follows:

§ 260.71 Inspection services performed on a resident basis.

(c) A charge of \$7.80 per hour plus actual costs to the Bureau of Commercial Fisheries for per diem and travel costs incurred in rendering service not specifically covered in this section; such as, but not limited to, initial plant surveys.

3. Section 260.76 is hereby revised to read as follows:

§ 260.76 Charges based on hourly rate not otherwise provided for in this part.

When the appropriate Regional or Area Director determines that any inspection or related service rendered is such that charges based upon the foregoing sections are clearly inapplicable, charges may be based on the time consumed by the inspector in performance of such inspection service at the rate of \$7.80 per hour.

Notice of proposed rule making, public procedure thereon, and the postponement of the effective date of this revision later than February 15, 1964 (5 U.S.C. 1003), are impracticable, unnecessary

and contrary to the public interest in that: (1) the Agricultural Marketing Act of 1946, as amended, provides that the fees charged shall, as nearly as possible, cover the cost of the service rendered; (2) the increases set forth herein are necessary to more nearly cover such cost, including but not limited to, increased salaries to Federal employees required by recent legislation; (3) it is imperative that the increase in fees become effective in time to meet such increased costs; (4) users of the inspection service were notified that the rates of fees to be charged for inspection service would be reevaluated as to need for readjustment with each Federal pay act increase by inclusion of § 260.81 into Part 260 Inspection and Certification and published in the FEDERAL REGISTER (27 F.R. 4781); and (5) additional time is not required by users of the inspection service to comply with this revision.

(Sec. 205, 60 Stat. 1090, as amended; 7 U.S.C. 1622 and 1624)

Dated: February 4, 1964, to become effective at 12:01 a.m., February 15, 1964.

STEWART L. UDALL, Secretary of the Interior.

FEBRUARY 4, 1964.

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NEWLY APPOINTED FISHERY ATTACHES ARRIVE AT POSTS:

Two fishery attachés, appointed by the U. S. Department of State in 1963, arrived in December at their respective posts, one in Latin America and the other in Africa. Richard S. Croker is now at the United States Embassy in Mexico City, Mexico, and will report on significant activities and developments in the Latin American region. George B. Gross, appointed to the post in Abidjan, Ivory Coast, will have regional responsibilities for fishery reporting on the countries along the western coast of Africa.



Department of Labor

WAGE AND HOUR AND PUBLIC CONTRACTS DIVISIONS

SHELLFISH-PROCESSING INDUSTRY TO BE SURVEYED AGAIN:

The shellfish-processing industry on the Atlantic and Gulf Coasts is to be surveyed again by the Wage and Hour and Public Contracts Division, U. S. Department of Labor, in order to determine the degree of compliance with the regulations of the Minimum Wage-Hour Law. The second survey is in connection with the expiration of the Handicapped Exemption Certificates as of April 1, 1964. After that date, only persons qualifying

by the regular standards of being handicapped will be exempted.

Because of the many problems created by the application of the Minimum Wage-Hour Law to persons shucking oysters in the Middle and South Atlantic States, the Wage and Hour and Public Contracts Division made a study in 1962 of the shellfish-processing industry. A survey conducted by the Department of Labor at that time included all plants processing clams, crabs, oysters, and shrimp on the Atlantic and Gulf Coasts during June 1962. The results of the study were published in December 1962 in the report "Shellfish Processing on the Atlantic and Gulf Coast."



Department of the Treasury

BUREAU OF CUSTOMS

IMPORTS OF CANNED "TUNA WITH VEGETABLES" DUTIABLE AT 20 PERCENT AD VALOREM:

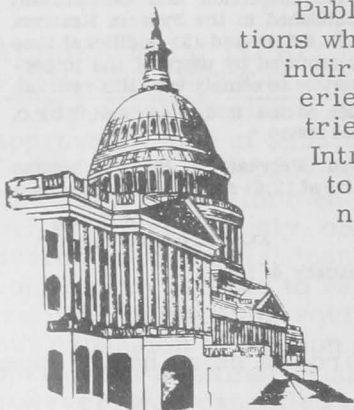
Canned tuna with vegetables--a product consisting of 43 percent tuna, 23 percent vegetables, and 34 percent highly seasoned sauce, with added rice bran oil--has been classified by the U. S. Bureau of Customs under the provision for "Edible preparations, not specially provided for . . . : Other" (dutiabale at 20 per-

cent advalorem), item 182.91, Tariff Schedules of the United States. The decision was contained in a Bureau of Customs letter dated November 26, 1963. (Treasury Decisions, vol. 98, no. 50, December 12, 1963.)



## Eighty-Eighth 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 by the House and Senate, as well as signature into law or other final disposition are covered.

THE BUDGET OF THE UNITED STATES: H. Doc. 265, Part I, The Budget of The United States Government Fiscal Year Ending June 30, 1965 (House of Representatives, 88th Congress, 2nd Session), 475 pp., printed. (For sale by the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C., 20402, paper cover price \$1.50.) The budget as submitted Jan. 21, 1964, to the Congress, provides under funds for the Department of the Interior increases for the Fish and Wildlife Service. For the Office of the Commissioner \$393,000 as compared with \$386,000 in 1964. Estimates for the Bureau of Commercial Fisheries total \$26,445,000, an increase of \$2,467,766 over the amount for 1964; Management and Investigations of Resources \$20,681,000, an increase of \$2,856,766 over 1964 appropriations and includes \$1.8 million for expansion of oceanographic research; \$720,000 for botulism and pesticides studies; the Federal-State Columbia River Fishery Development Program, designed to offset losses to salmon and steelhead runs resulting from Federal projects in the Columbia River Basin, will be continued with \$588,000 requested for construction and \$2,260,000 for operation and maintenance of facilities; Construction of Fishery Facilities is \$4,200,000, which includes \$1,000,000 for a shellfish research center at Milford, Conn., and \$1,500,000 for a biological research laboratory for the tropical Atlantic area. Estimates for the Bureau of Sport Fisheries and Wildlife total \$47,396,000, a net increase of \$233,733 over 1964; Management and Investigations of Resources \$34,419,000, an increase of \$3,859,273; Construction \$3,593,000, a decrease of \$1,650,000.

COMMODITY PACKAGING AND LABELING: Packaging and Labeling Legislation (Hearings before the Subcommittee on Antitrust and Monopoly of the Com-

mittee on the Judiciary, United States Senate, 88th Congress, 1st Session), 979 pp., printed. Contains hearings held on S. 387, to amend the Clayton Act to prohibit restraints of trade carried into effect through the use of unfair and deceptive methods of packaging or labeling certain consumer commodities distributed in commerce, and for other purposes; Federal laws and regulations, State laws and regulations, wartime regulation of containers; and selected foreign jurisdictions.

H.R. 9940 (Roosevelt) introduced in House Feb. 7, 1964; referred to the Committee on the Judiciary; similar to S. 387.

CONSERVATION OF MARINE FISHERIES RESOURCES: The House Committee on Merchant Marine and Fisheries held hearings on Feb. 19 and 20, 1964, on S. 1988, and related bills, to prohibit fishing in the territorial waters of the United States and in certain other areas by persons other than nationals or inhabitants of the United States.

H.R. 9957 (Rogers) introduced in House Feb. 8, 1964, and H.R. 10028 (Wilson) introduced in House Feb. 19, 1964; referred to the Committee on Merchant Marine and Fisheries; similar to S. 1988.

CONSUMER PROTECTION: The American Consumer Message from the President of the United States (H. Doc. 220), 7 pp., printed, received in the House and Senate February 5, 1964. Contains a statement of the consumer's position, recent advances, recommended legislation, administrative improvements, and conclusions. The President mentioned among other items the need to extend and clarify the inspection authority of the Food, Drug, and Cosmetic Act to permit inspection of factories where food is produced; the need for clarification of the law concerning the registration of pesticides; and the need to eliminate misleading advertising and packaging.

CUBAN FISHING ACTIVITIES IN UNITED STATES TERRITORIAL WATERS: Representative Rogers (Florida) on Feb. 3, 1964, addressed the House on the activities of the Cuban fishing fleet in United States territorial waters off Florida.

Representative Pelly (Washington) on Feb. 4, 1964, presented a statement to the House in support of the Senate-passed bill S. 1988 (to prohibit fishing in the territorial waters of the United States and in certain other areas by persons other than nationals or inhabitants of the United States), which would prohibit the Cuban fishing fleet (or any other foreign fishing fleet) from entering United States territorial waters.

FEDERAL INSECTICIDE, FUNGICIDE, AND RODENTICIDE ACT: The House on Feb. 3, 1964, received the report (H. Rept. 1125) on H.R. 9739. The House on Feb. 17, 1964, passed S. 1605, amended (in lieu of H.R. 9739), to amend the Federal Insecticide, Fungicide, and Rodenticide Act, as amended, to provide for labeling of economic poisons with registration numbers, to eliminate registration under protest, and for other purposes.

FISHERMEN'S FINANCIAL AID FOR ECONOMIC DISLOCATION: H.R. 9784 (Bennet) introduced in the House Jan. 28, 1964, to authorize the Secretary of the Interior to make payments to reestablish the purchasing power of American fishermen suffering temporary economic dislocation; referred to the Committee on Merchant Marine and Fisheries.



**FISHERY RESOURCES:** A magazine article titled "John F. Kennedy--Forthright for Fisheries" was inserted by Senator Magnuson in the Congressional Record, Appendix page A699, Feb. 17, 1964.

**FOOD-FOR-PEACE, AND FISH:** The Senate and House on Jan. 31, 1964, received a message from the President transmitting his legislative recommendations concerning agriculture (H.Doc.210). Among the items mentioned were Titles I and II of Public Law 480 concerning the food-for-peace program. The President recommended an extension of those two titles for five years. At the present time those titles would expire December 31, 1964.

On Jan. 28, 1964, Senator Bartlett (Alaska) inserted in the Congressional Record, pages 1208-1209, an article which appeared in the Wall Street Journal concerning fish in the food-for-peace program.

Senator Bartlett inserted in the Congressional Record, page 2818, Feb. 17, 1964, a speech delivered at the annual convention of the National Cannery Association by the Director of the food-for-peace program describing the effect of the program and discussing the present addition of certain fishery commodities to the program under Public Law 88-205.

**MAINE FISHING INDUSTRY:** On Jan. 31, 1964, Representative Tupper (Maine) inserted in the Congressional Record (Appendix, page A397) an editorial titled "Maine Fishing Industry Cannot Take Tariff Slash and Survive," in the Portland (Maine) Press Herald.

**NORTH PACIFIC FUR SEALS CONVENTION:** The State on Dec. 3, 1963, received a message from the President of the United States transmitting a protocol amending the interim convention on conservation of North Pacific fur seals, signed at Washington on Feb. 9, 1957, which protocol was signed at Washington on Dec. 8, 1963, on behalf of the Governments of Canada, Jan., the Union of the Soviet Socialist Republics and the United States of America (Ex. O, 88th Congress, 1st Session); referred to Committee on Foreign Relations.

The Senate Committee on Foreign Relations on Jan. 29, 1964, approved Protocol amending the interim convention on conservation of North Pacific fur seals. The Committee on Jan. 27, 1964, favorably reported (Ex. O, 1) Ex. O.

The Senate on Jan. 30, 1964, ratified Ex. O, Protocol amending the interim convention on conservation of North Pacific fur seals. No House action required.

**OCEANOGRAPHY:** Thirteenth Annual Report of the National Science Foundation, Message from the President of the United States (H. Doc. 209), 374 pp., printed, received in the House January 29, 1964. Contains a description of the program activities of the National Science Foundation including support of scientific research, institutional grants, education in the sciences, dissemination of scientific information, and studies of science resources. The Report includes a description of the Foundation's oceanographic programs which cover: (1) assistance for some of the most urgently required additions to the Nation's facilities for oceanographic research (this included 15 grants in 1963 totaling \$5.9 million for the construction or conversion of ships and the construction or expansion of shore facilities), and (2) coordination of the United

States program in the International Indian Ocean Expedition.

A statement by the Governor of California on oceanographic needs was inserted by Representative Hanna in the Congressional Record (Appendix pages 588-589), Feb. 7, 1964.

The article, "On the Shore of Narragansett Bay: a Great New Sea Laboratory," by the Dean of the Graduate School of Oceanography, University of Rhode Island, was inserted by Representative Fogarty in the Congressional Record (Appendix Pages A692-693), Feb. 13, 1964. The article describes the marine research facilities in the vicinity of Narragansett Bay and their relation to the New England fishing industry.

**PRICE-QUALITY STABILIZATION:** On Feb. 19, 1964, the Subcommittee on Quality Stabilization of the Senate Committee on Commerce concluded its hearings on S. 774, to amend the Federal Trade Commission Act, to promote quality and price stabilization, to define and restrain certain unfair methods of distribution and to confirm, define, and equalize the rights of producers and resellers in the distribution of goods identified by distinguishing brands, names, or trademarks, and for other purposes.

**SCIENCE AND TECHNOLOGY OFFICE FOR CONGRESS:** Establishment of a Congressional Science Advisory Staff (Hearing before the Subcommittee on Accounts of the Committee on House Administration, House of Representatives, 88th Congress, 1st Session), 88 pp., printed. Contains hearing held Dec. 4, 1963, on H.R. 6866 and H.R. 8066, to increase the effectiveness of the Congress in carrying out its functions by establishing a science advisory staff in the Senate and House of Representatives; includes testimony given by Members of Congress, officials of the Government, and members of various schools, associations, and industry.

**SMALL BUSINESS DISASTER LOANS:** The House on Jan. 20, 1964, suspended the rules and passed, with amendments, S. 1309, to amend the Small Business Act by broadening the disaster loan authority and imposing criminal penalties for certain offenses. The bill, as amended by the House, contains three parts. (The bill as passed by the Senate contained four parts; the first part which would have involved an increased appropriation for the Small Business Administration revolving fund was deleted by a committee amendment in the House). The second part of the bill broadens the authority of the Small Business Act to make disaster loans to small business. At the present time this authority applies only to small businesses which have suffered economic injury because of draught or excessive rainfall. This would extend the authority to business injured by other natural disasters. The third part of the bill would extend the disaster loan authority to cases where economic injury was suffered by small businesses because of: "The inability \* \* \* to process or market a product for human consumption because of disease or toxicity occurring in such product through natural or undetermined causes." The last part of the bill provides the Government with authority to bring criminal proceedings against anyone who steals property mortgaged or pledged to the Small Business Act for a loan.

The Senate on Jan. 27, 1964, concurred in the House amendments to S. 1309. The President on Feb. 5, 1964, signed S. 1309 into Public Law 88-264.

**SOVIET FISHING INDUSTRY: The Postwar Expansion of Russia's Fishing Industry** (Prepared at the Request of Hon. Warren G. Magnuson, Chairman, for the use of the Committee on Commerce, United States Senate by the Legislative Reference Service, the Library of Congress with Translations of fishery articles and news from Soviet publications by the Fisheries Research Institute, University of Washington), 59 pp., printed. Contains: (1) the growth of the Soviet annual fish catch; (2) the drive to the open sea; (3) expansion of the Soviet fishing fleet; (4) Soviet fishing tactics on the high seas; (5) the extracurricular activities of the fishing fleet; (6) fishery research and manpower training; (7) the economic status of the fishing industry; (8) the fisheries of Eastern Europe; (9) the outlook; a summary; and appendixes.

Representative Keith of Massachusetts on Jan. 31, 1964, inserted in the Congressional Record (Appendix, pages A409-A410) an article from the New Bedford (Mass.) Times titled "Red Fishing Threat."

#### CONSERVATION OF MARINE FISHERIES RESOURCES

A newspaper article on Soviet fishing activities on the high seas was inserted by Senator Magnuson in the Congressional Record, page 2800, Feb. 17, 1964.

**TRANSPORTATION AMENDMENTS OF 1964: H.R. 9903** (Harris) introduced in House Feb. 5, 1964 (following hearings by the House Committee on Interstate and Foreign Commerce on some of the proposals originally contained in H.R. 4700 and H.R. 4701), to amend the Interstate Commerce Act and Federal Aviation Act of 1958 so as to strengthen and improve the national transportation system, and to implement more fully the national transportation policy, and for other purposes; referred to the Committee on Interstate and Foreign Commerce which favorably reported the bill to the House on February 6, 1964. The bill includes provisions which would extend to railroads and domestic water carriers the exemption now applicable to the transportation of agricultural commodities and fishery products by motor carriers. However, all carriers (of whatever mode) would be required to file with the Interstate Commerce Commission (ICC) their exempt rates on agricultural and fishery products, except those moving in trucks having three axles or less. The anti-trust laws would also be made applicable to the shipment of the exempt commodities.

The bill also contains provisions which among other things would: (a) permit shippers to recover damages from motor carriers and freight forwarders for unreasonable rates charged in the past (a right now limited to rail and water shipments); (b) permit persons injured by illegal operations to sue in Federal courts for injunctions, and permit the ICC to join shippers in en-

forcement proceedings; and (c) increase fines for certain violations of the Interstate Commerce Act to a maximum of \$500 for each offense and \$250 for each additional day of violation.

The bill would also amend section 1003 of the Federal Aviation Act of 1958 (49 U.S.C. 1483) which now provides for joint rates between air and other common carriers, and in the case of joint rates between air carriers and carriers subject to the Interstate Commerce Commission, for a joint board comprising representatives of both agencies to pass upon such joint rates in accordance with standards of the Federal Aviation Act. The bill would create a new joint board comprising representatives of the Civil Aeronautics Board, the Federal Maritime Commission, and the Interstate Commerce Commission to handle through service and joint rates between places in the United States and its possessions of any combination of air, water, and ground carriers where such rates are not subject to the individual regulatory jurisdiction of any one of those agencies.

Under this section, the Alaska Railroad would be authorized to establish through routes and joint rates with other carriers which would be under the jurisdiction of the joint board.

#### VESSEL CONSTRUCTION SUBSIDY AMENDMENTS

**H.R. 9815** (Tupper) introduced in House Jan. 31, 1964, to amend the act of June 12, 1960, relating to the construction of fishing vessels to extend it for an additional period; referred to Committee on Merchant Marine and Fisheries.

Unlike S. 1006 and companion House bills on this subject pending before the Merchant Marine and Fisheries Committee, H.R. 9815 would merely extend the expired subsidy program (P. L. 86-516) for a total of 7 years (including the 3 years that the Program was in effect and the time that has elapsed since the Program expired) without increasing the amount of subsidy or deleting the restrictions in the old law. As under the old Program, H.R. 9815 would permit maximum subsidies of 33-1/3 percent and would limit the construction of subsidized vessels to fisheries injured by foreign imports. S. 1006 and the other bills pending before the House Committee would provide for subsidies of up to 55 percent and would eliminate restrictions regarding injury to a fishery from imports.

#### WATER POLLUTION CONTROL ADMINISTRATION

The House Committee on Public Works on Feb. 17-19, 1964, held and concluded hearings on H.R. 3166, 9963, 4571, S. 649, and H.R. 6844, and related bills, to amend the Federal Water Pollution Control Act, as amended. Testimony was given by public witnesses.

