



FEDERAL ACTIONS



Department of the Interior

COMMERCIAL FISHERIES RESEARCH AND DEVELOPMENT ACT

FEDERAL AID FOR FISHERY PROJECTS:

Following is a listing of the approved projects under the Commercial Fisheries Re-

search and Development Act (Public Law 88-309), which is administered by the Bureau of Commercial Fisheries, U. S. Department of the Interior. The list includes those projects approved from January 1, 1966, through April 1, 1966. Subsequent listings will be published at the end of each quarter.

APPROVED PROJECT PROPOSALS Section 4(a) - Public Law 88-309

State	Project	Title	Total First Year Cost	Date Approved
Alabama	2-29-C	Construction of Public Oyster Landing Facilities	\$ 9,000	2/16/66
Alabama	2-18-R	Oyster Pond and Raft Production	30,000	3/15/66
Alabama	2-31-C	Oyster Rearing Pond Construction	8,000	3/16/66
Alabama	2-30-D	Shell Planting for Oyster Cultch	42,000	2/28/66
Alabama	2-34-R	Cooperative Gulf of Mexico Estuarine Inventory - Alabama	43,333	4/1/66
Alaska	5-12-C	King Salmon Headquarters - Architectural Plans	30,000	3/31/66
California	6-5-S	Coordination of Public Law 88-309 in California	26,532	2/23/66
Colorado	6-2-D	Raising Bait Fishes in the Rocky Mountain States	32,000	2/28/66
Connecticut	3-33-S	Coordination	3,800	2/4/66
Connecticut	3-44-R	Investigations on the Lobster	17,142	3/8/66
Connecticut	3-45-R	Investigation of the Life Histories and Potential Fishery of River Herrings in Connecticut	17,142	3/11/66
Florida	2-17-R	A Study of Reproduction in Some Commercially Important Fishes	11,000	1/21/66
Georgia	2-32-R	Preliminary Survey of Existing and Potential Marine Resources on the Georgia Coast	3,600	2/24/66
Guam	H-7-D	A Study to Determine the Feasibility of Developing a Deep-Sea Commercial Fishing Industry on Guam	34,333	3/25/66
Hawaii	H-1-D	Development of a Prawn Fishery	38,542	3/31/66
Hawaii	H-3-R	Central Pacific Tuna Conference	4,000	1/27/66
Hawaii	H-5-R	Management Investigation of Two Species of Spiny Lobsters	15,009	3/25/66
Illinois	4-13-R	Clam Industry in Illinois	15,000	1/18/66
Illinois	4-14-R	Investigation and Management of Commercial Fisheries	20,000	2/28/66
Massachusetts	3-38-R	Identification of Winter Flounder Sub-populations	20,000	2/4/66
Massachusetts	3-35-R	Marine Food Science and Technology Research on Sanitation and Handling for Purposes of Improving Product Quality and Shelf-life of Massachusetts Commercial Fishery Products	39,000	1/14/66
Massachusetts	3-39-C	Cat Cove Dike Repair	35,000	1/14/66
Massachusetts	3-40-S	Coordination of Research and Development	34,096	1/14/66
New York	3-10-C	Construction of a Marine Research and Development Laboratory	171,676	2/25/66
North Dakota	4-15-R	Garrison Reservoir Commercial Fishery Investigations	6,600	2/28/66
Oregon	1-25-R	Utilization of Hake for Human Food	19,000	2/7/66
Oregon	1-26-R	Biological Effects of Parasitized Hake in Relation to its Use as a Food	11,000	2/7/66
Oregon	1-28-R	Distribution and Abundance of Dungeness Crab	33,000	3/31/66

(Listing continued on next page)

State	Project	Title	Total First Year Cost	Date Approved
Rhode Island	3-43-R	Investigation of the Deep Sea Red Crab	10,500	2/10/66
Rhode Island	3-46-R	Investigation of the Basic Life History of the Red Crab	11,700	3/31/66
Virgin Islands	2-33-R	Study of the Fisheries Potential of the Virgin Islands	24,000	4/1/66
Washington	1-22-R	Monitor Condition of Certain Groundfish Stocks, Washington Trawl Grounds	40,000	3/21/66
Washington	1-23-R	Investigation of Pacific Ocean Perch, and other Sebastodes sp.	16,000	3/21/66
Washington	1-24-D	Inspection of Oyster Seed, New Asiatic Sources	6,000	2/25/66
Washington	1-29-R	Early Marine Life History, Chum and Pink Salmon	16,000	3/24/66
Washington	1-30-R	Field Recovery, Coded Wire Tag	18,300	3/25/66

Public Law 88-309, which was signed by the President on 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.

FISH AND WILDLIFE SERVICE

BUREAU OF COMMERCIAL FISHERIES

HEARINGS ON APPLICATIONS FOR FISHING VESSEL CONSTRUCTION DIFFERENTIAL SUBSIDY:

The following firms have applied for fishing vessel construction differential subsidies to aid in the construction of vessels to engage in various fisheries:

Grace & Philip, Inc., 159 Washington St., Worcester, Mass. 01930, 110-foot wood vessel for groundfish, whiting, ocean catfish, flounder and other flat fish, porgy, herring, and other species for industrial uses. The Bureau of Commercial Fisheries, U. S. Department of the Interior, published the notice of the hearing in the March 30, 1966, Federal Register.

Liberty Queen, Inc.; Pacific Prince, Inc.; Liberty King, Inc.; Pacific Queen, Inc.; and

Pacific King, Inc.--all of the same address--582 Tuna St., Terminal Island, Calif. 90731, each for a 149.5-foot steel vessel for albacore, skipjack, and yellowfin tuna, mackerel, sardines, hake, and anchovies. Notices of the hearings appeared in the April 15, 1966, Federal Register.

Ann-B, Inc., 11516 Palatine Ave. North, Seattle, Wash. 98133, 85-foot vessel, for bottomfish, flounder and sole, halibut, sardine, tuna, herring, hake, crab, shrimp, scallop, and dogfish fisheries. Notice appeared in April 22, 1966, Federal Register.

Northbeach, Inc., 10572 14th Ave. Northwest, Seattle, Wash., 97-foot vessel, for bottomfish, halibut, flounder and sole, tuna, hake, herring, shrimp, crab, and scallop fisheries. Notice appeared in April 22, 1966, Federal Register.

Hearings on the economic aspects of the applications were scheduled to be held.

Note: See Commercial Fisheries Review, May 1966 p. 90.

APPLICATIONS FOR FISHING VESSEL LOANS:

The following applications have been received for loans from the U. S. Fisheries Loan Fund to aid in financing the construction or purchase of fishing vessels:

Firm and Address	Overall Size	Fisheries	Application Notice in Federal Register (1966)
Frank Brenha, Jr., & Ida Marie Brenha 3146 Garrison St. San Diego, Calif. 92106	101 ft.	Tuna	April 1
George Bold & Fritz Bold 527 Finch Bldg. Aberdeen, Wash. 98520	74.9 ft.	Hake, bottomfish	"
Levi McKinley 1300 Number 2-A West 9th Juneau, Alaska 99801	34.7 ft.	Halibut, salmon	"

(Continued on next page)

Firm and Address	Overall Size	Fisheries	Application Notice in Federal Register (1966)
Samuel Martin Box 104 Seldova, Alaska 99663	Gill-net vessel	Salmon	April 5
Glenn J. Couch P. O. Box 572 Homer, Alaska 99603	39 ft.	Salmon, halibut, Dungeness crab	April 7
Dorothy M. O'Hara, Inc. Tillson Wharf Rockland, Maine 04841	111 ft.	Groundfish, scallops, lobsters, flounder	April 9
David V. Hall P. O. Box 161 Petersburg, Alaska 99833	45.5 ft.	Salmon, halibut	April 16
Steven V. Hotch P. O. Box 195 Haines, Alaska 99827	34 ft.	Salmon in southeastern Alaskan waters	April 21
James M. Brandenburg 135 Sentar Rd. Carpinteria, Calif. 93013	57 ft.	Salmon, albacore, bottomfish	April 28
Richard L. Yates East Boothbay, Maine 04544	30 ft.	Lobster	April 28

Regulations and procedures governing fishery loans have been revised and no longer require that an applicant for a new or used vessel loan replace an existing vessel (Public Law 89-85; Fisheries Loan Fund Procedures--50 CFR Part 250, as revised August 11, 1965).

Note: See Commercial Fisheries Review, May 1966 p. 90.

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REQUIREMENTS ADOPTED FOR CONDITION OF COATING OF U. S. STANDARDS FOR GRADES OF FROZEN RAW BREADED SHRIMP:

A proposal to adopt an amendment to U.S. Standards for Grades of Frozen Raw Breaded Shrimp (Title 50, Part 262) was published in the Federal Register, April 5, 1966, by the Bureau of Commercial Fisheries, Department of the Interior. The features of these changes are to correct certain typographical errors, and to provide for the inclusion of 20 percent of the sample unit in evaluating the factor "condition of coating."

A series of surveys and meetings have been held with the breaded shrimp industry following previous notices in the Federal Register. It is now mutually agreed that 20 percent of the sample unit should be used rather than the 10 percent factor when point deductions are assessed for the factor "condition of coating."

The changes as published in the Federal Register of April 5, 1966, which became effective on that date follow:

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 262—UNITED STATES STANDARDS FOR GRADES OF FROZEN RAW BREADED SHRIMP

Miscellaneous Amendments

Notice is hereby given that pursuant to the authority vested in the Secretary of the Interior by sections 203 and 205 of Title II of the Agricultural Marketing Act of 1946, as amended, and of the authority transferred to the Department of the Interior by section 6(a) of the Fish and Wildlife Act of 1956, as amended, it is proposed to adopt an amendment to Title 50, Part 262—U.S. Standards for Grades of Frozen Raw Breaded Shrimp, as set forth below. The features of these changes are to correct certain typographical errors, and to provide for the inclusion of 20 percent of the sample unit in evaluating the factor "condition of coating."

The effective date of December 3, 1965, for the factor "condition of coating" was stated in the FEDERAL REGISTER of Tuesday, August 3, 1965, to allow the breaded shrimp industry time to modify and adjust its operations to meet the requirements of the higher standards of quality for breaded shrimp. Further extensions

of the effective date of the "condition of coating" were published in issuances of the FEDERAL REGISTER dated December 9, 1965, and February 16, 1966. Subsequently, a series of surveys and meetings have been held with industry and it is now mutually agreed that 20 percent of the sample unit should be used rather than the 10 percent factor when point deductions are assessed for the factor "condition of coating."

Inasmuch as this amendment involves a technical change in Title 50, Part 262, notice and public procedure thereon has been deemed unnecessary since persons affected have previously been given an opportunity to make suggestions, comments or objections to the proposed amendment.

Therefore, the proposed changes shall become effective on the date of publication in the FEDERAL REGISTER.

DONALD L. MCKERNAN,
Director.

APRIL 1, 1966.

1. Amend the last paragraph of § 262.21(s) to read:

A proportionate amount of the loose bread- ing and frost must be added to the weight of the sample in paragraph (u) (2) (ii) of this section.

2. Amend § 262.25, Table 1—Schedule of Point Deductions for Rating In Frozen Breaded State, to read:

Factor	Quality description	Deductions allowed
1. Loose breading or frost	2 percent but less than 3 percent.....	<i>Points</i> 5 10 21
	3 percent but less than 5 percent.....	
	5 percent or more.....	
2. Ease of separation	Separate easily after being removed from carton and exposed to room temperature for not more than 4 minutes.....	3 6 10
	Separate easily after being removed from carton and exposed to room temperature for not more than 5 minutes.....	
	Does not separate easily after being removed from carton and exposed to room temperature for 6 minutes.....	
3. Uniformity	Ratio of weight of largest to smallest breaded shrimp in sample unit as defined under section 262.21 (T):	0 1 2 3 4 5 6 7 8 9 10
	Up to 1.50.....	
	1.51-1.60.....	
	1.61-1.70.....	
	1.71-1.80.....	
	1.81-1.90.....	
	1.91-2.00.....	
	2.01-2.10.....	
	2.11-2.20.....	
	2.21-2.30.....	
	2.31-2.40.....	
Over 2.40.....		
4. Condition of coating	Degree of halo or balling up or holidays (Identify type of defect by circling the proper word):	1 2 4 16
	Slight—each 20 percent by count or fraction thereof.....	
	Moderate—each 20 percent by count or fraction thereof.....	
	Marked—each 20 percent by count or fraction thereof.....	
5. Damaged breaded shrimp	For each 5 percent by count or fraction thereof.....	3 1
	Tail fin broken or missing, each 5 percent or fraction thereof (except in Type I, subtype C, and Type II, subtype C).....	
6. Extraneous material	If extraneous material, except filthy or deleterious substances, is found in more than one package per lot, the entire lot shall be declared substandard. ¹	

¹ Filthy or deleterious substances in food products constitute a violation of the Food, Drug, and Cosmetic Act. Products containing such substances are ineligible for the purpose of applying this document.

See Commercial Fisheries Review, April 1966 p. 77.

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PROPOSED REGULATIONS FOR EASTERN PACIFIC TUNA FISHERIES:

Donald L. McKernan, Director, U. S. Bureau of Commercial Fisheries, published a notice in the Federal Register, on May 25, 1966, giving notice that the Secretary of the Interior proposes to add regulations for the Eastern Pacific Tuna Fisheries consisting of Part 280--Yellowfin Tuna and Part 281--Restrictions on Tuna Imports.

Part 280--Yellowfin Tuna includes sections in connection with definitions, basis and purpose, catch limit, open season, closed season, restrictions applicable to cargo vessels, reports and record keeping, and persons and vessels exempted.

Part 281--provides a framework within which imports of yellowfin tuna would be denied entry into the United States from countries which do not cooperate in this international fisheries conservation program.

Interested persons were given the opportunity to submit any data, views, or arguments in writing and to comment orally at a public hearing on the proposed regulations for the Eastern Pacific Tuna Fisheries.

The proposed regulations as published in the Federal Register, May 25, 1966, follow:

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

[50 CFR Parts 280, 281]

EASTERN PACIFIC TUNA FISHERIES

Notice of Proposed Rule Making

Notice is hereby given, pursuant to section 4(a) of the Administrative Procedure Act of June 11, 1946 (60 Stat. 237), and section 6(c) of the Tuna Conventions Act of 1950 (64 Stat. 778), as amended by the Act of October 15, 1962 (76 Stat. 923; 16 U.S.C. 955), that the Secretary of the Interior proposes to amend Title 50, Code of Federal Regulations, by adding a new Subchapter H—Eastern Pacific Tuna Fisheries, consisting of Part 280—Yellowfin Tuna and Part 281—Restrictions on Tuna Imports. The proposed regulations are set forth in tentative form below.

The proposed regulations are to be issued under the authority contained in subsection (c) of section 6 of the Tuna Conventions Act of 1950, as added by the Act of October 15, 1962. In accordance with the authority cited, after adoption of the regulations proposed as Part 280 and publication thereof in the FEDERAL REGISTER, such regulations are to become applicable to all vessels and persons subject to the jurisdiction of the United States on such date as the Secretary of the Interior shall prescribe, but in no

event prior to an agreed date for the application by all countries whose vessels engage in fishing for species of fish covered by the Convention for the Establishment of an Inter-American Tropical Tuna Commission (1 U.S.T. 230), in the regulatory area on a meaningful scale of effective measures for the implementation of the Commission's recommendations applicable to all vessels and persons subject to their respective jurisdictions. Steps are being taken to reach agreement with the several countries whose fishermen participate in the tuna fisheries of the eastern Pacific Ocean looking toward _____ as the date for the simultaneous application by all such countries of suitable conservation measures to be observed by their fishing vessels.

Prior to the final adoption of the proposed regulations, consideration will be given to any data, views, or arguments pertaining thereto which are submitted in writing to the Regional Director, Pacific Southwest Region, Bureau of Commercial Fisheries, 101 Seaside Avenue, Terminal Island, Calif., 90731, within the period of 30 days from the date of publication of this notice in the FEDERAL REGISTER. Interested persons will also be afforded an opportunity to comment orally on the proposed regulations at a public hearing to be held at United Portuguese Club, 2818 Addison Street, San Diego, Calif., beginning at 10 a.m., June 14, 1966. Any person who intends to present views orally at such hearing is requested to furnish in writing his name and the name of the organization he represents, if any, to the said Regional Director not later than June 7, 1966.

Issued at Washington, D.C., and dated May 23, 1966.

DONALD L. MCKERNAN,
Director.

SUBCHAPTER H—EASTERN PACIFIC TUNA FISHERIES

PART 280—YELLOWFIN TUNA

Sec.	Definitions.
280.2	Basis and purpose.
280.3	Catch limit.
280.4	Open season.
280.5	Closed season.
280.6	Restrictions applicable to cargo vessels.
280.7	Reports and record keeping.
280.8	Persons and vessels exempted.

AUTHORITY: The provisions of this Part 280 issued under sec. 6, 64 Stat. 778, as amended, 16 U.S.C. 955.

§ 280.1 Definitions.

For the purposes of this part, the following terms shall be construed, respectively, to mean and to include:

(a) *Convention.* The Convention for the Establishment of an Inter-American Tropical Tuna Commission, signed at Washington, May 31, 1949, by the United States of America and the Republic of Costa Rica (1 U.S.T. 230).

(b) *Commission.* The Inter-American Tropical Tuna Commission established pursuant to the Convention.

(c) *Director of Investigations.* The Director of Investigations, Inter-American Tropical Tuna Commission, La Jolla, Calif.

(d) *Bureau Director.* The Director of the Bureau of Commercial Fisheries, Fish

and Wildlife Service, U.S. Department of the Interior.

(e) *Regional Director.* The Regional Director, Pacific Southwest Region, Bureau of Commercial Fisheries, 101 Seaside Avenue, Terminal Island, Calif.

(f) *Regulatory area.* All waters of the eastern Pacific Ocean bounded by the mainland of the Americas and the following lines: Beginning at a point on the mainland where the parallel of 40 degrees north latitude intersects the coast; thence due west to the meridian of 125 degrees west longitude; thence due south to the parallel of 20 degrees north latitude; thence due east to the meridian of 120 degrees west longitude; thence due south to the parallel of 5 degrees north latitude; thence due east to the meridian of 110 degrees west longitude; thence due south to the parallel of 10 degrees south latitude; thence due east to the meridian of 90 degrees west longitude; thence due south to the parallel of 30 degrees south latitude; thence due east to a point on the mainland where the parallel of 30 degrees south latitude intersects the coast.

(g) *Yellowfin tuna.* Any fish of the species *Thunnus albacares* (synonymy: *Neothunnus macropterus*).

(h) *Other tuna fishes.* Those species (and none other) of the family Scombridae which are known as:

(1) *Albacore—Thunnus alalunga* (synonymy: *Thunnus germa*).

(2) *Bigeye—Thunnus obesus* (synonymy: *Parathunnus sibi*).

(3) *Bluefin—Thunnus thynnus* (synonymy: *Thunnus saliens*).

(4) *Skipjack—Euthynnus pelamis* (synonymy: *Katsuwonus pelamis*).

(i) *Fishing vessel.* Every kind, type, or description of watercraft subject to the jurisdiction of the United States (other than purse seine skiffs) used in or outfitted for catching or processing fish or transporting its catch of fish from fishing grounds.

(j) *Cargo vessel.* Every kind, type, or description of watercraft which is not employed in fishing but which is engaged in whole or in part in the transportation of fish or fish products.

(k) *Person.* Individual, association, corporation, or partnership subject to the jurisdiction of the United States.

(l) *Open season.* The time during which yellowfin tuna may lawfully be captured and taken on board a fishing vessel in the regulatory area without limitation on the quantity permitted to be retained during each fishing voyage. Unless otherwise specified, whenever time is stated in hours it shall be construed to refer to standard time in the area affected.

(m) *Closed season.* The time during which yellowfin tuna may not be taken or retained on board a fishing vessel in quantities exceeding the amounts permitted to be taken and retained as an incident to fishing for other tuna fishes.

§ 280.2 Basis and purpose.

(a) At a special meeting held at Long Beach, Calif., on September 14, 1961, the Commission recommended to the Governments of Costa, Rica, Ecuador, Panama, and the United States of America, parties to the Convention, that they take joint action to limit the annual catch of yellowfin tuna from the eastern Pacific Ocean by fisherman of all nations during the calendar year 1962. This recom-

mendation was made pursuant to paragraph 5 of Article II of the Convention on the basis of scientific investigations conducted by the Commission over a period of time dating from 1951. The most recent years of this period were marked by a substantial increase in fishing effort directed toward the yellowfin tuna stocks, resulting in a rate of exploitation of these stocks greater than that at which the maximum average sustainable yield may be obtained. The Commission's recommendation for joint action by the parties to regulate the yellowfin tuna fishery has as its objective the restoration of these stocks to a level of abundance which will permit maximum average sustainable catch and the maintenance of the stocks in that condition in the future.

(b) At annual meetings held at Quito, Ecuador, May 16-18, 1962; at Panama City, Panama, April 16-17, 1963; at San Diego, Calif., March 18-19, 1964; at Mexico City, Mexico, March 23-24, 1965; and at Guayaquil, Ecuador, April 19-20, 1966, the Commission affirmed its conclusions regarding the need for regulating the yellowfin tuna fishery in the eastern Pacific Ocean and at each meeting recommended to the parties to the Convention that they take joint action to:

(1) Establish a prescribed tonnage limit on the total catch of yellowfin tuna by the fishermen of all nations during each calendar year from an area of the eastern Pacific Ocean defined by the Commission;

(2) Establish open and closed seasons for yellowfin tuna under prescribed conditions;

(3) Permit the landing of not more than fifteen percent (15%) by weight of yellowfin tuna among the tuna taken on a fishing trip made after the close of the yellowfin tuna fishing season; and

(4) Obtain from governments not parties to the Convention, but having vessels which operate in the fishery, cooperation in effecting the recommended conservation measures.

(c) The regulations in this part are designed to implement the Commission's recommendations for the conservation of yellowfin tuna so far as they affect all vessels and persons subject to the jurisdiction of the United States.

§ 280.3 Catch limit.

The annual limitation on the quantity of yellowfin tuna permitted to be taken from the regulatory area during the open season by the fishing vessels of all nations participating in the fishery will be fixed and determined on the basis of recommendations made by the Commission pursuant to paragraph 5 of Article II of the Convention. Upon approval by the Secretary of State and the Secretary of the Interior of the recommended catch limit, announcement of the catch limit thus established shall be made by the Bureau Director through publication of a suitable notice in the FEDERAL REGISTER. The Bureau Director, in like manner, shall announce any revision or modification of an approved annual catch limit which may subsequently enter into force.

§ 280.4 Open season.

The open season for yellowfin tuna fishing shall begin annually at 12:01 a.m.

the first day of January and terminate at midnight on a date to be determined and announced as provided in § 280.5.

§ 280.5 Closed season.

(a) Pursuant to authority granted by the Commission, the Director of Investigations maintains records of the catches of yellowfin tuna made in the regulatory area from time to time during the open season by the fishing vessels of all nations participating in the fishery. By taking into account the cumulative catch and weight of such yellowfin tuna fishes and the estimated additional quantities of yellowfin tuna expected to be caught by the fishing vessels of all nations operating in the regulatory area, the Director of Investigations will determine the date on which he deems the annual catch limit will be reached and will promptly notify the Bureau Director of such date. The Bureau Director shall announce the season closure date thus established by publication in the FEDERAL REGISTER. The closure date so announced shall be final except that if it shall at any time become evident to the Director of Investigations that the catch limit will not be reached by such date, he may substitute another date which shall be announced by the Bureau Director in the manner as provided for the date originally determined.

(b) Except as provided in paragraphs (a) and (d) of this section, after the date determined in the manner provided in this section for the closing of the yellowfin tuna fishing season, it shall be unlawful for any master or other person in charge of a fishing vessel to possess on board such vessel or to bring yellowfin tuna to any port or place in the United States until the yellowfin tuna fishing season reopens on January 1 next following the close of the season.

(c) Any fishing vessel which has departed port to engage in yellowfin tuna fishing prior to the date of the closure of the yellowfin fishing season may continue to take and retain yellowfin tuna without restriction as to quantity until the fishing voyage has been completed. Unloading from such fishing vessel the whole or any part of the cargo of tuna taken during such voyage.

(d) After the close of the yellowfin tuna fishing season as provided in this section, yellowfin tuna captured as an incident to fishing for other tuna fishes may be taken on board a fishing vessel and brought to any port or place in the United States in an amount not exceeding fifteen percent (15%) by round weight of all tuna fishes on board the fishing vessel.

(e) The limitation on the quantity of incidentally caught yellowfin tuna specified in paragraph (d) of this section shall be applicable to any fishing vessel irrespective of its arrival in the United States prior or subsequent to December 31 in every case where the catch of tuna has been made during a fishing voyage begun in the closed season.

§ 280.6 Restrictions applicable to cargo vessels.

(a) A fishing vessel shall be deemed to have completed a fishing voyage whenever the whole or any part of its catch of tuna from the regulatory area shall be transferred to a cargo vessel in

conformity with the requirements of this section.

(b) In keeping with the provisions of section 251, Title 46, United States Code, no foreign-flag vessel, whether documented as a cargo vessel or otherwise, is permitted to land in a port of the United States any tuna fish or tuna fish products taken on board such vessel on the high seas.

(c) The transfer of tuna from a fishing vessel to a cargo vessel while in a foreign country or its territorial waters will be governed by the laws and regulations of such foreign country.

(d) During the closed season for yellowfin tuna, no fishing vessel shall transfer on the high seas any part of its catch of tuna fish to a cargo vessel documented under the laws of the United States and no such cargo vessel shall receive, possess, or bring to any place in the United States, tuna fish taken on board on the high seas from a fishing vessel unless the cargo vessel shall hold a permit issued in conformity with paragraph (e) of this section.

(e) Upon written application made to him, the Regional Director may issue a permit authorizing a cargo vessel documented under the laws of the United States, to receive, possess, and transport to the United States, tuna fish transferred from fishing vessels on the high seas during the closed season on yellowfin tuna. Such permit may authorize the possession and transportation of yellowfin tuna by a cargo vessel without regard to the quantities of yellowfin or other tuna fishes received or possessed on board such vessel during the closed season on yellowfin tuna and shall contain such additional conditions and restrictions as the Regional Director shall determine to be necessary in light of the circumstances in each case to achieve compliance with the regulations in this part and the objectives of the program for the conservation of the yellowfin tuna resources of the regulatory area.

§ 280.7 Reports and record keeping.

The master or other person in charge of a fishing vessel or such person as may be authorized in writing to serve as the agent of either of such persons shall—

(a) Annually, prior to the initial departure of such vessel to engage in yellowfin tuna fishing, furnish to the Regional Director (either by letter or on a form obtainable from the Regional Director) a report specifying the name, official number, home port, and cargo capacity (in tons of frozen tuna) of the vessel, and the names and addresses of the managing owner and master, respectively, of the vessel intended to be used in fishing for yellowfin tuna in the regulatory area.

(b) Not earlier than 48 hours prior to each departure from port to engage in fishing for yellowfin tuna during the open season for such tuna, furnish to the Regional Director, either by letter, telegram, radiogram, or on a form obtainable from the Regional Director, a report certifying that all tuna fishes taken during the immediately preceding fishing voyage, if any, have been unloaded and that the vessel is departing port to engage in or resume yellowfin tuna fishing. A report as required by this subsection shall be dispatched from the vessel's port of departure for a fish-

ing voyage and if in letter form the report shall be dispatched by airmail in every case except from ports of departure on the Pacific coast of the United States, where surface mail may be used for such purpose. A copy of the report showing the date of dispatch of the original shall be authenticated by affixing the stamp, seal, or signature of the postal official or employee of the telegraph or radiogram company transmitting the report, as the case may be, and such authenticated copy shall be retained on board the reporting vessel for a period of 6 months following the date of the report. The failure of any vessel, irrespective of cause, to depart upon a fishing voyage within the 48-hour period specified in this subsection shall require the furnishing in like manner of a new report not earlier than 48 hours prior to the delayed departure time.

(c) Keep an accurate log of all operations conducted from the vessel, entering therein for each day the date, noon position (stated in latitude and longitude or in relation to known physical features) and the estimated quantities (in short tons, round weight), of tuna fish by species which are taken on board the vessel: *Provided*, That the record and bridge log maintained at the request of the Commission shall be deemed a sufficient compliance with this paragraph whenever the items of information specified herein are fully and accurately entered in such log.

(d) Report by radio at least once each calendar week during a fishing voyage conducted in the open season; such reporting to begin on a date to be announced by the Bureau Director through publication of a suitable notice in the FEDERAL REGISTER and to continue throughout the open season. Reports by radio shall be made directly or through a cooperating vessel to Radio Station WWD, La Jolla, Calif., 4415.8 kc, 8805.6 kc, 12403.5 kc, or 16533.5 kc or by prepaid commercial radio message directed to the Director of Investigations. Radio reports shall be made between 0900 and 2400 P.s.t., and shall state the name of the fishing vessel and the cumulative estimated quantities, by species, of all tuna fish taken on board from week to week throughout the duration of the fishing voyage. Weekly reports containing all items of information required by this subsection may be submitted to the Director of Investigations by the shore representative of the master or other person in charge of the vessel in lieu of radio reports from the vessel.

(e) Furnish on a form obtainable from the Regional Director, following the delivery or sale of a catch of tuna made by means of such vessel, a report, certified to be correct as to facts within the knowledge of the reporting individual, giving the name and official number of the fishing vessel, the dates of commencement and conclusion of the fishing voyage and listing separately by species and round weight in pounds or short tons, the gross quantities of each species of tuna fish so sold or delivered: *Provided*, That, at the option of the vessel master or other person in charge, a copy of the fish ticket, weigh-out slip, settlement sheet, or similar record customarily issued by the fish dealer or his agent may be used for reporting purposes, in lieu of the form obtainable from the Regional Director,

If such alternate record is similarly certified and contains all items of information required by this paragraph: *Provided further*, That for any vessel landing its catch in California and reporting by means of a copy of the California fish ticket, the California Fish and Game boat number may be indicated in lieu of the vessel's official number. Such report shall be delivered or dispatched by mail to the Regional Director within 72 hours after the weigh-out has been completed.

§ 280.3 Persons and vessels exempted.

Nothing contained in §§ 280.2 to 280.7 shall apply to:

(a) Any person or vessel authorized by the Commission, the Bureau Director, or any State of the United States to engage in fishing for research purposes.

(b) Any person or vessel engaged in sport fishing for personal use.

PART 281—RESTRICTIONS ON TUNA IMPORTS

Sec.	
281.1	Definitions.
281.2	Basis and purpose.
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281.5	Investigations authorized.
281.6	Publication of findings.
281.7	Proof of admissibility.
281.8	Removal of import restrictions.

AUTHORITY: The provisions of this Part 281 issued under sec. 6, 64 Stat. 778, as amended, 16 U.S.C. 955.

§ 281.1 Definitions.

For the purposes of this part, the following terms shall be construed, respectively, to mean and to include:

(a) *United States*. All areas under the sovereignty of the United States, the Trust Territory of the Pacific Islands, and the Canal Zone.

(b) *Convention*. The Convention for the Establishment of an Inter-American Tropical Tuna Commission, signed at Washington, May 31, 1949, by the United States of America and the Republic of Costa Rica (1 U.S.T. 230).

(c) *Commission*. The Inter-American Tropical Tuna Commission established pursuant to the Convention.

(d) *Bureau Director*. The Director of the Bureau of Commercial Fisheries, Fish and Wildlife Service, U.S. Department of the Interior.

(e) *Regulatory area*. All waters of the eastern Pacific Ocean bounded by the mainland of the Americas and the following lines: Beginning at a point on the mainland where the parallel of 40 degrees north latitude intersects the coast; thence due west to the meridian of 125 degrees west longitude; thence due south to the parallel of 20 degrees north latitude; thence due east to the meridian of 120 degrees west longitude; thence due south to the parallel of 5 degrees north latitude, thence due east to the meridian of 110 degrees west longitude; thence due south to the parallel of 10 degrees south latitude; thence due east to the meridian of 90 degrees west longitude; thence due south to the parallel of 30 degrees south latitude; thence due east to a point on the mainland where the parallel of 30 degrees south latitude intersects the coast.

(f) *Yellowfin tuna*. Any fish of the species *Thunnus albacares* (synonymy: *Neothunnus macropterus*).

(g) *Other tuna fishes*. Those species (and none other) of the family Scombridae which are known as:

(1) Albacore—*Thunnus alalunga* (synonymy: *Thunnus germo*).

(2) Bigeye—*Thunnus obesus* (synonymy: *Parathunnus sibi*).

(3) Bluefin—*Thunnus Thynnus* (synonymy: *Thunnus saliens*).

(4) Skipjack—*Euthynnus pelamis* (synonymy: *Katsuwonus pelamis*).

(h) *Fishing vessel*. Every kind, type, or description of watercraft (other than purse seine skiffs) used in or outfitted for catching or processing fish or transporting fish from fishing grounds.

(i) *Person*. Individual, association, corporation, or partnership.

§ 281.2 Basis and purpose.

(a) At a special meeting held at Long Beach, Calif., on September 14, 1961, the Commission recommended to the Governments of Costa Rica, Ecuador, Panama, and the United States of America, parties to the Convention, that they take joint action to limit the annual catch of yellowfin tuna from the eastern Pacific Ocean by fishermen of all nations during the calendar year 1962. This recommendation was made pursuant to paragraph 5 of Article II of the Convention on the basis of scientific investigations conducted by the Commission over a period of time dating from 1951. The most recent years of this period were marked by a substantial increase in fishing effort directed toward the yellowfin tuna stocks, resulting in a rate of exploitation of these stocks greater than that at which the maximum average sustainable yield may be obtained. The Commission's recommendation for joint action by the parties to regulate the yellowfin tuna fishery has as its objective the restoration of these stocks to a level of abundance which will permit maximum average sustainable catch and the maintenance of the stocks in that condition in the future.

(b) At annual meetings held at Quito, Ecuador, May 16-18, 1962; at Panama City, Panama, April 16-17, 1963; at San Diego, Calif., March 18-19, 1964; at Mexico City, Mexico, March 23-24, 1965; and at Guayaquil, Ecuador, April 19-20, 1966, the Commission affirmed its earlier conclusions regarding the need for regulating the yellowfin tuna fishery in the eastern Pacific Ocean and at each meeting recommended to the parties to the Convention that they take joint action to:

(1) Establish a prescribed tonnage limit on the total catch of yellowfin tuna by the fishermen of all nations during each calendar year from an area of the eastern Pacific Ocean defined by the Commission;

(2) Establish open and closed seasons for yellowfin tuna under prescribed conditions;

(3) Permit the landing of not more than 15 percent (15%) by weight of yellowfin tuna among the tuna taken on a fishing trip made after the close of the yellowfin tuna fishing season; and

(4) Obtain from governments not parties to the Convention, but having vessels which operate in the fishery, cooperation

in affecting the recommended conservation measures.

(c) In conformity with the provisions of section 6(c) of the Act and simultaneously with the adoption of the regulations in this part, the Secretary of the Interior has made effective Part 280 of this title for the purpose of carrying out the recommendations of the Commission for the conservation of yellowfin tuna in the regulatory area so far as such recommendations affect all vessels and persons subject to the jurisdiction of the United States.

(d) The yellowfin tuna stocks recommended for regulation by the Commission constitute a significant part of an international high seas fishery in which the vessels of a number of countries are engaged in varying degrees. Since some of the countries are not parties to the Convention and, therefore, have no applicable treaty obligations to fulfill, the achievement of the conservation objectives with respect to the tuna resources of the eastern Pacific Ocean is dependent upon international cooperative efforts to implement the Commission's recommendations. With a view toward encouraging effective cooperation on the part of such countries, the Tuna Conventions Act of 1950, as amended, directs that restrictions be established on the importation of certain tuna fish from any country which shall fail to take action to prevent the occurrence of certain proscribed activities. Thus, section 6(c) of the Act provides that the Secretary of the Interior, with the concurrence of the Secretary of State, shall promulgate regulations—

(1) To prohibit the entry into the United States, from any country when the vessels of such country are being used in the conduct of fishing operations in the regulatory area in such manner or in such circumstances as would tend to diminish the effectiveness of the conservation recommendations of the Commission, of fish in any form of those species which are subject to regulation pursuant to a recommendation of the Commission and which were taken from the regulatory area; and

(2) To prohibit entry into the United States, from any country, of fish in any form of those species which are subject to regulation pursuant to a recommendation of the Commission and which were taken from the regulatory area by vessels other than those of such country in such manner or in such circumstances as would tend to diminish the effectiveness of the conservation recommendations of the Commission.

(e) Section 6(c) of the Act further provides that "in the case of repeated and flagrant fishing operations in the regulatory area by the vessels of any country which seriously threaten the achievement of the objectives of the Commission's recommendations, the Secretary of the Interior, with the concurrence of the Secretary of State, may, in his discretion, also prohibit the entry from such country of such other species of tuna, in any form, as may be under investigation by the Commission and which were taken in the regulatory area."

(f) By letter of May 8, 1964, the Secretary of State concurred in the promulgation of the regulations in this part. Such regulations are designed to implement the provisions of section 6(c) of the Act with respect to import controls and to prescribe procedures for the establishment of restrictions on imports of

whenever such action shall be warranted.

§ 281.3 Species subject to regulation.

The species of fish currently subject to regulation pursuant to a recommendation of the Commission within the meaning of section 6(c) of the Act is yellowfin tuna.

§ 281.4 Species under investigation by the Commission.

The species of fish currently under investigation by the Commission within the meaning of section 6(c) of the Act is yellowfin tuna, skipjack tuna, and greyeye tuna.

§ 281.5 Investigations authorized.

(a) The Bureau Director shall cause to be made from time to time such inquiries and investigations as may be necessary to keep himself and other persons concerned currently informed regarding the nature and effectiveness of the measures for the implementation of the Commission's recommendations which are being carried out by countries whose vessels engage in fishing within the regulatory area. In making a finding as to whether or not a country is condoning the use of vessels in the conduct of fishing operations in the regulatory area in such manner or in such circumstances as would tend to diminish the effectiveness of the conservation recommendations of the Commission, the Bureau Director shall take into account, among such other considerations as may appear to be pertinent in a particular case, the following factors:

- (1) Whether or not the country provides or causes to be provided to the Commission pertinent statistics on a timely basis.
- (2) Whether or not the country has in force conservation measures applicable to its own fishermen adequate for the implementation of the Commission's recommendations.
- (3) Whether or not the country has in force measures for the control of landings in its ports of species subject to regulation which are taken in the regulatory area by fishermen of other countries contrary to the Commission's conservation recommendations.
- (4) Whether or not the country, having put conservation measures into effect, takes reasonable action to enforce such measures.
- (5) The number of vessels of the country which conduct fishing operations in the regulatory area.
- (6) The quantity of species subject to regulation taken from the regulatory area by the country's vessels contrary to the Commission's conservation recommendations and its relationship to (i) the total quantity permitted to be taken by the vessels of all countries participating in the fishery and (ii) the quantity of such species sought to be restored to the stocks of fish pursuant to the Commission's conservation recommendations.
- (7) Whether or not repeated and flagrant fishing operations in the regulatory area by the vessels of the country seriously threaten the achievement of the objectives of the Commission's recommendations.

(b) Any person who shall have reason to believe that the vessels of any country

are being used in the conduct of fishing operations in the regulatory area in such manner or in such circumstances as would tend to diminish the effectiveness of the conservation recommendations of the Commission or that other acts within the purview of the import control provisions of section 6(c) of the Tuna Conventions Act of 1950, as amended, are occurring or are likely to occur, may communicate his belief to the Bureau Director. Every such communication shall contain or be accompanied by a full statement of the reasons for the belief, including a detailed description of such specific acts or events as may support the belief, and such other pertinent facts as may indicate a need for instituting an investigation as authorized in this part.

(c) Upon receipt by the Bureau Director of any communication submitted pursuant to paragraph (b) of this section and found to comply with the requirements of that paragraph, the Bureau Director promptly shall cause such investigation to be made as appears to be warranted by the circumstances of the case. In conducting such investigation the Bureau Director or his designated representative shall consider any representations offered by foreign interests, importers, brokers, domestic producers, or other interested persons. Unless good cause to the contrary shall exist, every such investigation shall be completed within 60 days following receipt of the communication.

§ 281.6 Publication of findings.

If it shall be determined on the basis of section 281.5 that species of fish subject to regulation or under investigation by the Commission, as the case may be, are ineligible for entry into the United States from a particular country pursuant to the provisions of section 6(c) of the Act, the Bureau Director, with the approval of the Secretary of the Interior and, when required by law, with the concurrence of the Secretary of State, shall publish a finding to that effect in the FEDERAL REGISTER. Effective upon the date of publication of such finding in the FEDERAL REGISTER every shipment of fish in any form of the species under regulation or under investigation by the Commission offered for entry either directly or indirectly from the country named in the finding shall be denied entry unless it shall be established by satisfactory proof pursuant to § 281.7 that a particular shipment of such fish is not ineligible for entry; *Provided*, That entry shall not be denied and no such proof shall be required for any such shipment which, on the date of such publication, was in transit to the United States on board a vessel operating as a common carrier.

§ 281.7 Proof of admissibility.

For the purposes of § 281.6 of this part and section 8(c) of the Tuna Conventions Act of 1950, as amended, a shipment of fish in any form of the species under regulation or under investigation by the Commission offered for entry, directly or indirectly, from a country named in a finding published under such § 281.6 shall be deemed to be eligible for entry if the shipment is accompanied by a certificate of eligibility, executed in the form and manner set forth below,

certifying that the tuna in the shipment are not of the species specified in the published finding or, if of such species, were not taken in the regulatory area. The required certificate of eligibility must be executed by a duly authorized official of the country named in the published finding and the certificate must be authenticated with respect to the signature and official position of the person executing the same by a consular officer or consular agent of the United States.

CERTIFICATE OF ELIGIBILITY

I, _____, an authorized officer of the Government of _____, certify that the shipment of tuna fish accompanied by this certificate, consisting of _____ of _____ (Quantity) (Species) in _____ bearing the following (Number and kind of packages or containers) following marks and numbers _____:

(a) Contains no fish of the species prohibited entry into the United States by virtue of a finding of ineligibility published under regulations issued pursuant to section 6(c) of the Tuna Conventions Act of 1950, as amended.

(b) Contains fish of the species prohibited entry into the United States by virtue of a finding of ineligibility published under regulations issued pursuant to section 6(c) of the Tuna Conventions Act of 1950, as amended, but that such fish were caught in the waters of _____

(Identify area or areas in which fish were taken) _____ by vessels subject to the jurisdiction of _____, and that none of the said fish (Country) was taken in any part of the eastern Pacific Ocean subject to conservation regulations pursuant to recommendations of the Inter-American Tropical Tuna Commission.

(Signature)

(Title)

(Address)

[This certificate must be accompanied by a certificate of authentication executed by a consular officer or consular agent of the United States.]

§ 281.8 Removal of import restrictions.

Upon a determination by the Bureau Director that the conditions no longer exist which warranted the imposition of import restrictions against the country named in the finding published pursuant to § 281.6, the Bureau Director, with the approval of the Secretary of the Interior, shall publish a finding to such effect in the FEDERAL REGISTER. Effective upon the date of publication of such finding, the prior existing import restrictions against the country designated therein shall terminate; *Provided*, That for a period of 1 year from such date of publication every shipment of fish in any form of the species subject to regulation or under investigation by the Commission shall continue to be denied entry unless the shipment is accompanied by a certification executed by an authorized official of the country of export and authenticated by a consular officer or consular agent of the United States, certifying that no portion of the shipment is comprised of fish which are of species under regulation and which were prohibited from entry under the prior existing import restrictions.



U. S. Tariff Commission

HEARING ON IMPORT DUTIES FOR CERTAIN PRODUCTS INCLUDING CANNED CLAMS:

The United States Tariff Commission has ordered a public hearing to be held in connection with an investigation instituted under section 332 of the Tariff Act of 1930 on certain products including "certain canned clams" which for import duty purposes are subject to the American selling price basis of valuation. Notice of the institution of the investigation was issued on December 23, 1965, and was published in the Federal Register on December 29, 1965.

The hearing was scheduled to be held in Washington, D. C., on June 8, 1966. Information and views were to be submitted either in writing or by oral testimony at the public hearing, or both. Interested parties desiring to appear and to be heard were requested to notify the Secretary of the Commission, in writing, at least three days in advance of the date set for the hearing. Written submissions were to be received by the Commission not later than June 10, 1966.

The Notice of Investigation and Date of Hearing was announced by the Tariff Commission on May 2, 1966, and published in the Federal Register, May 5, 1966.

In connection with its investigation, the Commission published a list of converted rates of duty for clams other than razor clams (including clam pastes and sauces but not clam chowder) in airtight containers. Included also are whole clam meats, minced clam meats, smoked whole clam meats, clam sauce, and oriental specialties (seasoned, baked, and broiled clams canned in Japan). Copies of the list, titled "List of Tentative Converted Rates of Duty Together with Explanatory Material," were available from the U. S. Tariff Commission, Washington, D. C. 20436, and New York, N. Y.

Note: See Commercial Fisheries Review, February 1966, p. 90.



Department of the Treasury

BUREAU OF CUSTOMS

TUNA CANNED IN BRINE IMPORT QUOTA FOR 1966:

The quantity of tuna canned in brine which may be imported into the United States during

calendar year 1966 at the 12½ percent rate of duty is limited to 65,662,200 pounds (or about 3,126,771 standard cases of 48 7-oz. cans). This is 0.6 percent less than the 66,059,400 pounds (about 3,145,685 cases) in 1965; but 7.8 percent more than the 60,911,870 pounds (about 2,900,565 cases) in 1964; 4.0 percent more than the 63,130,642 pounds (about 3,006,221 cases) in 1963; and 11.2 percent over the 59,059,014 pounds (about 2,812,000 cases) in 1962. Compared with the 57,114,714 pound limit in 1961, the 1966 quota is about 15.0 percent greater, and is 22.9 percent more than the 53,448,330-pound limit set in 1960. Any imports of tuna canned in brine in excess of the 1966 quota will be dutiable at 25 percent ad valorem under item 112.34, Tariff Schedules of the United States.

The quota for 1966 is based on the United States pack of canned tuna during the preceding calendar year (1965), as reported by the U. S. Fish and Wildlife Service.

The 1966 tariff-rate quota was published in the Federal Register, page 6324, April 26, 1966, by the Bureau of Customs of the U. S. Department of the Treasury.

Note: See Commercial Fisheries Review, July 1965 p. 104.

* * * * *

INQUIRY INSTITUTED ON FISHERY PRODUCTS IMPORTED FROM U. S. S. R.:

The Bureau of Customs, U. S. Department of the Treasury, received information recently indicating a possibility that fishery products imported from the Soviet Union are being, or likely to be, sold at less than fair value within the meaning of the Antidumping Act, 1921, as amended. In order to establish the validity of such information, the Bureau of Customs is instituting an inquiry based on provisions of the Customs Regulations.

A summary of the information received and developed within the Customs Service states: "The product and price information discloses that substantial quantities of fishery products referred to as shellfish and mollusks are being sold to the U. S. purchaser at prices substantially lower than those normally pertaining to such or similar fishery products imported from countries not having a controlled economy."

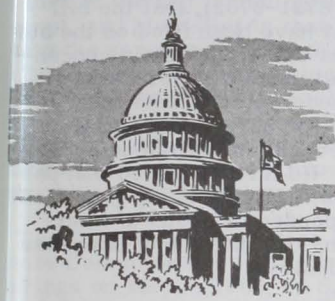
According to the Treasury Department, U. S. imports of the merchandise involved from January 1, 1966, to date amounted to about \$375,000.

An Antidumping Proceeding Notice, Fish-
Products from the U. S. S. R., was pub-
lished by the Commissioner of Customs in
the Federal Register, April 19, 1966.



Eighty-Ninth 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.

COMMERCIAL FISHERIES RESOURCES SURVEY: The Subcommittee on Merchant Marine and Fisheries of the Senate Committee on Commerce Apr. 19, 1966, hearings on S. J. Res. 29, authorizing a survey of marine and fresh water commercial fishery resources of the U. S., and its possessions, having as its witnesses Dr. Stanley A. Cain, Assistant Secretary for Fish and Wildlife and Parks, and Donald L. McKernan, Director, Bureau of Commercial Fisheries, both of the U. S. Department of the Interior. In a statement, the Bureau's director said that such a survey "would provide a useful summary of the status of our fisheries at this critical stage of their history. It would provide the Congress, the fishing industry, the public, and the Department with an inventory of resources now utilized or still lying unused in our inland and marine waters, their condition and potential yield. It would identify the methods by which these resources can be managed for full utilization and how their value could be enhanced by appropriate legislation or technological development. . . . In view of the development of foreign fishing off our coasts utilizing resources important to the full development of United States fisheries, the survey contemplated by this proposal becomes increasingly significant."

COMMODITY PACKAGING AND LABELING: Introduced in House H. R. 14498 (Vanik), Apr. 19, 1966, and H. R. 14633 (Donohue), Apr. 26, 1966, to regulate interstate and foreign commerce by preventing the use of unfair or deceptive methods of packaging or labeling of certain consumer commodities distributed in such commerce, and for other purposes; to Committee on Interstate and Foreign Commerce.

Senate Committee on Commerce Apr. 20, 1966, met in executive session to continue consideration of S. 985, proposed Fair Packaging and Labeling Act of 1966, but did not conclude action thereon and will meet again on Wednesday, Apr. 27.

ECOLOGICAL RESEARCH AND SURVEY: Senate Committee on Interior and Insular Affairs held hearings Apr. 27, 1966, on S. 2282, to authorize the Secretary of the Interior to conduct a program of research, study, and surveys, documentation and description of the natural environmental systems of the United States for the purpose of understanding and evaluating the condition of these systems and to provide information to those concerned with natural resources management. Testimony was received from Secretary Stewart L. Udall and Dr. Stanley Cain, Assistant Secretary for Fish and Wildlife and Parks, both of the Department of the Interior.

ESTUARINE INVESTIGATION: S. 3240 (Tydings and 1 other) introduced in Senate Apr. 19, 1966, to amend the Federal Water Pollution Control Act so as to provide for a study and investigation of estuaries and estuarine zones of the United States; to Committee on Public Works. Rep. Tydings pointed out in Congressional Record, Apr. 19, 1966 (pp. 7910-7911), that bill would authorize the Secretary of the Interior to initiate a 3-year, \$3 million comprehensive study of pollution in the tidal estuaries and their immediately adjacent land areas. The Interior Department will issue a comprehensive report, once the project is completed. This report will be the first comprehensive accumulation of estuarine knowledge to ever exist. As such, it will be of enormous value to laymen and scientists alike, of this country and of others, who are concerned about this most vital of areas.

FACTORY FISHING VESSELS: H. R. 14459 (Hathaway) introduced in House Apr. 19, 1966, to assist the domestic construction of three advanced-design factory fishing vessels; to Committee on Merchant Marine and Fisheries.

FISH AND WILDLIFE COORDINATION ACT AMENDMENT--FEDERALLY LICENSED PROJECTS (EFFECTS ON FISH AND WILDLIFE): H. R. 15001 (Ottinger) introduced in House May 11, 1966, to amend the Fish and Wildlife Coordination Act to provide adequate notice and opportunity for the Secretary of the Interior and State fish and wildlife agencies to conduct studies on the effects of projects licensed by Federal agencies on fish and wildlife resources, and for other purposes; to Committee on Merchant Marine and Fisheries.

Subcommittee on Fisheries and Wildlife Conservation of House Committee on Merchant Marine and Fisheries held hearings May 11, 1966, on H. R. 9492, to amend the Fish and Wildlife Coordination Act to provide adequate notice and opportunity for the Secretary of the Interior and State fish and wildlife agencies to conduct studies on the effects of projects licensed by Federal agencies on fish and wildlife resources; H. R. 14414, to amend the Fish and Wildlife Coordination Act to make it applicable to the Atomic Energy Commission, the Federal Power Commission, and to permittees and licensees of such commissions; and H. R. 14455, to repeal section 9 of the Fish and Wildlife Coordination Act. Testimony was heard from L. C. White, Chairman, FPC; and Frank E. Smith, member of the Board of Directors of TVA.

FISH AND WILDLIFE COORDINATION ACT--ATOMIC ENERGY COMMISSION--FEDERAL POWER COMMISSION: Introduced in House H. R. 14414 (Reuss), Apr. 7, and H. R. 14975 (Ottinger), May 10, 1966, to amend the Fish and Wildlife Coordination Act to make it applicable to the Atomic Energy Commission, and to per-

mittees and licensees of such Commissions; to Committee on Merchant Marine and Fisheries.

S. 3279 (Metcalf) introduced in Senate Apr. 27, 1966, to amend the Fish and Wildlife Coordination Act to make it applicable to the Atomic Energy Commission and to permittees and licensees of such Commission; to Committee on Commerce.

FISHERIES: Sen. Magnuson inserted in Congressional Record, Apr. 19, 1966 (p. 7935), an article which appeared in the Mar. 31, 1966, issue of Seattle Post-Intelligencer, titled "Mexicans Complaining of Russian Fishing" by John Chamberlain. Magnuson stated what is needed is some enforceable international convention that will limit and apportion the fishing take in ways that will result in keeping waters from being fished out.

FISHERIES--OREGON: Sen. Morse spoke from the floor of the Senate (Congressional Record, Apr. 13, 1966, pp. 7746-7748), concerning Soviet fishing trawlers that have come into high-sea waters 10 to 30 miles off the coast of Oregon to carry on an extensive fishing expedition. He stated that he thought the U. S. should make representations to the Soviet Government that we would like to proceed with diplomatic negotiations forthwith in an endeavor to see if some understanding can be reached with the Soviet Government in respect to its regulating the fishing practices of its fleet of Russian fishing trawlers on a give-and-take basis. He inserted in the Record a list of conventions that are now in force between the U. S. and other nations, which was supplied by the staff of the Senate Foreign Relations Committee.

FISHING LIMIT OF 12 MILES: Sen Magnuson inserted in Congressional Record, May 3, 1966 (pp. 9093-9094), a resolution which was adopted Jan. 27, 1966, by the Norwegian Commercial Club, Seattle, Washington. The resolution points out the threat of foreign fishing operations and provides a very thoughtful statement in support of our extended fishery jurisdiction. He stated that the club has also gone on record in support of legislation he introduced (S. 2218) to establish a 12-mile fishery zone off our coast to protect our domestic fishery resources.

Subcommittee on Merchant Marine and Fisheries of Senate Committee on Commerce held hearings May 18, and 19, on S. 2218, to establish a contiguous fishery zone beyond the territorial sea of the United States.

Introduced in House H. R. 14961 (Pelly), May 10, 1966, and H. R. 15011 (Wyatt) May 11, 1966, to establish fishing zones of the United States beyond its territorial seas, and for other purposes; to Committee on Merchant Marine and Fisheries. Rep. Pelly pointed out in Congressional Record, May 10, 1966 (pp. 9760-9761), his bill would provide for a congressional declaration that the fishing zones of the United States will be extended to the edge of the Continental Shelf, or 12 miles, whichever extends further; would provide for a zone somewhat along the lines of Canada's 12-mile fishing zone, except that under this bill the fishing zone would extend the outer boundary to include the Continental Shelf, which is generally defined as 200 meters in depth, or 655 feet. He also listed the following provisions of the bill: (a) Contains provision to assure that this legislation would not conflict with the jurisdiction of any foreign country, whereby the President could set a boundary in substitution if he determined that part of the fishing zone boundary should be changed, (b) Authorizes the State Department, in consultation with the Department of the Interior, to consult with foreign nations to ascertain the extent, manner, and annual

average catch of their fishing boats in any of the affected area, and (c) Allows right to fish in the fishing zone to any foreign nation whose fishermen have established historic fishing rights within such zones during the 10 calendar years preceding the enactment of this law.

FISH PROTEIN CONCENTRATE PLANTS: Introduced in House H. R. 14699 (Keith), Apr. 27, 1966, H. R. 14842 (King of Utah), May 3, and H. R. 14905 (O'Neill of Mass.), May 5, to authorize the Secretary of the Interior to develop, through the use of experiment and demonstration plants, production by the commercial fishing industry of fish protein concentrate; to Committee on Merchant Marine and Fisheries. Rep. Keith spoke in the House and pointed out in Congressional Record, Apr. 27, 1966 (pp. 8731-8732), that the bill differs from other bills that have been filed on the subject inasmuch as it provides that fish protein concentrate will be eligible for distribution under the provisions of the Food for Freedom Act. Other bills referred to Public Law 480 of the 83rd Congress, which is due to expire soon and probably be replaced by the food for freedom program. He further stated that passage of this bill, he believes, will produce a great deal of benefit per tax dollar expended in terms of international good will, improving our balance of payments and boosting our fishing industry.

Hearings scheduled to be heard May 2 and 3, 1966, in Washington, D. C., before the Senate Committee on Commerce on S. 2720, to authorize the Secretary of the Interior to develop, through the use of experiment and demonstration plants, practicable and economic means for the production by the commercial fishing industry of fish protein concentrate, were rescheduled for May 16 and 17.

Rep. Keith in extension of remarks inserted in Congressional Record, Apr. 26, 1966 (p. A2226), an editorial that appeared in the March 31, 1966, edition of the New Bedford Standard-Times. He stated that today, fish protein concentrate is awaiting the approval of the Food and Drug Administration. He also stated that there must be no further delay in putting fish protein concentrate to use. Government and industry must both get to work and "sell" fish protein concentrate.

FUR SEAL CONSERVATION AND PRIBILOF ISLANDS ADMINISTRATION: The Senate, May 5, 1966, received H. J. Res. 92 of the Legislature of the State of Alaska, requesting transfer of jurisdiction over the resources of the Pribilof Islands to the State of Alaska. Referred to Committee on Commerce.

INTERIOR DEPARTMENT APPROPRIATIONS FY 1967: Subcommittee of Senate Committee on Appropriations, Apr. 22, 1966, in executive session, approved for full committee consideration, H. R. 14214, a bill making appropriations for the Department of the Interior and related agencies (includes United States fish and Wildlife Service and its two Bureaus: Commercial Fisheries, and Sport Fisheries and Wildlife) for the fiscal year ending June 30, 1967.

Senate Committee on Appropriations, in executive session, May 19, 1966, ordered favorably reported with amendments H. R. 14215, fiscal 1967 appropriations for the Department of the Interior, and related agencies. As approved by the committee the bill would provide a total of \$1,329,755,000, an increase of \$34,585,500 over the House-passed figure of \$1,295,169,500.

NATIONAL SEA GRANT COLLEGES AND PROGRAM ACT OF 1965: Introduced in House H. R. 14460 (Hathaway), H. R. 14462 (Huot), Apr. 19, 1966, and H. R. 14873 (Keith), May 4, to amend the National Science Foundation Act of 1950, as amended, so as to authorize the establishment and operation of sea-grant colleges and programs by initiating and supporting programs of education, training, and research in the marine sciences and a program of advisory services relating to activities in the marine sciences, to facilitate the use of the submerged lands of the Outer Continental Shelf by participants carrying out these programs, and for other purposes; to Committee on Science and Astronautics.

Rep. Keith in extension of his remarks stated that the idea of the bill is analogous to the land-grant college concept, and his belief is that such a program would create the same rapid growth in marine sciences that the land-grant college provided for agriculture. Rep. Keith stated that this bill would, among other things, meet three of the most pressing needs of our oceanographic program--applied research, dissemination of information to users, and provision of more personnel, especially ocean technicians.

The Special Subcommittee on Sea Grant Colleges of Senate Committee on Labor and Public Welfare held hearings on May 3, 1966, on S. 2439, to amend the National Science Foundation Act of 1950, as amended, so as to authorize the establishment and operation of sea grant colleges and programs by initiating and supporting programs of education, training, and research in the marine sciences and a program of advisory services, to facilitate the use of submerged lands of the Outer Continental Shelf by participants carrying out these programs, and for other purposes.

NATIONAL WATER COMMISSION ACT: Sen. Jackson in Congressional Record, Apr. 18, 1966 (p. 7837), announced that the Senate Interior and Insular Affairs Committee conducted open public hearings on May 9 and 10 on S. 3107, to create a National Water Commission. This legislation proposed by the Administration, would establish an independent, seven-member Commission of distinguished Americans outside the Federal Government who would study and advise the President and the Water Resources Council on the entire range of water problems.

OCEANOGRAPHIC AGENCY OR COUNCIL: House Rep. 19, 1966, insisted on its amendments to S. 944, to provide for expanded research and development in the marine environment of the United States, to establish a National Council on Marine Resources and Engineering Development, and a Commission on Marine Science, Engineering, and Resources; agreed to a conference with the Senate; and appointed conferees.

Conferees Apr. 28, 1966, and May 2, met in executive session to resolve the differences between the Senate- and House-passed versions of S. 944, but did not reach final agreement, and recessed subject to call.

OCEANOGRAPHY: Sen. Murphy spoke in the Senate Congressional Record, Apr. 18, 1966, p. 7866) and called attention to the Mar. 25, 1966, dedication ceremony by the University of California's Board of Regents when it named a new oceanographic research facility on Point Loma, off San Diego, after the late Fleet Adm. Chester W. Nimitz. He stated that the 6-acre, \$1 million facility is considered to be one of the most advanced installations in the world for the study of the sea and the distribution of plant and aquatic ani-

mal life; and will be operated by the Scripps Institute of Oceanography. He further stated that this facility will be the home port for many research and training vessels, which already include the Alpha-Heliz, an ocean-going biological laboratory, and the Thomas Washington, a research vessel. The Senator inserted in the Record an article which appeared in the March 28, 1966, edition of the San Diego Union titled "Carrier for Nimitz."

Rep. Downing spoke in the House and inserted in Congressional Record, May 4, 1966 (pp. 9385-9387), a speech which was recently presented by Vice Adm. John S. McCain, Jr., U. S. Navy, representative and vice chairman, U. S. delegation, United Nations Military Staff Committee, U. S. Mission to the United Nations, at the U. S. Merchant Marine Academy at Kings Point, New York, titled "The Total Wet War." The speech emphasized the Naval aspects of the oceans, the merchant marine, oceanography, and fishing industry.

OYSTER PLANTERS LOAN: S. 3320 (Williams of N. J.) introduced in Senate May 5, 1966, to extend the benefits of the Consolidated Farmers Home Administration Act to oyster planters; to Committee on Agriculture and Forestry.

PLANNING-PROGRAMMING-BUDGETING SYSTEM: Sen. Proxmire inserted in Congressional Record, Apr. 28, 1966 (pp. 8886-8887), an article from the Apr. 28 Wall Street Journal titled "New-Look Budget?--U. S. Agencies Now Will Weigh Program Costs Against Likely Benefits--White House Further Orders Investigation of Alternative Ways To Reach Same Ends--First Reports Next Week," by Alan L. Otten. Sen. Proxmire pointed out that this new system would give the President and his agency heads a series of advantages in achieving greater efficiency and economy.

SOVIET FISHING TRAWLERS OFF THE PACIFIC COAST: Sen. Morse spoke from the floor of the Senate in a continuation of his discussion of Apr. 13, relative to the huge catches of bottomfish being taken by Soviet trawlers in the deep waters from 10 to 30 miles off the coast of Oregon. He inserted in Congressional Record, Apr. 25, 1966 (pp. 8488-8491), a letter dated Apr. 19 from the State Department, in reply to his letter of Apr. 13, requesting that the Department take immediate action, through diplomatic channels, to work out a satisfactory policy which would assure proper conservation measures with respect to the fishery resource. He also inserted in the Record the text of his letter of Apr. 25, 1966, to Donald L. McKernan, Director of the Bureau of Commercial Fisheries, U. S. Department of the Interior, requesting the Bureau to supply relevant information concerning this coastal fishery in order that all available facts will be on hand.

Rep. Wyatt inserted in Congressional Record, Apr. 27, 1966 (p. A2272), his two letters of Apr. 22, to President Johnson and Rep. Dingell, chairman of our Fisheries and Wildlife Conservation Subcommittee. Rep. Wyatt stated that Russian fishing activity off Pacific coastal areas has reached such magnitude and intensity it must be halted unless our fishery resource there is irretrievably damaged. This is more than a sectional problem--it affects our entire country.

Rep. Wyatt in extension of his remarks inserted in Congressional Record, May 2, 1966 (pp. A2343-A2344), two resolutions which were adopted on Apr. 21, 1966, by the Congress of American Fishermen concerning the

Soviet Union fishing vessels off the Oregon-Washington coasts which pose a severe threat to resources and existing fisheries of the United States. It was proposed that one of the resolutions be presented to the U. S. Senate Commerce Committee hearing on S. 2218, as an amendment to the 12-mile jurisdiction provided in that proposed legislation.

STATE DEPARTMENT--SPECIAL ASSISTANCE FOR FISHERIES AND WILDLIFE: Sen. Tower spoke in the Senate (Congressional Record, May 3, 1966, p. 9107), concerning the valuable services which are performed by the Office of the Special Assistance for Fisheries and Wildlife in the Department of State on problems which may arise between the Texas shrimp industry and that of other countries. He inserted in the Record a letter he wrote to Sen. Magnuson, Apr. 29, in support of a proposal to upgrade the status of the above-mentioned Office.

SUPPLEMENTAL APPROPRIATIONS FY 1966 (2nd): The Senate Committee on Appropriations, Apr. 25, 1966, in executive session marked up and ordered favorably reported with amendments H. R. 14012, second supplemental appropriations for fiscal year 1966. Includes additional funds for the Office of the Commissioner of Fish and Wildlife and the Bureau of Commercial Fisheries.

Under prior authority the Senate Apr. 25, 1966, reported (S. Rept. 1137) on H. R. 14012. On Apr. 27, Senate passed H. R. 14012, with amendments; insisted on its amendments; asked for a conference with House and appointed conferees.

S. Rept. 1137, The Second Supplemental Appropriation Bill, 1966: (Apr. 25, 1966, report from the Committee on Appropriations, U. S. Senate, 89th Congress, 2nd session, to accompany H. R. 14012), 40 pp., printed.

Second Supplemental Appropriation Bill, Fiscal Year 1966: Hearings before the Committee on Appropriations, United States Senate, 89th Congress, 2nd session, 635 pp., printed. Includes testimony, statements, and exhibits on additional funds for the Bureau of Commercial Fisheries and the Bureau of Sport Fisheries and Wildlife.

House May 3, 1966, disagreed to Senate amendments to H. R. 14012, making supplemental appropriations for the fiscal year June 30, 1966; agreed to a conference with the Senate; and appointed conferees.

Conferees, in executive session, May 5, 1966, agreed to file a conference report (H. Rept. 1476) on the differences between the Senate- and House-passed versions of H. R. 14012, second supplemental appropriations for fiscal year 1966. The conferees allowed (Amendment No. 15) \$148,000 for "Management and Investigations of Resources, Bureau of Commercial Fisheries," as proposed by the House instead of \$193,000 as proposed by the Senate.

The Senate May 10, 1966, adopted the conference report on H. R. 14012, making supplemental appropriations for fiscal year ending June 30, 1966; and concurred in the House amendments. This action cleared the bill for the President's signature.

WATER POLLUTION CONTROL: Subcommittee on Air and Water Pollution of Senate Committee on Public Works Apr. 20, 1966, continued its series of hearings on several pending bills proposing various amendments to the Federal water pollution control laws, having as its witnesses John W. Gardner, Secretary, and James N. Quigley, Assistant Secretary, both of the Department of HEW; and Stewart L. Udall, Secretary of the Interior.

WATER POLLUTION CONTROL ACT AMENDMENT: S. 3225 (Tydings) introduced in Senate Apr. 14, 1966, to provide that plans and regulations established pursuant to section 10 of the Federal Water Pollution Control Act for the control of water pollution shall apply to vessels (including boats) and marinas. Sen. Tydings spoke in the Senate and pointed out in Congressional Record, Apr. 14, 1966 (p. 7801), that bill would provide that the standards that the States adopt pursuant to the Water Quality Act apply to maritime pollution, as well as to the more familiar problems of municipal and industrial pollution.

WATER POLLUTION IN U. S. NAVIGABLE WATERS: H. R. 14499 (Vanik) introduced in House Apr. 19, 1966, to expand and improve existing law and to provide for the establishment of regulations for the purpose of controlling pollution from vessels and certain other sources in the Great Lakes and other navigable waters of the United States; to Committee on Merchant Marine and Fisheries.

WATER RESOURCES PROPOSALS--FEASIBILITY INVESTIGATIONS: Subcommittee on Irrigation and Reclamation of House Committee on Interior and Insular Affairs Apr. 28, 1966, held a hearing on H. R. 13419, to authorize the Secretary of the Interior to engage in feasibility investigations of certain water resource development proposals. Testimony was heard from officials of the Department of the Interior.

WATER RESOURCES RESEARCH: S. 22, an act to promote a more adequate program of water research was signed by the President on Apr. 19, 1966 (P. L. 89-404).

WORLD HUNGER: House Committee on Agriculture May 5, 1966, met in executive session and approved Committee Print No. 5 on H. R. 12785 (proposed Food for Freedom Act of 1966), to promote international trade in agricultural commodities to combat hunger and malnutrition and to further economic development, a clean bill to be introduced.

H. R. 14929 (Cooley), H. R. 14939 (Matsunaga), and H. R. 14945 (Springer) introduced in House May 9, 1966, to promote international trade in agricultural commodities, to combat hunger and malnutrition, to further economic development, and for other purposes; to Committee on Agriculture.

Note: REPORT ON FISHERY ACTIONS IN 89TH CONGRESS: The U. S. Department of Interior's Bureau of Commercial Fisheries has issued a leaflet on the status of most legislation of interest to commercial fisheries at the end of the 1st session of the 89th Congress. For copies of MNL--3 "Legislative Actions Affecting Commercial Fisheries, 89th Congress, 1st Session 1965," write to the Fishery Market News Service, U. S. Bureau of Commercial Fisheries, 1815 N. Fort Myer Drive, Rm. 510, Arlington, Va. 22209.

