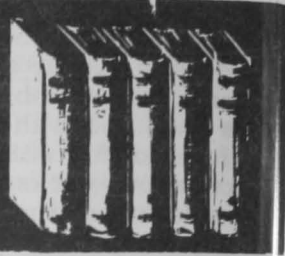




FEDERAL ACTIONS



Department of Commerce

BUREAU OF THE CENSUS

TIME EXTENDED FOR COMMENTS ON CHANGES IN EXPORT CLASSIFICATION:

An extension of 15 days, from July 31 to August 15, 1964, was announced by the U. S. Bureau of the Census for receiving comments and recommendations on Public Bulletin B-8, "Proposed Changes in Schedule B--Statistical Classification of Domestic and Foreign Commodities Exported from the United States."

The time was extended following a meeting of spokesmen for business and trade organizations with officials of the Bureau of the Budget and the Census Bureau, and was in recognition of the fact that the mailing of the Bulletin had been unavoidably delayed.

The Bureau of the Census in an announcement on June 12, 1964, invited comments on the proposed classification which will enable it to issue monthly and annual reports in terms of the Standard International Trade Classification (SITC), in order that United States exports may be compared with data of other trading nations. Statistics on product classes based on the U.S. Standard Industrial Classification (SIC) will be reported annually, to permit comparisons with domestic production.

Details of the proposed revision are contained in Public Bulletin B-8, which has been sent to about 35,000 manufacturing and exporting firms.

Census officials pointed out that if some or most of the recommendations were submitted in advance of the deadline of August 15, 1964, it would expedite their proper consideration and the preparation of the new reporting system, to be effective in January 1965.



Department of the Interior

FISH AND WILDLIFE SERVICE

REGULATIONS PROPOSED FOR PROCEDURES ON COMMERCIAL FISHERIES RESEARCH AND DEVELOPMENT ACT:

Proposed regulations setting up procedures to be used by the Secretary of the Interior in giving financial aid to state agencies for research and development of the commercial fisheries resources of the Nation were announced by the U. S. Department of the Interior on July 8, 1964. The Notice of Proposed Rule Making was published in the Federal Register of July 10, 1964. The proposed regulations are to be issued under 50 CFR Part 253, pursuant to the authority granted the Secretary of the Interior by section 8 of the Commercial Fisheries Research and Development Act of 1964 (Public Law 88-309).

The new law, passed by Congress this year and signed by President Johnson May 20, 1964, provides for payment of \$5 million annually to States for commercial fishery research and development over a five-year period. The States will be required to provide matching funds equal to at least 25 percent of project costs.

The Act also authorizes the allocation of \$400,000 annually for two years and \$650,000 for each of the following three years to States where there is a commercial fishery failure resulting from natural or undetermined causes.

A third provision of the law authorizes allocation of \$100,000 a year to States for developing new commercial fisheries.

A fourth provision provides for loan funds to Alaska's fishermen for charter of fishing vessels for temporary replacement pending the repair or permanent replacement of vessels.

lost or damaged in the March 27, 1964, Alaska earthquake disaster. Repayment of the loans is to be made only from the net profits of the operation of the chartered vessels after deducting a reasonable amount for the salary of the fishermen chartering the vessels. (Regulations covering this provision of the act were published in the May 23, 1964, Federal Register.)

Interested persons were given until August 9, 1964, to submit written comments, suggestions, or objections on the proposed regulations to the Director, Bureau of Commercial Fisheries, Department of the Interior, Washington, D. C. But written comments, suggestions, or objections to Section 253.4 of 50 CFR Part 253 dealing with "Use of resource disaster funds" had to be submitted by July 20, 1964.

The proposed regulations as published cover definitions, interpretation of the authorization, use of research and development funds, use of resource disaster funds, use of new commercial fishery funds, financial responsibility, reporting, record retention, audit and inspection, patents and inventions, etc.

The proposed regulations as published in the Federal Register of July 10, 1964, follow:

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

[50 CFR Part 253]

COMMERCIAL FISHERIES RESEARCH AND DEVELOPMENT

Notice of Proposed Rule Making

Notice is hereby given that pursuant to the authority vested in the Secretary of the Interior by section 8 of the Commercial Fisheries Research and Development Act of 1964 (Public Law 88-309), it is proposed to adopt 50 CFR part 253 as set forth below. The purpose of these regulations is to provide for procedures to be used by the Secretary in providing financial assistance to State Agencies for research and development of the Commercial fisheries resources of the Nation and, in cooperation with State Agencies, directly to the commercial fisheries in cases where he has determined that there is a commercial fishery failure due to a resource disaster arising from natural or undetermined causes.

This proposed regulation relates to matters which are exempt from the rule making requirements of the Administrative Procedures Act (5 U.S.C. 1003); however, it is the policy of the Department of the Interior that, whenever practicable, the rule making requirements be observed voluntarily. Accordingly, interested persons may submit in triplicate

written comments, suggestions, or objections with respect to the proposed amendments to the Director, Bureau of Commercial Fisheries, Department of the Interior, Washington, D.C., 20240, within 30 days of the date of publication of this notice in the FEDERAL REGISTER, except that comments with respect to section 253.4 must be submitted within 10 days.

Sec.	
253.1	Definitions.
253.2	Interpretation of the authorization.
253.3	Use of research and development funds.
253.4	Use of resource disaster funds.
253.5	Use of new commercial fishery funds.
253.6	Financial responsibility.
253.7	Reporting.
253.8	Record retention.
253.9	Audit and inspection.
253.10	Officials not to benefit.
253.11	Patents and inventions.
253.12	Convict labor.

AUTHORITY: The provisions of this part 253 issued under sec. 8, Public Law 88-309.

§ 253.1 Definitions.

As used in this part, terms shall have the meanings ascribed in this section.

(a) *Secretary*. The Secretary of the Interior or his authorized representative.

(b) *Act*. Public Law 88-309.

(c) *Research and development funds*. Funds, the appropriation of which, were authorized by subsection 4(a) of the Act.

(d) *Resource disaster funds*. Funds, the appropriation of which, were authorized by subsection 4(b) of the Act.

(e) *New commercial fishery funds*. Funds, the appropriation of which, were authorized by subsection 4(c) of the Act.

(f) *Person*. Individual, association, partnership or corporation, any one or all as the context requires.

(g) *Primary producer*. A person owning or having a beneficial interest in and managing a vessel or gear engaged in harvesting raw fish.

(h) *Net profits*. The net profit, before taxes, as computed in accordance with generally accepted accounting standards with due regard to the practices in the locality in which the fishing operation is conducted.

(i) *Reasonable amount as determined by the Secretary for the salary of the fisherman*. A computed amount equal to the average income of the applicant from fishing operations during the 3 preceding calendar years, with a maximum of \$3,000, computed from applicant's income tax returns for those years.

(j) *Contractor*. A person, agency or institution performing services, under contract with the State Agency, in carrying out the provisions of a project agreement.

§ 253.2 Interpretation of the authorization.

The terms used in the Act to describe the authorization to the Secretary are construed to be limited to the meanings ascribed in this section.

(a) Supplement, and, to the extent practicable, increase the amounts of State funds. The words "supplement, and, to the extent practicable, increase the amounts of State funds" mean that State funds, to be used for at least 25 percent of the cost of a project financed with research and development funds,

will be additional funds provided for that project and will not represent funds diverted from some other fishery project except that during fiscal years 1965 and 1966, the fact that a State Legislature did not meet after approval of this Act will be considered evidence that it is not practicable for the State Agency to furnish funds that have not been previously used for other fishery projects.

(b) Resource disaster arising from natural or undetermined causes. The words "resource disaster arising from natural or undetermined causes" mean a serious disruption of the harvesting of raw fish, caused by inability to catch the raw fish, or inability to sell the catch, because of a natural or undetermined cause. It does not include inability to sell the catch because of competition from imported or other competitive products.

(c) Developing a new commercial fishery. The words "developing a new commercial fishery" mean the development of a fishery for species of fish not common to the commercial fishery in the State in which the development is anticipated, or on stocks of fish not then being utilized commercially.

(d) Manufactured or processed fishery merchandise. The words "manufactured or processed fishery merchandise" mean fishery products which are included in the tables entitled Manufactured Fishery Products appearing in the annual Bureau of Commercial Fisheries Statistical Digests, Fishery Statistics of the United States. Data on new products, or the collection of statistics on products not formerly covered in these tabulations, will only be included in the subsequent year's determination of the apportionments.

§ 253.3 Use of research and development funds.

(a) *Apportionment and obligation.* On July 1 of each year, or as soon thereafter as practicable, the Secretary shall certify to the respective State agencies and the Secretary of the Treasury the amount of the respective apportionments of funds appropriated pursuant to section 4(a) of the Act. The Governor of each State shall notify the Secretary which agency of the State government is the agency authorized under its laws to regulate commercial fisheries and a duly authorized official of the State shall certify as to the duly appointed official authorized in accordance with State law to commit the State to participation under the provision of the Act, to sign project documents, and to receive payments. The Secretary shall be advised promptly of any change made in such authorizations. No funds may be obligated until aforesaid certification has been received. Proposed projects may be submitted at any time after the apportionment is made, but must be submitted at least 120 days prior to the end of the fiscal year following the year in which the apportionment to be charged was made. Notice of obligation of the funds will be furnished the applicable State agency as soon as possible after approval of the project by the Secretary.

(b) *Preliminary project statement.* A preliminary project statement shall be submitted for each proposed project which shall contain such fundamental

information as the Secretary may require, in order to determine if the project should be approved. The preliminary project statement shall include plans, specifications, duration, experimental design, personnel and cost estimates, as well as the source of funding.

(c) *Project agreement.* After the Secretary shall have approved a preliminary project statement, mutual obligations to be undertaken by the cooperating agencies shall be evidenced by a project agreement to be executed between the State agency and the Secretary for each such project.

(d) *Prosecution of work.* (1) The State Agency shall carry all approved projects through to a stage of completion acceptable to the Secretary with reasonable promptness. Failure to complete the project to the satisfaction of the Secretary shall be cause for the Secretary to withhold further payments until the project is satisfactorily completed. Projects may be terminated upon determination by the Secretary that satisfactory progress has not been maintained. The Secretary shall have the right to inspect and review work being done at any time.

(2) All construction work will be performed by contract awarded to the lowest responsible bidder as the result of free and open competitive bidding.

(3) Research work shall be continuously coordinated by the State Agency with other studies conducted by the State and other agencies in order to avoid unnecessary duplication.

(4) All work shall be performed in accordance with applicable State laws, except when contradictory to Federal laws or regulations, in which case Federal law or regulations will prevail.

(e) *Economy and efficiency.* No project shall be approved until the State has shown to the satisfaction of the Secretary that appropriate and adequate means shall be employed to achieve economy and efficiency in the completion of the project.

(f) *Contracts.* Supply, service, equipment and construction contracts involving an expenditure of \$2,500 or more entered into by a State Agency for the execution of approved project activities shall be based upon free and open competitive bids. If a contract is awarded to other than the lowest responsible bidder, the payment of the Federal portion of the cost of the project shall be based on the lowest responsible bid, unless it is satisfactorily shown that it was advantageous to the project to accept a higher bid. Upon request, the State Agency shall certify and promptly furnish to the Secretary a copy of each contract executed and copies of all bids received concerning the contract.

(g) *Form of vouchers.* Vouchers on forms provided by the Secretary and certified as therein prescribed, showing amounts expended on each project and the Federal portion claimed to be due on account thereof shall be submitted to the Secretary by the State Agency either after completion of each project or as the work progresses.

(h) *Safety and accident prevention.* In the performance of each project, the State shall comply with all applicable Federal, State, and local laws governing safety, health, and sanitation. The State shall be responsible that all safeguards, safety devices, and protec-

tive equipment are provided and to take other needed actions reasonable necessary to protect the life and health of employees on the job and the safety of the public and to protect property in connection with the performance of work on the project.

(i) *Personnel.* The State agency the contractor shall maintain an adequate and competent force of employees to initiate and carry approved projects through to satisfactory completion. Personnel employed on approved projects by the State Agency shall be selected on the basis of their competence to perform the services required and shall conduct their duties in a manner acceptable to the Secretary.

(j) *Nondiscrimination.* Each project agreement shall contain the applicable sections of Executive Order No. 10466, dated March 6, 1961, as amended, relating to nondiscrimination and shall also be subject to Public Law 88-352 and any regulations promulgated thereunder.

§ 253.4 Use of resource disaster funds.

(a) *Determination.* The Secretary shall cause to be published in the FEDERAL REGISTER a notice of finding that a commercial fishery failure due to a resource disaster arising from natural or undetermined causes when such a finding is made. After such publication, resource disaster funds may be used for the following purposes with the cooperation of the respective State Agency:

(1) Payments causing the removal from the usual markets of stocks of fish or shellfish of the species listed in the said finding which are preventing normal trade operations. No payments will be made under this paragraph unless the Secretary deems such action necessary to aid in restoring normal trade operations; the person receiving such payment, if not the primary producer, provides evidence that he has paid the primary producer, or such other person from whom the raw fish was purchased the entire purchase price of the fish; the person receiving such payments shall furnish the Secretary with such information regarding purchases, sales, etc., as the Secretary may require and satisfactory evidence of removal of the products from channels of distribution, including storage, shall be provided to the Secretary. No payments will be made for any product which was removed from storage or other channels of distribution prior to the approval of this Act.

(2) Payments to primary producers of the species of fish listed in the said finding to assist them in obtaining gear or equipment necessary to operate in the same or a different fishery than that affected by the said resource disaster. Payments will be made under this paragraph unless the Secretary deems such action necessary to aid in restoring primary producers adversely affected by the said commercial fishery failure to a condition where they can operate profitably; the person receiving such payments furnishes the Secretary with information regarding catches, sales, and costs as the Secretary may require; the person receiving such payments agrees to operate the gear purchased with the assistance of such payments in a manner satisfactory to the Secretary.

(3) Short-term loans for operating expenses of primary producers.

are made under this paragraph, interest rate shall be 3 percent and payment will be required only from net profits of the fishing operation, which profit shall be reduced by such reasonable amount as determined by the Secretary for the salary of the fisherman. No such loans will be made unless the Secretary deems such action necessary to aid in restoring primary projects adversely affected by the said commercial fishery failure to a condition that will permit them to resume operations; the funds are not otherwise available on reasonable terms; and the earning and credit record of the applicant is such that it provides reasonable assurance of repayment.

Payments to State Agencies for projects directly related to the restoration of the fishery affected by the said disaster or to prevent a similar failure of the fishery in the future. Such preliminary project proposals and their financing will be subject to all regulations relating thereto in this Part, except that these projects will be given preference over other proposed projects with reference to the use of funds obtained under subsection 4(b) of the Act, and such funds may be used for 100 percent of the cost of the project if all of the funds are obtained from appropriations authorized under subsection 4(b) of the Act.

Non-determination. At any time there is no finding of a commercial fishery failure as described in subsection 4 of this section, the Secretary may, if he deems such action to be in furtherance of the purposes of the Act, approved preliminary project proposals for funding under subsection 4(b) of the Act. Funds carried over from previous years; provided however, that no preliminary project proposal from any year will be funded under this subsection until that State has had all of its available apportioned funds, if any, obtained from appropriations authorized under subsection 4(a) of the Act, exhausted.

Use of new commercial fishery funds.

Preliminary project proposals leading to the establishment of a new commercial fishery may be approved for funding under this section when the Secretary determines that the proposal, if approved and carried out, will reasonably assure the establishment of a new commercial fishery within the State submitting the proposal. All proposals under this section will be subject to all applicable regulations of this Part, except that 100 percent of the project costs may be paid from Federal funds and, if the Secretary determines that the proposal will further the

purposes of the Act, these proposals may be approved without the requirement that the State submitting the proposal first have obligated all of its apportioned funds, if any.

§ 253.6 Financial responsibility.

(a) State Agencies are required to account for each approved project. Cost accounting records, consistent with generally accepted accounting standards, shall be maintained for each project separately.

(b) State Agencies are responsible for the financial management of the project. Appropriate internal controls will, therefore, be adopted and installed to insure that the project is accomplished in the most efficient and economical manner.

§ 253.7 Reporting.

(a) Quarterly progress reports on approved projects will be furnished by State Agencies. These reports will be compiled on forms approved by the Secretary. Progress payments or other disbursements will not be made unless reporting requirements are met.

(b) Completion reports, on forms approved by the Secretary, are required when the project is completed pursuant to the project agreement. Final progress payments to State Agencies on individual projects will not be made until a completion report has been rendered and accepted by the Secretary. Completion reports with respect to research and development projects will contain a certification that the State Agency has contributed at least 25 percent of the total project cost.

(c) A mutual release will be executed by the State Agency and the Secretary, or his authorized representative, when both parties have fulfilled their respective obligations under the agreement or contract.

(d) Copies of audit reports on audits of projects made by State auditors or inspectors shall be furnished the Secretary and will not be returned to State Agencies.

§ 253.8 Record retention.

(a) All records of accounts, reporting and supporting documentation thereto will be retained by the State or State Agency for a period of 3 years after the project is completed.

(b) Loan applicants, to whom a loan has been granted pursuant to section 9 of Public Law 88-309 or § 253.4(a)(3), shall retain all records incident to the fishing operation for a period of 3 years after the Note has been satisfied.

§ 253.9 Audit and inspection.

(a) Authorized representatives of the United States Government and the United States General Accounting Office

shall have the right to audit, examine or inspect accounts, books, documents and other pertinent records involving operations and transactions under these regulations.

(b) State Agencies are expected to provide for a system of periodic internal review or audit by State employees.

(c) Periodic audits will be performed on projects with State Agencies and other operations provided for in Public Law 88-309 by authorized representatives of the United States Government. Audits may be performed on active projects and within 3 years after the project is completed.

(d) Audit exceptions involving adjustments in payment to any State Agency on any project, whether active or completed, may be applied to other approved projects or to applicable apportionments of funds to State Agencies.

§ 253.10 Officials not to benefit.

No member of or delegate to Congress or resident commissioner, shall be admitted to any share or any part of an agreement, or to any benefit that may arise therefrom; but this provision shall not be construed to extend to this agreement if made with a corporation for its general benefit.

§ 253.11 Patents and inventions.

It is understood and agreed that inventions or discoveries of processes, devices and methods of application conceived and developed as a result of a contract and all rights therein shall be the property of the Government. In furtherance of a contract, the State Agency shall agree to assign unto the Government any and all rights, title and interest which it may have or claim to have in any patentable invention or discoveries of processes, devices and methods of application arising out of activities under this contract. The State Agency shall further agree that all its employees who shall perform work under a contract shall assign any patent rights which they may have or claim to have in discoveries or inventions resulting from work therefrom unto the Government. With respect to any subcontract, the State Agency's obligation under this section will be discharged upon its including in such subcontract a patent rights article not less favorable to the Government than as provided herein.

§ 253.12 Convict labor.

In connection with the performance of work, the State Agency agrees not to employ any person undergoing sentence of imprisonment at hard labor.

Secretary of the Interior.
STEWART L. UDALL,

See Commercial Fisheries Review, August 1964 p. 95.



United States Court of Appeals

FEDERAL MARITIME COMMISSION ORDER FOR LOWER ALASKA WATER TRANSPORTATION RATES STAYED:

The United States Court of Appeals for the Ninth Circuit, San Francisco, Calif., on June 1, 1964, stayed the May 13, 1964, order of the Federal Maritime Commission to the Alaska Steamship Company requiring it to reduce tariffs to the extent that the rates do not produce a rate of return exceeding 10 percent. Those rates affect canned salmon traffic southbound from Alaska and cannery supplies northbound to Alaska. The Court's injunction will remain in effect until a final decision is made by the Court on the merits of the Alaska Steamship Company's petition for a review. The Court could uphold the Commission's decision, could allow the tariffs to remain in effect, or could remand the matter to the Federal Maritime Commission for further review.



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.



INTERIM ADJOURNMENT: On August 20, 1964, the House adopted H. Con. Res. 359, to provide that when the House adjourns on August 21, it will stand adjourned until August 31. The Senate concurred in H. Con. Res. 359, to provide that when the House and Senate adjourn on August 21, they will stand adjourned until August 31.

ALASKA OMNIBUS ACT AMENDMENT: On July 21, 1964, the House passed H. R. 11438, to amend the Alaska Omnibus Act to provide assistance to Alaska for reconstruction of areas damaged by the earthquake of March 1964 and subsequent seismic waves. On the same day, the House considered S. 2881 (passed by the Senate on June 30). The House amended S. 2881 by striking out all after the enacting clause and inserted the provisions of H. R. 11438 as passed, and H. R. 11438 was laid on the table. S. 2881 as amended was sent to the Senate.

On July 24, 1964, the Presiding Officer laid before the Senate the amendment of the House of Representa-

tives to S. 2881, which was to strike out all after the enacting clause and insert: "That this Act may be cited as the '1964 Amendments to the Alaska Omnibus Act.'" Senate disagreed to House amendment, asked for conference with the House, and appointed conferees.

On July 28, the House insisted on its amendment to S. 2881, disagreed to by the Senate. The House agreed to a conference and appointed conferees. On July 28, House and Senate conferees met in executive session to resolve the differences between the Senate- and House-passed versions of S. 2881. Conferees reached agreement in principle and instructed the staff to draft language embodying the principles as agreed upon.

On August 4, 1964, conferees, in executive session, agreed to file a conference report on the differences between the Senate- and House-passed versions of S. 2881 providing assistance to Alaska for reconstruction of damage from the recent earthquake.

On August 6, 1964, Congressman Aspinall submitted to the House the conference report (H. Rept. 1710) on S. 2881.

On August 7, 1964, the House by a voice vote adopted the conference report on S. 2881, and sent the legislation to the Senate. The Senate on August 8, 1964, adopted the conference report on S. 2881, and cleared the way for the President.

On August 19, 1964, the President signed into law S. 2881 (P. L. 88-451). Authorizes a little over \$50 million for highway repair and reconstruction, the restoration of certain public facilities, urban renewal, harbor reconstruction, and housing and financial programs. This is in addition to S. 2772 (P. L. 88-311) which authorized \$23.5 million in transitional grants to Alaska and H. J. Res. 976 (P. L. 88-296) which appropriated \$50 million to provide emergency financial assistance to areas determined by the President to have suffered major natural disasters (principally intended for Alaska's earthquake damage).

ANADROMOUS FISH CONSERVATION: Anadromous Fish (Hearings before the Subcommittee on Fisheries and Wildlife Conservation of the Committee on Merchant Marine and Fisheries, House of Representatives, 88th Congress, 2nd Session), Serial No. 88-22, 109 pp., printed. Contains hearings held May 26 and 27, 1964, on H. R. 2392, H. R. 3195, H. R. 3314, H. R. 3697, H. R. 3779, H. R. 3995, H. R. 4225, H. R. 6856, H. R. 11168, and H. R. 11398, to authorize the Secretary of the Interior to initiate a program for the conservation, development, and enhancement of the Nation's anadromous fish in cooperation with the several states. Includes contents of the bills; reports from various Federal agencies; statements of Congressmen, and Federal, state, association, and industry officials. Purpose: to carry out a positive and comprehensive program for conserving and developing the Nation's anadromous fishery resources that are subject to depletion from Federal, state, and private water-resource developments and for other causes, or, with respect to waters in this country has international commitments.

On August 4, 1964, the House Committee on Merchant Marine and Fisheries ordered favorably reported H. Rept. 1768 H. R. 2392, authorizing the Secretary of the Interior to initiate a program for the conservation, development, and enhancement of the nation's anadromous fish in cooperation with the several states. The bill also authorizes the Federal Government to cooperate

state agencies in conducting research; in constructing, installing, and maintaining fish passage devices spawning conditions for anadromous fish; operating hatcheries, etc. The bill applies to species of anadromous fish--those such as salmon which spawn in fresh water but live much of their lives in the sea--on the coasts of the United States. H. R. 2392 was amended extensively. Section 4 was amended to limit the authorization for appropriations to \$25 million over a five-year period and no state could receive more than 20 percent of the total funds. Section 5 now requires a 50 percent cost-sharing ratio between the Federal and State governments. A new section 7 provides that the location of estuarine areas will be reported immediately to proper authorities for appropriate action. The Senate Committee on Commerce as of early August 1964 had not conducted hearings on this proposal.

On August 17, 1964, the House was scheduled to take up H. R. 2392. Unfortunately, lack of time prevented consideration at that time. The bill will again be considered after the recess. In the Congressional Record, (p. 20046) of August 20, Congressman Keith, in a session of his remarks, supported H. R. 2392, pointing out to his colleagues the necessity of its consideration as soon as possible. Would enable the Secretary of the Interior, in cooperation with the states, to improve the conservation and development of anadromous fish resources.

CHEMICAL PESTICIDES COORDINATION: On July 23, 1964, Senator Ribicoff announced that the Subcommittee on Reorganization and International Organization of the Senate Committee on Government Operations would resume its hearings on the role of Government in pesticide use, regulation, and research. Senator Ribicoff in the Senate made some remarks on the "workings of the various Government agencies responsible for pesticide regulation and research" (Congressional Record, July 24, 1964, p. 16331).

Testimony presented during a two-day hearing in Washington, D. C., on July 28-29 led Senator Ribicoff to refer to endrin as a "long-distance killer that silently kills its way" down the Mississippi to cause massive fish kills in Louisiana. His comment came as officials of the Velsicol Chemical Corporation appeared before the Subcommittee on Reorganization and International Organizations of the Senate Committee on Government Operations to contest Public Health Service claims that dieldrin, a chlorinated hydrocarbon pesticide is the probable cause of the fish kills. There was also further testimony on the fish kills in the Mississippi River.

COMMERCIAL FISHERIES RESOURCES SURVEY: On August 4, 1964, the Senate Committee on Commerce, in an executive session, ordered favorably reported with amendments S. J. Res. 174, authorizing the Bureau of Commercial Fisheries to conduct a survey of the marine and fresh-water commercial fishery resources of the United States, its territories and possessions.

On August 18, 1964, the Senate Committee on Commerce favorably reported (S. Rept. 1469) with amendments S. J. Res. 174.

On August 19, 1964, the Senate passed, amended, S. J. Res. 174. Bill was cleared for House action.

EXPORT CONTROL OF FISHERY PRODUCTS: Introduced in the House on July 27, 1964, H. R. 12071 (Stinson), H. R. 12073 (Stinson), and H. R. 12074 (Tollefson) to control the exportation from the United States,

its territories and possessions of fish and fishery products; referred to the Committee on Merchant Marine and Fisheries.

On August 5, 1964, Congressman Pelly spoke in the House inserting in that day's Congressional Record an editorial from the July 24 issue of the Seattle Post Intelligence concerning the invitation of the Governor of Alaska to the Japanese fishing industry to buy salmon in Prince William Sound.

On August 15, 1964, Congressman Pelly under an extension of remarks, inserted in the Congressional Record (pp. A4340-4341) a resolution by the Maritime Trades Department, Puget Sound district, to the Maritime Trades Department, AFL-CIO, meeting in Chicago, July 30 and 31, concerning the Governor of Alaska's action in inviting the Japanese fishing industry to buy part of the Alaska salmon catch.

FISHERMEN'S ORGANIZATION AND COLLECTIVE BARGAINING: On July 23, 1964 (Magnuson--for himself and Senator Bartlett) introduced in the Senate S. 3026, a bill to provide that for a two-year period certain fishermen's organizations regardless of their technical legal status, shall have a voice in the ex-vessel sale of fish or other aquatic products on which the livelihood of their members depends; referred to the Committee on Commerce. Senator Magnuson, in his remarks in the Senate stated that S. 3026 is similar to S. 1135, a bill which he introduced in the 1st session of the 88th Congress, and which had the purpose of establishing a sound economic relationship between fishermen, fish dealers, and canners, except that S. 3026 would provide for a two-year trial basis. (Congressional Record, p. 16125.)

FISH PRICES IN ALASKA: On July 22, 1964, Congressman Pelly spoke in the House on the dispute over the price of fish in Prince William Sound area, Alaska (Congressional Record, July 22, 1964, p. 15957).

FISH PROTEIN CONCENTRATE: On August 10, 1964, Senator Bartlett spoke in the Senate concerning the hearings to be held on August 14 by the Subcommittee on Merchant Marine and Fisheries of the Senate Committee on Commerce on fish protein concentrate. In his remarks Senator Bartlett mentioned that the Bureau of Commercial Fisheries has been conducting experiments aimed at the development of a high-grade fish protein concentrate which would be inexpensively produced. (Congressional Record, p. 18255.)

The Merchant Marine and Fisheries Subcommittee of the Senate Committee on Commerce on August 14, 1964, held hearings on the potential of fish protein concentrate to the United States fisheries industry. Testimony was received from the Director of the U. S. Bureau of Commercial Fisheries and from a representative of the National Academy of Sciences Scientific Advisory Committee on Marine Protein Concentrate. The hearings were recessed subject to call.

On August 15, 1964, Senator Douglas spoke in the Senate inserting in that day's Congressional Record (p. 19116) an article from that morning's issue of the New York Times concerning fish protein concentrate.

FISHING INDUSTRY PROBLEMS: On July 23, 1964, Senator Pell spoke in the Senate and inserted in that day's Congressional Record (p. 16130) an article which appeared in a journal entitled Maritimes, published by the Oceanography Department of the University of

Rhode Island. The article ("An Antiquated and Frag- mented U. S. Fishing Industry Faces Many Problems") gives an appraisal of the problems of the fishing industry.

FOOD MARKETING NATIONAL COMMISSION: On July 31, 1964, Senator Hart inserted in the Congressional Record (p. 16928) a magazine editorial on the newly formed National Commission on Food Marketing.

FOREIGN VESSELS' PROCESSING OF FISHERY PRODUCTS IN U. S. TERRITORIAL WATERS BANNED: On August 6, 1964, H. R. 12275 (Pelly) was introduced in the House, referred to the Committee on Merchant Marine and Fisheries; and S. 3086 (Magnuson, for himself and Senator Jackson) was introduced in the Senate, referred to the Committee on Commerce; bills to amend the Act prohibiting fishing in the territorial waters of the United States by vessels other than vessels of the United States in order to expand the definition of the term "fisheries," to ban freezing, packing, or other processing within the territorial waters of the United States by foreign commercial fishermen or vessels. Each of the sponsors of the bills made remarks upon introducing them (Congressional Record, August 6, 1964, pp. 17747, 17761).

Introduced in the House August 11, 1964, H. R. 12316 (Tollefson), similar to H. R. 12275.

INDIAN FISHING RIGHTS: On August 5-6, 1964, the Subcommittee on Indian Affairs of the Senate Committee on Interior and Insular Affairs conducted hearings on problems relating to Indian fishing on the West Coast, particularly the State of Washington. Under consideration were: S. J. Res. 170, which would authorize the states to regulate off-reservation fishing by Indians; and S. J. Res. 171, which would authorize the purchase and extinguishment of Indian treaty fishing rights. The problem revolves around Indian fishing rights. Several Indian treaties, adopted more than 100 years ago, gave Indians the right to take fish at all usual and accustomed places. As a result, some Indians believe their treaty rights are not subject to regulation by the states and they use manners and methods illegal for other citizens to take fish. Conflicting court actions have resulted. The committee received testimony from officials of the Oregon Fish Commission, Columbia River Salmon & Tuna Packers Association, Astoria, Oreg., and numerous witnesses representing the following Indian tribes: Yakima, Makah, Puyallup, Quinalt, Tulalip, and Warm Springs, as well as the Assistant Secretary of the Interior and the Commissioner of Fish and Wildlife.

MEDICAL CARE FOR VESSEL OWNERS: On July 28, 1964, the House by a vote of 202 yeas to 170 nays passed H. R. 3973, to permit certain owners of fishing boats to receive medical care and hospitalization without charge at hospitals of the Public Health Service. This passage was subsequently vacated and S. 978 (passed by Senate May 28, 1963), a similar bill, was passed in lieu after being amended to contain the House-approved text. H. Res. 799, the open rule under which the legislation was considered, had been adopted earlier by a voice vote.

On July 31, 1964, the Senate concurred in House amendment to S. 978, clearing the bill for the President.

On August 13, 1964, the President signed into law S. 978 (P. L. 88-424).

NAVIGABLE WATERS OBSTRUCTION MARKING: Introduced in the Senate on July 9, 1964, S. 2991 (Magnuson), to clarify the responsibility for marking of obstructions in navigable waters. Recommended by the Secretary of the Treasury, the bill would eliminate the responsibilities by the Department of the Army and the Coast Guard for marking of wrecks. It would vest sole responsibility for marking wrecks in the Coast Guard. Referred to the Senate Committee on Commerce. Also introduced in the House on July 21, 1964, H. R. 11964 (Bonner), identical to S. 2991; referred to the Committee on Merchant Marine and Fisheries.

OCEANOGRAPHIC COUNCIL: Introduced in the Senate on July 9, 1964, S. 2990 (Magnuson), to establish in the Executive Office of the President, the National Oceanographic Council. It would be composed of the Vice-President (Chairman); Secretaries of Treasury, Defense, Interior, Commerce, and Health, Education, and Welfare; director of the Office of Science and Technology; chairman of the Atomic Energy Commission; and director of the National Science Foundation. The Council would survey all oceanographic and marine science activities and develop a comprehensive program resolving any differences. A civilian staff would be authorized. Up to \$500,000 a year would be authorized for the program. Referred to the Senate Committee on Commerce.

On August 18, 1964, Congressman Garmatz, under an extension of remarks, inserted in the Congressional Record (p. A4386) the remarks of the Chief Counsel to the House Committee on Merchant Marine and Fisheries before the Governor's conference on the National Oceanographic Program, Annapolis, Md., Aug. 13, 1964.

OCEANOGRAPHIC RESEARCH PROGRAM: National Oceanographic Program--1965 (Hearings before the Subcommittee on Oceanography of the Committee on Merchant Marine and Fisheries, House of Representatives, 88th Congress, 2nd Session), Serial No. 88-23722 pp., printed. Contains hearings held on June 23, 24, 25, and 30, 1964, to examine the national oceanographic program for fiscal year 1965; presents statements given by various Federal government officials and information supplied by various officials and agencies.

Speaking from the floor of the Senate on August 11, 1964, Senator Beall discussed the purpose of the First Annual Governors' Conference on the National Oceanographic Program which was held at the U. S. Naval Academy, Annapolis, Md., August 13, 1964. The program and summation of the conference were inserted in the Congressional Record, pages 18922-18923.

OCEANOGRAPHIC RESEARCH VESSELS: On July 28, 1964, the Senate Committee on Commerce, in executive session, ordered favorably reported, S. 2552, a bill to exempt oceanographic research vessels from applications of certain vessel inspection laws (amendment). An amendment by the Committee would broaden the definition of oceanographic research vessels to include all vessels operated for oceanographic research in the public interest as determined by the Secretary of the Treasury.

On July 31, 1964, S. 2552, was reported to the Senate, with amendment, by the Senate Committee on Commerce (S. Rept. 1276). The Senate passed the bill, with amendment, on August 1, 1964.

The House on August 3, 1964, referred to its Committee on Merchant Marine and Fisheries S. 2552.

PACIFIC ISLAND TRUST TERRITORY DEVELOPMENT: On July 29, 1964, the Senate Committee on Interior and Insular Affairs favorably reported (H. Rept. 605) with amendment H. R. 3198, to promote the economic and social development of the Trust Territory of the Pacific Islands. The Senate Committee originally deleted Section 2 of the bill. This Section would have amended the Tariff Act of 1930 to permit the duty-free entry of Trust Territory goods into the U. S. under that Section, fishery products would have been eligible for duty-free entry only if the fish were landed on U. S. or Trust Territory-flag vessels, manned by two-thirds of which are nationals of the United States, . . . or citizens of the Trust Territory. Section 2 was included in the bill when it was passed by the House on August 5, 1963. The amendment by the Senate Committee means that the Trust Territory would retain its current status as a "foreign area" for the purposes of the Tariff Act. H. R. 3198 passed by the House on August 5, 1963.

On July 31, 1964, the Senate passed with amendments H. R. 3198. The Senate deleted from the bill a section which would have extended to the Trust Territory of the Pacific Islands the benefits of Section 301 of the Tariff Act of 1930, providing that articles may be admitted free of duty into the United States from areas under its flag or administration where the articles "do not contain foreign materials to the value of more than 10 percent of their total value." The bill was sent to the House.

On August 12, 1964, H. R. 3198, was cleared for the President by House concurrence in Senate amendments thereto.

PASSAMAQUODDY TIDAL POWER PROJECT: On August 12, 1964, the Subcommittee on Flood Control-- Rivers and Harbors--of the Senate Committee on Public Works held hearings on S. 2573, authorizing the International Passamaquoddy Tidal Power Project, including hydroelectric power development of the Upper John River, with testimony from the Secretary of the Interior and the Secretary of the Army. The hearings were adjourned subject to call.

STATE DEPARTMENT APPROPRIATIONS FY 1965: On August 17, 1964, the House and Senate adopted the conference report (H. Rept. 1817) on H. R. 11134, making appropriations for the Department of State for FY 1965, clearing the legislation for the President. Included in the compromise bill is \$2,025,000 for International Fisheries Commissions, an increase of \$100,000 over the House-passed bill, but \$75,000 less than the amount recommended by the Senate. The 1965 appropriation is \$25,000 more than the amount appropriated for FY 1964, but \$114,000 less than the amount requested in the Department's FY 1965 budget estimate. H. R. 11134 passed by House May 6, 1964, and was passed by Senate, amended, August 13, 1964.

TRADE EXPANSION ACT: Introduced in the House July 27, 1964, H. R. 12068 (Johansen); July 28, H. R. 12081 (Betts); July 28, H. R. 12081 (Reid) and H. R. 12286 (Clausen); and August 7, 1964, H. R. 12286 (Barrett), to amend the Trade Expansion Act of 1962; all referred to the Committee on Ways and Means.

VESSEL CONSTRUCTION SUBSIDY AMENDMENT: On July 28, 1964, H. Res. 805, to provide for consideration of and 2 hours of debate on S. 1006 (to provide for the correction of inequities in the construction of fishing vessels) was reported favorably to the House (H. Rept. 1614). The Committee on Rules previously granted an open rule, with two hours of debate, on S. 1006.

On August 14, 1964, by a record vote of 198 yeas to 124 nays, the House passed with amendments S. 1006.

On August 15, 1964, Congressman Gill under an extension of remarks stated his support of S. 1006. (Congressional Record, p. A4340.)

On August 18, 1964, the Senate agreed to the House amendments to S. 1006, clearing the bill for the President.

VESSEL ENGAGED IN FISHERIES: H. R. 6007, to permit the vessel SC-1473 to engage in the fisheries, was reported favorably to the Senate by the Committee on Commerce, without amendment (S. Rept. 1266), on July 29, 1964.

S. Rept. 1266, Permitting the Vessel SC-1473 to Engage in the Fisheries (July 29, 1964, report from the Committee on Commerce, United States Senate, 88th Congress, 2nd Session, to accompany H. R. 6007), 5 pp., printed. The Committee recommended passage (without amendment) of H. R. 6007, to permit the vessel SC-1473 to engage in the fisheries and the foreign and coastwise trade of the United States. Contains the purpose of and need for the bill, and departmental reports.

The Senate on July 31, 1964, passed and cleared for the President, without amendment, H. R. 6007. It was signed by the President on August 13, 1964 (P. L. 88-282).

Introduced in the House on August 4, 1964, H. R. 12248 (Gibbons), to permit the vessel Janice Vee to be documented for use in the fisheries and coastwise trade; referred to the Committee on Merchant Marine and Fisheries.

WATER POLLUTION CONTROL AMENDMENT: On August 5-6, 1964, the Committee on Public Works met in executive session to consider S. 649, to amend the Federal Water Pollution Control Act. The Committee continued executive consideration of the measure on August 6. The Committee adjourned on August 6, subject to call of the chair.

WATER RESOURCES COUNCIL: Introduced in the Senate July 28, 1964, S. 3039 (Jackson), to provide for the optimum development of the Nation's natural resources through the coordinated planning of water and related land resources through the establishment of a Water Resources Council and river basin commissions, and provide financial assistance to the states in order to increase state participation in such planning; referred to the Committee on Interior and Insular Affairs.

On August 20, 1964, the Subcommittee on Irrigation and Reclamation of the House Committee on Interior and Insular Affairs met in executive session and ordered favorably reported to the full committee S. 1111.