



FEDERAL ACTIONS

Department of the Interior

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:

Old Colony Trawling Corp., 220 Northern Ave., Boston, Mass. 02110, has applied for a fishing vessel construction differential subsidy to aid in the construction of a 131-foot overall length steel vessel to engage in the fishery for groundfish and flounder. The Bureau of Commercial Fisheries, U. S. Department of the Interior, published the notice of the hearing in the Federal Register, May 5, 1966.

American Stern Trawlers, Inc., 26 Broadway, New York, N. Y. 10004, steel vessel with a length between perpendiculars of 262 feet to engage in the fishery for bottomfish, hake, and herring in the North Pacific Ocean. Notice of the hearing appeared in the Federal Register, June 1, 1966.

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

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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 purchase of used fishing vessels:

James Peyton Allenbaugh, 724 Terrace Ave., Aberdeen, Wash. 98520, 42-foot wood vessel to engage in the fishery for crabs, salmon, and tuna. Notice of the application

was published by the U. S. Department of the Interior's Bureau of Commercial Fisheries in the Federal Register, May 5, 1966.

John Clifford Edwards, 61 O St., Hoquiam, Wash. 98550, 49.6-foot registered length wood vessel to engage in the fishery for crabs, tuna, and bottomfish. Notice of the application was published in the Federal Register, May 5, 1966.

Gilbert Lee Krigbaum, Westport, Wash., 48-foot registered length wood vessel to engage in the fishery for salmon, albacore, and crabs. Notice of the application was published in the Federal Register, May 18, 1966.

Howard H. Conn, P. O. Box 306, Petersburg, Alaska 99833, 50-foot registered length wood vessel to engage in the fishery for halibut, salmon, black cod, Dungeness crab, and king crab. Notice of the application was published in the Federal Register, June 4, 1966.

John C. Morgan, P. O. Box 532, Naples, Fla. 33940, 37-foot wood vessel to engage in the fishery for mackerel, pompano, and grouper. Notice of the application was published in the Federal Register, June 7, 1966.

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, June 1966 p. 101.

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PROPOSED U. S. STANDARDS FOR GRADES OF FROZEN HEADLESS DRESSED WHITING:

Notice of proposed standards for grades of frozen headless dressed whiting was published in the Federal Register, May 18, 1966, by the U. S. Department of the Interior in ac-

cordance with the authority contained in Title II of the Agricultural Marketing Act of August 14, 1946, as amended (7 U.S.C. 1621-1627). The proposed standards would be issued as an amendment by the addition of a new Part 271.

The new Part 271, U. S. Standards for Grades of Frozen Headless Dressed Whiting includes sections on: (1) description of product; (2) grades of frozen headless dressed whiting; (3) determination of the grade; (4)

definitions and methods of analysis; and (5) tolerances for certification of officially drawn samples.

Interested persons were given the opportunity to submit written comments, suggestions, or objections on the proposed standards for grades of frozen headless dressed whiting.

The Notice of Proposed Rule Making as published in the Federal Register follows:

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

[50 CFR Part 271]

FROZEN HEADLESS DRESSED WHITING

U.S. Standards for Grades

Notice is hereby given that pursuant to the authority vested in the Secretary of the Interior by section 6(a) of the Fish and Wildlife Act of August 8, 1956 (16 U.S.C. 742e), it is proposed to amend Title 50 Code of Federal Regulations by the addition of a new Part 271. The purpose of this amendment is to issue standards for grades of frozen headless dressed whiting in accordance with the authority contained in Title II of the Agricultural Marketing Act of August 14, 1946, as amended (7 U.S.C. 1621-1627).

It is the policy of the Department of the Interior whenever practicable, to afford the public an opportunity to participate in the rule making process. Accordingly, interested persons may submit written comments, suggestions, or objections with respect to the proposed amendment to the Director, Bureau of Commercial Fisheries, U.S. Fish and Wildlife Service, Washington, D.C., 20240, within 30 days of the date of publication of this notice in the FEDERAL REGISTER.

DONALD L. MCKERNAN,
Director.

MAY 12, 1966.

PART 271—U.S. STANDARDS FOR GRADES OF FROZEN HEADLESS DRESSED WHITING¹

- Sec.
- 271.1 Description of the product.
- 271.2 Grades of frozen headless dressed whiting.
- 271.11 Determination of the grade.
- 271.21 Definitions and methods of analysis.
- 271.25 Tolerances for certification of officially drawn samples.

AUTHORITY: The provisions of this Part 271 are issued under sec. 6, 70 Stat. 1122; 16 U.S.C. § 742e; and secs. 203 and 205, 60 Stat. 1087, 1090, as amended; 7 U.S.C. 1622, 1624.

§ 271.1 Description of the product.

The product described in this part consists of clean, wholesome whiting (silver hake) *merluccius bilinearis*, *merluccius albidus*; completely and cleanly headed

¹ Compliance with the provisions of these standards shall not excuse failure to comply with the provisions of the Federal Food, Drug, and Cosmetic Act.

and adequately eviscerated. The fish are packaged and frozen in accordance with good commercial practice and are maintained at temperatures necessary for the preservation of the product.

§ 271.2 Grades of frozen headless dressed whiting.

(a) "U.S. Grade A" is the quality of frozen headless dressed whiting that (1) possess a good flavor and odor and that (2) for those factors that are rated in accordance with the scoring system outlined in this part, have a total score of 85 to 100 points.

(b) "U.S. Grade B" is the quality of frozen headless dressed whiting that (1) possess at least reasonably good flavor and odor and that (2) rate a total score of not less than 70 points for those factors of quality that are rated in accord-

ance with the scoring system outlined in this part.

(c) "Substandard" or "Utility" is the quality of frozen headless dressed whiting that meet the requirements of § 271-1 but that otherwise fail to meet the requirements of "U.S. Grade B."

§ 271.11 Determination of the grade.

In a plan under Continuous USDI Inspection the grade is determined by examining the product for factors 1-10 in the thawed state and factor 11 in the cooked state. For lot inspection, examination of the product for factors 1, 2, and 3 is carried out in the frozen state and 4-10 in the thawed state. Factor 11 is examined in the cooked state.

(a) *Factors rated by score points.* Points are deducted for variations in the quality of each factor in accordance with the schedule in Table 1. The total of

TABLE 1.—SCHEDULE OF POINT DEDUCTIONS PER SAMPLE
FROZEN STATE (LOT INSPECTION ONLY)

Factor	Factors scored	Method of determining score	Deduct
1	Arrangement of product ¹	Small degree: 10 percent of fish twisted or bellies and backs not facing the same direction.	2
		Large degree: More than 10 percent of fish twisted, void present or some fish cross packed.	5
2	Condition of packaging (overall assessment).	Poor: Packaging material has been soaked, softened or deteriorated.	2
3	Dehydration	Small degree: Slight dehydration of the exposed surfaces.	2
		Large degree: Deep dehydration of the exposed surfaces.	5
THAWED STATE			
4	Minimum size: Fish 2 oz. or over are of acceptable size.	Number of fish less than 2 oz. per lb.:	
		Over 0—not over 0.5.....	5
		Over 0.5—not over 1.0.....	10
		Over 1.0—not over 2.0.....	20
		Over 2.0.....	30
5	Uniformity: Weight ratio of fish remaining. The 10 percent largest fish divided by the 10 percent smallest fish. ¹	Weight ratio 10 percent smallest and 10 percent largest:	
		Over 2.0—not over 2.4.....	2
		Over 2.4—not over 2.8.....	5
		Over 2.8—not over 3.2.....	10
		Over 3.2—not over 3.6.....	20
6	Heading ¹	Small degree: 10 percent of fish carelessly cut.....	5
		Moderate degree: Over 10 percent of fish carelessly cut.....	15
7	Evisceration (overall assessment).	Small degree: Slight evidence of viscera.....	2
		Moderate degree: Moderate amounts of spawn, viscera, etc.....	10
		Large degree: Large amounts of viscera, spawn, etc.....	30
8	Scaling ¹	Small degree: 10 percent of fish not well scaled.....	2
		Large degree: Over 10 percent of fish not well scaled.....	5
9	Color of the exposed surfaces (overall assessment).	Small degree: Minor darkening, dulling.....	2
		Large degree: Objectionably dark, brown, dull.....	5
10	Bruises and split or broken skin.	Presence of bruises and/or broken or split skin per pound:	
		Over 0—not over 0.5.....	1
		Over 0.5—not over 1.0.....	2
		Over 1.0—not over 1.5.....	4
		Over 1.5—not over 2.0.....	7
		Over 2.0.....	10

TABLE 1.—SCHEDULE OF POINT DEDUCTIONS PER SAMPLE—Continued
FROZEN STATE (LOT INSPECTION ONLY)

COOKED STATE			
	Factors scored	Method of determining score	Deduct
11	Texture: (overall assessment)	Small degree: Moderately dry, tough, mushy, rubbery, watery, stringy. Large degree: Excessively dry, tough, mushy, rubbery, watery, stringy.	5 15

0 percent of fish refers to 10 percent by count rounded to nearest whole fish.

nts deducted is subtracted from 100 to obtain the score. The maximum score is 100; the minimum score is 0.

(b) *Factors not rated by score points.* The factor of "flavor and odor" is evaluated organoleptically by smelling and tasting after the product has been cooked in accordance with § 278.21.

(1) Good flavor and odor (essential requirements for a U.S. Grade A product) means that the cooked product has the typical flavor and odor of the species and is free from rancidity, bitterness, staleness, and off-flavors and off-odors of any kind.

(2) Reasonably good flavor and odor (minimum requirements of a U.S. Grade B product) means that the cooked product is lacking in good flavor and odor, but is free from objectionable off-flavors and off-odors of any kind.

271.21 Definitions and methods of analysis.

(a) *Selection of the sample unit.* The sample unit consists of the primary container and its entire contents. The uniting are examined according to Table 1.

Definitions of factors for point deductions are as follows:

(b) *Examination of sample, frozen state.* When this product is examined under Continuous USDI Inspection, the samples are examined for factors 1, 2, and 3 in Table 1 in the thawed state. When the product is lot inspected, the samples are examined for factors 1, 2, and 3 in Table 1 in the frozen state.

(1) *"Arrangement of product"* refers to the packing of the product in a symmetrical manner, bellies or backs all lying in the same direction, fish neatly retailed.

(2) *"Condition of the packaging material"* refers to the condition of the card-

board or other packaging material of the primary container. If the fish is allowed to stand after packing and prior to freezing, moisture from the fish will soak into the packaging material and cause deterioration of that material.

(3) *"Dehydration"* refers to the presence of dehydrated (water-removed) tissue on the exposed surfaces of the whitening. Slight dehydration is surface dehydration which is not color-masking. Deep dehydration is color-masking and cannot be removed by scraping with a fingernail.

(c) *Examination of sample, thawed state.* Thawed state means the state of the product after being thawed. Thawing the sample is best accomplished by enclosing the sample in a film type bag and immersing in an agitated water bath held at 68° F., ±2° F. Allow the product to remain immersed until thawed. Alternatively when the facilities are lacking for water thawing, the sample may be thawed by slacking it out at a temperature between 30° to 40° F. on an aluminum tray from 2 hours for a 1½-pound sample to 8 hours for a 10-pound sample.

(1) *"Minimum size"* refers to the size of the individual fish in the sample. Fish 2 ounces or over are considered acceptable. Smaller fish cannot be cooked uniformly with acceptable size fish. Separate the fish of unacceptable size, divide their number by the weight of the sample in pounds, and apply to Table 1. Example—four fish of unacceptable size in a 5-pound package is $\frac{4}{5} = 0.8$, a 10 point deduction.

(2) *"Uniformity."* From the fish remaining, select by count 10 percent (minimum of one fish) of the largest and 10 percent (minimum of one fish) of the smallest and divide the largest

weight by the smallest weight to get a weight ratio.

(3) *"Heading"* refers to the condition of the fish after they have been headed. The fish should be cleanly headed behind the gills and pectoral fins. No gills, gill bones, or pectoral fins should remain after the fish have been headed.

(4) *"Evisceration"* refers to the cleaning of the belly cavities of the fish. All spawn, viscera, and belly strings should be removed.

(5) *"Scaling"* refers to the satisfactory removal of scales from the fish.

(6) *"Color of the cut surfaces"* refers to the color of the cut surfaces of the fish after heading and other processing.

(7) *"Bruises and broken or split skin"* refers to bruises over one-half square inch in area and splits or breaks in the skin more than one-half inch in length which are not part of the processing.

(d) *Examination of sample, cooked state.* Cooked state means the state of the sample after being cooked. Cooking the sample is best accomplished by inserting the sample into a film type bag and submerging it into boiling water for from 18-20 minutes. A minimum of three fish per sample unit shall be cooked.

(1) *"Texture defects"* refers to the absence of normal textural properties of the cooked fish flesh, which are tenderness, firmness, and moistness without excess water. Texture defects are dryness, softness, toughness, and rubberiness.

(e) *General definitions.*

(1) *Small* (overall assessment) refers to a condition that is noticeable but is only slightly objectionable.

(2) *Moderate* (overall assessment) refers to a condition that is distinctly noticeable but is not seriously objectionable.

(3) *Large* (overall assessment) refers to a condition which is both distinctly noticeable and seriously objectionable.

§ 271.25 Tolerances for certification of officially drawn samples.

The sample rate and grades of specific lots shall be certified in accordance with Part 260 of this chapter (Regulations Governing Processed Fishery Products).

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FEDERAL SUBSIDIES FOR CONSTRUCTION OF NEW TUNA VESSELS APPROVED:

An appeal by the American Tuna Boat Association, San Diego, Calif., to prevent the addition of 5 new tuna vessels to the United States fishing fleet has been denied, the U. S. Department of the Interior's Bureau of Commercial Fisheries announced May 18, 1966. The Association sought to reverse a hearing examiner's decision that Federal subsidies should be granted to permit building the vessels in United States shipyards. It argued that enlargement of the tuna fleet would create economic hardship among other owners now operating profitably.

The subsidies are authorized by the United States Fishing Fleet Improvement Act, which is administered by the Bureau, said Donald L. McKernan, Bureau Director. Under certain conditions the Act permits paying the difference between building a vessel in United States shipyards and in less expensive foreign shipyards, with a maximum subsidy of 50 percent of the cost of having the vessel built in an American shipyard. United States fishermen are required by law to have their vessels constructed in this country.

The amount of the subsidies will be determined after the United States Maritime

Commission approves specifications, studies bids for construction, and estimates the cost of building the vessels in foreign countries.

The decision signed by Clarence F. Pautzke, Deputy Assistant Secretary for Fish and Wildlife and Parks, upheld initial decisions made by a Hearing Examiner following extensive hearings late in 1965.

The Deputy Assistant Secretary's ruling, made after a hearing in La Jolla, Calif., granted construction subsidies to 5 San Diego firms.

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NEW FISHERY ATTACHÉS APPOINTED TO TOKYO AND COPENHAGEN POSTS:

The appointment of new fishery attachés in United States Embassies in Tokyo and Copenhagen was announced May 9, 1966, by Secretary of the Interior Stewart L. Udall. They will begin their two-year tours of duty about June 1.

Clinton E. Atkinson takes over from Arnie J. Suomela in Tokyo, and Arthur M. Sandberg replaces Andrew W. Anderson in Copenhagen. Suomela and Anderson, both long-time fishery administrators, have served at their posts five years and are returning to the United States to retire.

The fisheries attaché program is operated by the Department of State in cooperation with the Department of the Interior. Persons named under this program are appointed Foreign Service Reserve Officers of the State Department.

A fishery attaché gathers information to keep the United States Government and the fishing industry abreast of fishing operations, advances in technology and processing, and market conditions in foreign nations. He seeks to develop foreign markets for American fishery products and to locate supplies to meet the demands of the American public. He interprets the United States position to foreign nations and works to resolve international fishing problems.

Atkinson has been a scientist with Interior's Bureau of Commercial Fisheries for 28 years, specializing in fisheries research, administration, and international fisheries commissions. He has made many trips to Japan, has a working knowledge of the lan-

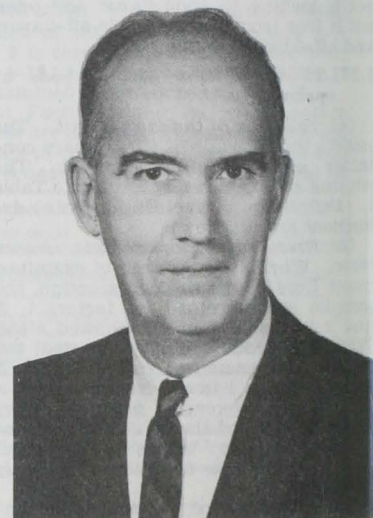


Clinton E. Atkinson

guage, and is widely known in Japanese fishing circles. He has first-hand understanding of fishing's importance in the Japanese economy--and of the fact that United States and Japanese fishing industries have many close ties through trade and common conservation interests.

Atkinson was graduated in 1937 from the University of Washington, College of Fisheries. He now is a candidate for a Doctor of Philosophy degree at the University of Hokkaido in Japan.

Sandberg, in assuming the Copenhagen post, will be concerned with the fisheries of 22 European nations. He joined Federal Government service in 1941 after 10 years in the fishing industry. He has worked with the Bureau of Commercial Fisheries for 25 years, most recently as an international trade specialist and chief of the



Arthur M. Sandberg

Branch of Foreign Trade and Economic Services. A major part of his work was to follow United States foreign policy as it relates to international trade agreements.

In 1946, Sandberg served in the secretariat of the International Whaling Conference. In 1948, he planned and conducted a survey of Western Europe as a market for, and competitor to, United States fishery products. He has worked closely with the Interdepartmental Trade Agreements Committee and has participated in international trade negotiations and conferences. Sandberg attended business college in Duluth, Minn., where he specialized in accounting, and was graduated in 1939.

BUREAU OF COMMERCIAL FISHERIES AND
BUREAU OF SPORT FISHERIES AND WILDLIFE

**REGULATIONS PROPOSED TO START
A NEW ANADROMOUS FISHERIES PROGRAM:**

Proposed regulations to govern a new Federal program to conserve and develop the Nation's anadromous fishery resources were announced by the U. S. Department of the Interior on June 10, 1966. Anadromous fish, such as striped bass, salmon, and shad, live in the ocean and return to fresh water to spawn.

The Anadromous Fish Act (P. L. 89-304), passed in October 1965, provides funds for States and other non-Federal interests to finance up to 50 percent of the cost of projects such as stream improvement and construction of fishways, spawning channels, hatcheries, and research. The Act authorizes appropriation of \$25 million through June 30, 1970.

Thirty-one States having anadromous fishery resources, including Coastal States and those bordering the Great Lakes, are eligible for funds under the new program. The regulations spell out requirements for loan eligi-

bility and specify that all research must be coordinated to avoid costly duplication.

Stanley A. Cain, Assistant Secretary for Fish and Wildlife and Parks, said the Anadromous Fish Act will be administered jointly by Interior's Bureau of Commercial Fisheries and Bureau of Sport Fisheries and Wildlife. He said cooperative administration is desirable because the legislation concerns both commercial and sport fishermen.

Funds to launch the program have been authorized by Congress. For Fiscal Year 1967, which began July 1, 1966, the Bureau of Commercial Fisheries and the Bureau of Sport Fisheries and Wildlife each will have \$2.5 million for loans among the 31 eligible states. A ceiling of \$1 million has been placed on the amount that can be granted in any one year to a single state.

Interested persons were given the opportunity to submit written comments, suggestions, or objections on the proposed regulations.

A notice of Proposed Rule Making as published in the Federal Register of June 9, 1966, follows:

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

[50 CFR Part 401]

ANADROMOUS FISHERIES CONSERVATION, DEVELOPMENT AND ENHANCEMENT

Notice of Proposed Rule Making

Notice is hereby given that pursuant to the authority vested in the Secretary of the Interior by the Anadromous Fish Act of 1965 (P.L. 89-304), it is proposed to adopt 50 CFR Part 401 as set forth below. The purpose of these regulations is to set forth procedures to be used by the Secretary in providing financial and other assistance, through cooperative agreements, to State agencies and other non-Federal interests in the conservation, development and enhancement of the commercial and sport anadromous fisheries resources of the Nation and fishes of the Great Lakes which ascend streams to spawn.

On February 14, 1966, a letter and a copy of the proposed regulations were sent concerned State Fishery agencies for their review. Also, on February 14, a letter signed by the Secretary of the Interior was sent the Governor of each State, with a copy of the Anadromous Fish Act, informing them of meetings scheduled as follows for discussion of the proposed regulations:

Boston, Mass.	Feb. 18
St. Petersburg Beach, Fla.	Feb. 24
Ann Arbor, Mich.	Mar. 8
Portland, Ore.	Mar. 10

In addition, on February 15 a news release was given wide distribution which, among other things, invited non-Federal interests other than the State fishery agencies to attend the four meetings.

These meetings were held as scheduled and were attended by representatives of 20 of the 31 eligible States. Six non-Federal interests other than the States were also present. Reaction to the proposed regulations was very favorable and only minor revisions resulted.

Program objectives, goals and priorities, together with determination to be made of the distribution of funds to eligible grantees require further attention within the U.S. Fish and Wildlife Service.

Interested persons may submit written comments, suggestions, or objections with respect to the proposed regulations to the Director, Bureau of Commercial Fisheries or the Director, Bureau of Sport Fisheries and Wildlife, Department of the Interior, Washington, D.C., 20240, within 30 days after the date of publication of this notice in the FEDERAL REGISTER.

- Sec.
- 401.1 Definitions.
- 401.2 Submission of applications.
- 401.3 Prosecution of work.
- 401.4 General information for the Secretary.
- 401.5 Availability of funds.
- 401.6 Payments to cooperators.
- 401.7 Forms of vouchers.
- 401.8 Property as matching funds.
- 401.9 Economy and efficiency of operations.
- 401.10 Ownership of property.
- 401.11 Personnel.
- 401.12 Inspection.

- 401.13 Records retention.
- 401.14 Reporting.
- 401.15 Safety and accident prevention.
- 401.16 Contracts.
- 401.17 Statements and payroll.
- 401.18 Officials not to benefit.
- 401.19 Patents and inventions.
- 401.20 Convict labor.
- 401.21 Civil rights.

AUTHORITY: The provisions of this Part 401 issued under P.L. 89-304.

§ 401.1 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 representatives.

(b) *Act.* Public Law 89-304, the Anadromous Fish Act of 1965.

(c) *State.* Any State of the United States which has had or now contains anadromous fish and the States bordering the Great Lakes.

(d) *State fishery agency.* Any department(s), division(s), commission(s), or official(s) of a State empowered under its laws to administer the commercial or sport fishery.

(e) *Non-Federal interest.* Any organization, association, institution, business, school, individual or group of individuals, municipality and others outside the Federal Government in addition to State fishery agencies who desire to cooperate within the terms of the Act.

(f) *Cooperator.* A State fishery agency or other non-Federal interest participating in a cooperative agreement with the Secretary.

(g) *Anadromous fish.* Aquatic, gill breathing, vertebrate animals bearing paired fins which migrate to and spawn

in fresh water, but which spend part of their life in salt water; also, fish which spend part of their life in the Great Lakes and spawn in streams tributary to the Great Lakes.

(h) *Cooperative agreement.* (1) The documentation describing conservation, development, and enhancement activities to be carried on as provided by the Act. Such agreements shall set forth the responsibilities of the cooperators and the Secretary, the anticipated benefits of the undertaking, the estimated cost to each cooperator, the term of the agreement, disposition of real or personal properties, and such other information as is appropriate.

(2) Cooperative agreements constitute the basis for projects and shall conform to the documentation requirements prescribed by the Secretary.

(i) *Project.* Any undertaking involving the conservation, enhancement and development of anadromous fish. A project is established upon execution of a cooperative agreement.

§ 401.2 Submission of applications.

Proposed cooperative agreements shall be submitted to the concerned Regional or Area Office.

§ 401.3 Prosecution of work.

(a) The cooperator shall carry projects through to a stage of completion acceptable to the Secretary with reasonable promptness. Failure to render satisfactory progress reports or failure to complete the project to the satisfaction of the Secretary shall be cause for the Secretary to withhold further payments until the project provisions are satisfactorily met. 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.

(b) Research and/or development work shall be continuously coordinated by the cooperator with studies conducted by others to avoid unnecessary duplication.

(c) All work shall be performed in accordance with applicable State laws, except when in conflict with Federal laws or regulations, in which case Federal laws or regulations shall prevail.

§ 401.4 General information for the Secretary.

Before any Federal funds may be obligated for any project the cooperator shall furnish to the Secretary upon his request, information regarding the laws affecting anadromous fish and the authority of a cooperator to participate in the benefits of the Act.

(a) *Document signature.* Individuals authorized to sign project documents under the Commercial Fisheries Research and Development Act or the Federal Aid in Fish Restoration Act may likewise sign cooperative agreements under this Act.

(b) *Program information.* The Secretary may, from time to time, request, and the cooperators shall furnish, information relating to the administration and maintenance of any project established under the Act.

§ 401.5 Availability of funds.

Language appearing in Appropriation Acts providing funds for this program will govern the period during which the funds may be obligated.

§ 401.6 Payments to cooperators.

Payments shall be made to cooperators as work described in cooperative agreements progresses and is completed.

§ 401.7 Forms 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 cooperator.

§ 401.8 Property as matching funds.

The non-Federal share of the cost of projects may be in the form of real or personal property. To establish the value of such property the cooperator shall furnish such market value appraisal information as the Secretary may require prior to execution of a cooperative agreement.

§ 401.9 Economy and efficiency of operations.

No cooperative agreement shall be executed until the cooperator 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.

§ 401.10 Ownership of property.

When real property is acquired pursuant to the provisions of the Act, title to such property or interest therein shall be vested in the United States, and the conveying instrument shall recite the United States of America as the grantee. However, if the Secretary determines that under the terms of the cooperative agreement, the intent and purpose of the Act may be better served by State ownership of such property, an appropriate transfer may be made. When real or personal property is utilized by the State as matching funds, title to such property shall remain in the State. When real or personal property is utilized as matching funds by a cooperator other than the State, title shall be in the State unless otherwise specified in the cooperative agreement.

§ 401.11 Personnel.

The cooperator shall maintain an adequate and competent force of employees to initiate and carry cooperative agreements to satisfactory completion. Personnel employed on projects 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.

§ 401.12 Inspection.

Supervision of each project shall be as specified in the cooperative agreement and shall include adequate and continuous inspection. The project will be subject at all times to Federal inspection.

§ 401.13 Records retention.

All records of accounts and reports, with supporting documentation thereto, will be retained by the cooperator for a period of three years after final audit is made by the Federal Government.

§ 401.14 Reporting.

Progress and final reports shall be submitted to the Secretary by the cooperator in accordance with reporting requirements prescribed by the Secretary. Reports should be in the form of publications whenever appropriate. Progress and final reports will be placed in permanent depository for future reference.

§ 401.15 Safety and accident prevention.

In the performance of each project, the cooperator shall comply with all applicable Federal, State and local laws governing safety, health and sanitation. The cooperator shall be responsible for ascertaining that all safeguards, safety devices and protective equipment are provided. The cooperator will take any other needed actions reasonably necessary to protect the life and health of employees on the job, the safety of the public, and the protection of property used in connection with the performance of the work covered by plans, specifications, and estimates relating to the project.

§ 401.16 Contracts.

Supply, service, equipment and construction contracts, other than research and development contracts and contracts for professional services, involving an expenditure of \$2,500 or more entered into by a cooperator 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 cooperator shall certify and promptly furnish to the Secretary a copy of each contract executed and copies of all bids received concerning the contract. Contracts for research, development and professional services may be negotiated, provided that the Secretary is satisfied that adequate steps are taken to insure economical and efficient services and the impartial selection of contractors.

§ 401.17 Statements and payrolls.

The regulations of the Secretary of Labor applicable to contractors and subcontractors (29 CFR Part 3), made pursuant to the Copeland Act, as amended (40 U.S.C. 276c), and to aid in the enforcement of the Anti-Kickback Act (18 U.S.C. 874) are made a part of the regulations in this part by reference. The cooperator will comply with the regulations in this part and any amendments or modifications thereof and the cooperator's prime contractor will be responsible for the submission of statements required of subcontractors thereunder. The foregoing shall apply except as the Secretary of Labor may specifically provide for reasonable limitation, variations, tolerances, and exemptions.

§ 401.18 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.

§ 401.19 Patents and inventions.

Determination of the patent rights in any inventions or discoveries resulting from work under cooperative agreements entered into pursuant to the Act shall be governed by the Statement of Government Patent Policy promulgated by the President in his memorandum of October 10, 1963 (3 CFR, 1963 Supp., p. 238, 28 F.R. 10943).

§ 401.20 Convict labor.

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

§ 401.21 Civil rights.

Each cooperative agreement shall contain a statement of assurance executed by the cooperator providing that the project will be carried out in accordance with Title VI, Nondiscrimination in Federally Assisted Programs, of the Civil Rights Act of 1964 and with the Secretary's regulations promulgated thereunder.

STEWART L. UDALL,
Secretary of the Interior.



**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 FISHERY RESOURCES SURVEY:

Survey of Fishery Resources: Hearing before the Subcommittee on Merchant Marine and Fisheries of the Committee on Commerce, United States Senate, 89th Congress, 2nd session, on S. J. Res. 29, a joint resolution to authorize and direct 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, April 19, 1966, Serial No. 89-50, 37 pp., printed. Contents include comments, statements and letters of various agencies, Federal and State officials.

Senate Committee on Commerce, May 17, 1966, in executive session, ordered favorably reported, with amendment, S. J. Res. 29.

Senate June 2, 1966, reported (S. Rept. 1202), with amendments, S. J. Res. 29.

Senate June 7, 1966, passed, with committee amendments, S. J. Res. 29. The title was amended so as to read: "Joint resolution to authorize and direct the Secretary of the Interior to conduct a survey of coastal and

fresh-water commercial fishery resources of the United States, its territories, and possessions." The text of S. J. Res. 29 as passed, is printed in Congressional Record, June 7, 1966 (pp. 11850-11851), together with an excerpt from the committee report (No. 1202) explaining the purpose of the resolution.

Senate-passed bill, S. J. Res. 29, June 8, 1966, was referred to House Committee on Merchant Marine and Fisheries.

Sen. Tower spoke in the Senate (Congressional Record, June 8, 1966, p. 12047), commending the Committee on Commerce for reporting S. J. Res. 29. He stated that it is hoped that this legislation which passed June 7, 1966, will enable the Bureau of Commercial Fisheries to produce a report which will better enable our domestic fishermen to take advantage of our enormous marine resources.

COMMODITY PACKAGING AND LABELING: Senate Committee on Commerce, May 13, 1966, in executive session, ordered favorably reported (in nature of a substitute bill) S. 985, proposed Fair Packaging and Labeling Act of 1966.

H. R. 15102 (Love) introduced in House May 17, 1966, to Committee on Interstate and Foreign Commerce.

S. Rept. 1186, Fair Packaging and Labeling Act (May 25, 1966, report from the Committee on Commerce, together with minority and individual views, U. S. Senate, 89th Congress, 2nd session, to accompany S. 985), 44 pp., printed. Committee reported bill favorably with amendment. Discusses purpose, background and need, regulatory framework, mandatory provisions, discretionary sections, State-Federal relations, costs, agency comments, consumer interests, fair packaging and labeling, changes in existing law.

Senate May 26, 1966, reported during adjournment on May 25 under prior authorization (S. Rept. 1186) on S. 985, with amendment, and with minority and individual views.

At conclusion of early morning session June 6, 1966, S. 985 came down as Senate's unfinished business but was again temporarily put aside.

Senate June 8, 1966, continued its consideration of S. 985, taking the following actions on amendments offered to committee amendment (in nature of a substitute for the bill):

Adopted: Lausche amendment providing that definitions promulgated by Administrator of Pure Food and Drug Act, describing composition of certain consumer products, shall be controlling upon the administrator of the program embodied in the bill; and Monroney amendment providing that no regulation adopted under this legislation shall preclude the orderly disposal of packages in inventory or with the trade as of the effective date of the regulation; and

Rejected: (motion to reconsider tabled) Cotton amendment to eliminate language in the bill to establish procedures for the development of standards of weights or quantities for the retail distribution of consumer commodities.

Offered but as yet unacted on was Morton amendment providing that the owner of a brand, name, or trademark shall be deemed to retain his property rights therein,

and in the trade and public good will symbolized thereby, regardless of any sale or transfer of the goods to which such brand, name or trademark related.

Senate June 9, 1966, passed with amendment S. 985.

ESTUARINE INVESTIGATIONS: Sen. Tydings inserted in Congressional Record, June 1, 1966 (pp. 11397-11398), an article written by Eric Wentworth, which appeared in the May 1, 1966, edition of the Washington Post, stressing the danger of pollution in our Nation's estuaries. The article stated that Sen. Tyding's bill, S. 3240, calling on the Interior Department to make a 3-year, \$3 million comprehensive study of estuaries and their problem, is a concrete step that would focus attention on estuaries as a special problem. The article stressed the importance of our Nation's estuaries as areas for recreation as well as important sources of food and a livelihood for many people, and urged that ways be found of stopping the further pollution of these areas.

The Subcommittee on Fish and Wildlife Conservation of the House Committee on Merchant Marine and Fisheries will hold hearing June 16, 1966, on H. R. 13447, to authorize the Secretary of the Interior in cooperation with the States to preserve, protect, develop, restore, and make accessible estuarine areas of the Nation which are valuable for sport and commercial fishing, wildlife conservation, recreation and scenic beauty.

FISH AND WILDLIFE COORDINATION ACT AMENDMENTS: Subcommittee on Fish and Wildlife of House Committee on Merchant Marine and Fisheries May 13, 1966, continued hearings 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 Dr. Stanley A. Cain, Assistant Secretary, Fish and Wildlife and Parks, Department of the Interior.

FISHERIES: Sen. Bartlett inserted in Congressional Record, June 9, 1966 (pp. 12147-12148), an address given by DeWitt Gilbert, editor of Pacific Fisherman magazine and a member of the International Pacific Salmon Commission, before the Chamber of Commerce of Astoria, Oreg. Mr. Gilbert spoke of the great number of nations which have established 12-mile territorial fishing zones; of international agreements designed to protect fish resources against shortsighted overexploitation; and of the individual's resource responsibility.

FISHERMEN'S PROTECTIVE ACT AMENDMENT: H.R. 15362 (Van Deerlin) introduced in House May 31, 1966, to amend the act of August 27, 1954, relating to the seizure of vessels of the United States by foreign countries; to Committee on Merchant Marine and Fisheries.

FISHERY CONSERVATION: Sen. Magnuson inserted in Congressional Record, June 1, 1966 (pp. 11451-11452), the text of an editorial which appeared in an issue of the British fishery trade journal, Fishing News International titled "Peru, Fish Meal and the End of An Era."

FISHERY JURISDICTION: Sen. Magnuson spoke in the Senate (Congressional Record, May 19, 1966, pp. 10501-10506), of his overall concern for the conservation of world fishery resources. He inserted in the Record an editorial from an issue of the British fishery trade publication Fishing News International, titled "Fishing Limits and the Roaming Fisherman." The editorial compared some of the problems of the Pacific Coast of the United States with those of South Africa. In summation, Senator Magnuson stated that the United States must take world leadership in assembling the coastal and fishing nations to determine the proper conservation regime.

FISHING LIMIT OF 12 MILES: Introduced in House H.R. 15030 (St. Germain) May 12, and H.R. 15191 (Rogers) May 23, 1966, to establish a contiguous fisheries zone beyond the territorial sea of the United States; to Committee on Merchant Marine and Fisheries. Rep. St. Germain in extension of his remarks (Congressional Record, May 12, 1966, p. 10016), stated this legislation will serve to protect our fishermen from foreign fishermen operating in our coastal waters; enhance our fishermen to extend their operations and further develop the fishing industry as a whole; and, enable us to exercise conservative measures in the highly productive coastal waters.

The Subcommittee on Merchant Marine and Fisheries of Senate Committee on Commerce held hearings May 18, 1966, on S. 2218. Having as witnesses Clarence Pautzke, Deputy Assistant Secretary of the Interior for Fish and Wildlife and Parks, and others.

Subcommittee on Fisheries and Wildlife Conservation of House Committee on Merchant Marine and Fisheries held hearings May 24 and 25 on H.R. 9531 and H.R. 14961.

Subcommittee on Merchant Marine and Fisheries of Senate Committee on Commerce May 20, 1966, continued its hearings on S. 2218. Testimony was heard from public witnesses, and the hearings were recessed subject to call.

Rep. Rogers spoke in the House (Congressional Record, May 23, 1966, p. 10589) and stated that estimates of the Department of the Interior show that with more emphasis and incentives the American fishing industry could take 5 to 6 times more fish than are presently being taken by U.S. fishermen, who have slipped to the point of catching less than half of the U.S. catch of 20 years ago. He further stated that of this increase, 65 percent could come from fish taken 12 miles off the U.S. shoreline and if American fishermen do not take them foreign interests will. Stated our national interests demand that legislation be enacted to extend the U.S. limits to 12 miles.

Subcommittee on Fisheries and Wildlife Conservation of House Committee on Merchant Marine and Fisheries held a hearing on H.R. 9531, and related bills, H.R. 9530, and H.R. 14961. Among others testimony was heard from Frank J. Barry, Solicitor, Department of the Interior. Hearings were continued on June 1. Testimony was heard from witnesses of the Department of the Interior.

Senate Committee on Commerce, June 7, 1966, in executive session, ordered favorably reported with amendments S. 2218.

FISH PROTEIN CONCENTRATE PLANTS: Senate received May 12, 1966, a joint resolution of the Legislature of the State of California memorializing the Congress to enact legislation at the earliest possible date to authorize construction of experimental fish protein concentrate plants.

Senate Committee on Commerce held hearings May 11, 1966, on S. 2720, to authorize development of a practical means for production of fish protein concentrate. Hearings continued.

H.R. 15099 (Hathaway) introduced in House May 17, 1966, to Committee on Merchant Marine and Fisheries.

Sen. Bartlett inserted in Congressional Record, June 1, 1966 (pp. 11394-11397), a speech given by Sen. Magnuson on Apr. 25, in Aberdeen, Wash., at hearings conducted on S. 2720.

FOREIGN FISHING OFF U. S. COAST: Sen. Magnuson spoke in the Senate (Congressional Record, May 16, 1966, pp. 10166-10169) and stated there is growing concern over the threat to national security posed by Soviet fishing fleets off our coasts and inserted in the Record the text of a number of telegrams he received from citizens of Washington expressing such concern. He planned to have Navy witnesses appear at hearings on S. 2218, a bill to establish a contiguous fishery zone beyond the territorial sea of the United States, so as to ascertain the correctness of quotations which appeared in the March 1966 Navy magazine which told of Soviet trawlers placing homing devices on our Continental Shelf seabed. He presented a program of 11 principles as a method of achievement toward national security and fishery protection.

Sen. Morse inserted in Congressional Record, May 11, 1966 (pp. 10169-10171), the text of a letter from the State Department dated May 9, in answer to his letter of Apr. 25, on the subject. Also inserted text of a letter from the subject from the Director, Bureau of Commercial Fisheries, dated May 2, 1966, in reply to his letter of Apr. 25.

Rep. Rogers spoke in the Senate (Congressional Record, May 18, 1966 (pp. 10377-10378), and expressed his concern about Russian oceanographic vessels operating in waters near the coast of Florida. He urged the Defense Department to give higher priority to this Nation's efforts to win the "wet space race."

Sen. Magnuson spoke in the Senate (Congressional Record, May 19, 1966, p. 10509), concerning statements made on the Senate floor on the danger of "homing devices" which a Navy magazine article charged were used by the U.S. Navy on our Continental Shelf which according to the author were placed there by the Soviet trawler fleet. He inserted the text of a resolution he received from the King County Television Service Association, Inc., expressing deep concern as to the potential dangers of such devices.

Rep. Keith in extension of his remarks inserted in Congressional Record, May 25, 1966 (p. A2838), an article from the May 21, 1966, edition of the Boston Herald titled "United States to Seek An End To Red Overfishing" by Paul Giguere.

Sen. Magnuson inserted in Congressional Record, May 27, 1966 (pp. 11212-11215), an affidavit concerning the taking of salmon by foreign fishing vessels off the Washington and Oregon coasts. He stated that the U. S.

should declare an immediate conservation moratorium on foreign fishing on the stocks of salmon and Pacific hake until such time as the conservation requirements of those stocks can be determined.

Senate June 6, 1966, received a joint resolution from the Legislature of the State of California memorializing Congress to take the necessary action to ensure adequate protection to the marine resources of California, to step up the program to monitor the activities of Soviet vessels off the Pacific Coast, and to keep the State fully informed of such activities. The resolution was referred to Committee on Commerce.

Sen. Jackson inserted in Congressional Record, June 1, 1966 (pp. 11461-11463), an article from the May 28, 1966, issue of the Everett Herald titled "Russ Roulette: Fishing at Stake" by Alan Dawson, Jr. and an article from the May 1966 issue of the Pacific Fisherman titled "Big Soviet Bottomfish Fleet Fishes Off Coast of Washington and Oregon."

FUR SEAL CONSERVATION AND PRIBILOF ISLANDS ADMINISTRATION: The Senate Committee on Commerce, May 17, 1966, in executive session, ordered reported favorably with an amendment in the nature of a substitute, S. 2102, a bill to protect and conserve the North Pacific fur seals, and to administer the Pribilof Islands for the conservation of fur seals and other wildlife. On June 9, 1966, the Committee reported the bill S. Rept. 1235.

GREEK-TURKISH ECONOMIC REPORT--FISHERIES: Sen. Javits inserted in Congressional Record, June 1, 1966 (pp. 11373-11376), a report he submitted to the Special Committee on Less Developed NATO Countries on May 12, 1966, concerning status of the project for Greek-Turkish economic cooperation. Fisheries was one of the projects listed in the report.

INTERIOR APPROPRIATIONS FY 1967: Senate May 12, 1966, passed (motion to reconsider tabled) H.R. 14215, fiscal 1967 appropriations for the Department of the Interior and related agencies, after adopting committee amendments en bloc which were then considered as original text for purpose of further amendment; and a technical perfecting amendment by Senator Bible respecting fisheries conservation. Senate insisted on its amendments, asked for conference with House, and appointed conferees.

House May 16, 1966, disagreed to Senate amendments to H.R. 14215, agreed to a conference with the Senate, and appointed conferees.

The Committee on Conference filed a conference report on H.R. 14215 (H. Rept. 1538). Text of the report is printed in Congressional Record, May 17, 1966 (pp. 10314-10316), together with a statement by the managers on the part of the House. The Committee on Conference's recommendations on the Senate amendments which pertain to the Bureau of Commercial Fisheries:

Amendment No. 18. Appropriates \$20,701,000 for management and investigations of resources instead of \$20,312,000 as proposed by the House and \$21,076,000 as proposed by the Senate. The increase over the House bill includes: \$90,000 for tail water research and expansion of biological investigation, disappearance of migrating fish, upper reaches of the Columbia River Basin; and \$50,000 for expanded development of the Pacific Hake Fishery program.

Amendment No. 19. Appropriates \$2,675,000 for Anadromous and Great Lakes fisheries conservation as proposed by the Senate, and deletes language "To remain available until expended."

House May 18, 1966, adopted the conference report on H. R. 14215. A summary tabulation of the action taken on the various items in the bill was inserted in the Record (p. 10379).

Senate May 19, 1966, adopted the conference report on H. R. 14215, thus clearing the bill for the President's signature. A tabulation was inserted in the Record setting out the appropriation for the current year, the budget estimate, the House allowance, the Senate allowance and the conference allowance for each appropriation in the bill.

H. Rept. 1538, Department of the Interior and Related Agencies Appropriations, 1967 (May 17, 1966, reported from the Committee of Conference, U. S. House of Representatives, 89th Congress, 2nd session, to accompany H. R. 14215), 11 pp., printed. Committee recommended that the Senate recede from certain amendments and that the House recede from its disagreements to other amendments of the Senate. Some of the amendments concerned funds of the two Bureaus of the Fish and Wildlife Service: Commercial Fisheries and Sport Fisheries and Wildlife.

S. Rept. 1154, Interior Department and Related Agencies Appropriation Bill, 1967 (May 10, 1966, report from the Committee on Appropriations, U. S. Senate, 89th Congress, 2nd session, to accompany H. R. 14215), 50 pp., printed. Committee submitted report in expla-

Fish and Wildlife Service Appropriations for Fiscal Year 1967: Budget Estimate, the House Allowance, the Senate Allowance, and the Conference Allowance.					
Item	Approp. FY 1966	Budget Est. 1967	House Allow.	Senate Allow.	Conf. Allow.
FISH AND WILDLIFE SERVICE					
OFFICE OF THE COMMISSIONER OF FISH AND WILDLIFE					
Salaries and expenses	452,500	-	-	-	-
BUREAU OF COMMERCIAL FISHERIES					
Mgt. and invest. of resources	27,072,800	20,092,000	20,312,000	21,076,000	20,701,000
Mgt. and invest. of resources (appropriation of receipts)	-	(1,000,000)	(1,000,000)	(1,000,000)	(1,000,000)
Mgt. and invest. of resources (spec. for. currency program)	300,000	200,000	500,000	500,000	500,000
Construction	1,980,000	495,000	1,245,000	1,245,000	1,245,100
Construction of fishing vessels	5,000,000	3,300,000	3,000,000	3,000,000	3,000,000
Fed. aid for commercial fisheries research and development	4,713,200	3,210,000	4,710,000	4,710,000	4,710,000
Anadromous & Great Lakes Fisheries Conservation	-	-	-	2,675,000	2,675,000
Gen. administrative expenses	689,000	739,000	739,000	739,000	739,000
Administration of Pribilof Islands (indefinite appropriation of receipts)	(2,464,000)	(2,468,000)	(2,468,000)	(2,468,000)	(2,468,000)
Limitation on administrative expenses, fisheries loan fund	(309,000)	(309,000)	(309,000)	(309,000)	(309,000)
Total, Bureau of Commercial Fisheries	34,755,000	28,036,000	30,506,000	33,945,000	33,570,000
BUREAU OF SPORT FISHERIES AND WILDLIFE					
Mgt. & invest. of resources	36,792,300	37,304,000	37,164,000	39,161,400	38,145,800
Construction	18,299,200	3,169,000	5,130,000	8,341,600	7,118,600
Migratory bird conservation account	7,500,000	6,000,000	6,000,000	6,000,000	6,000,000
Appalachian region fish and wildlife restoration projects	-	1,350,000	1,000,000	500,000	500,000
Anadromous & Great Lakes Fisheries Conservation	-	-	-	2,675,000	2,675,000
Gen. administrative expenses	1,492,300	1,564,000	1,549,000	1,564,000	1,549,000
Total, Bureau of Sport Fisheries and Wildlife	64,083,800	49,387,000	50,843,000	58,242,000	55,988,400
Total, Fish and Wildlife Service	99,291,300	77,423,000	81,349,000	92,187,000	89,558,400

Department of the Interior and Related Agencies Appropriations for Fiscal Year 1967: Hearings before a Subcommittee of the Committee on Appropriations, United States Senate, Eighty-Ninth Congress, 2nd session on H. R. 14215, Part 1 (pages 1 through 1099) (Thurs., Feb. 17, 1966, through Mar. 3, 1966) and Part 2 (pages 1101 to end) (Friday, Mar. 4, 1966, through Wed., Mar. 16, 1966), 2288 pp., printed. Included are testimony, statements and exhibits relating to funds for the Fish and Wildlife Service, and its two Bureaus, Commercial Fisheries and Sport Fisheries and Wildlife.

nation of the bill (includes the U. S. Fish and Wildlife Service and its two Bureaus: Commercial Fisheries and Sport Fisheries and Wildlife) for fiscal year 1967.

On May 31, 1966, the President signed into law, H. R. 14215 (Public Law 89-435).

MINIMUM WAGE: House May 26, 1966, passed H. R. 13712, to amend the Fair Labor Standards Act of 1938 to extend its protection to additional employees, to raise the minimum wage, and for other purposes. House re-

acted an amendment offered by Rep. Downing (Congressional Record, May 26, 1966, pp. 11046-11094) which would exempt the shellfish industry from the provisions of the minimum wage law. He stated that application of the minimum wage to the shellfish industry in 1961 has forced the industry into a severe economic crisis. Many shellfish businesses have had to close down over the past 5 years because they were unable to pay the statutory costs; and serious unemployment has resulted throughout the industry because so many firms have been forced to lay off employees. Same day Rep. Lenneman spoke in the House in support of this amendment.

House passed-bill H. R. 13712, was referred May 19, 1966, to Senate Committee on Labor and Public Welfare.

Subcommittee on Labor of Senate Committee on Labor of Senate Committee on Labor and Public Welfare, June 8, 1966, met in executive session to consider H. R. 13712.

NATIONAL SEA GRANT COLLEGES AND PROGRAM ACT OF 1965: Introduced in House H. R. 15052 (Bates) and H. R. 15061 (O'Hara of Ill.) May 16; H. R. 15261 (Fascell) and H. R. 15290 (Grover) May 26, 1966, to amend the National Science Foundation 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 submerged lands of the Outer Continental Shelf by participants carrying out these programs, and for other purposes; to Committee on Science and Astronautics.

Special Subcommittee on Sea Grant College of Senate Committee on Labor and Public Welfare May 19, 1966, met in executive session to consider S. 2439, did not conclude action thereon, and recessed subject to call.

Rep. Fascell spoke in the House (Congressional Record, May 25, 1966, p. 10863) and stated that this bill complements the oceanography bill, S. 944, by providing the trained manpower required to tackle the practical problems before us in oceanography. It will support educational and research programs in the marine sciences; encourage and develop a viable transfer of information; facilitate use of submerged lands of the Outer Continental Shelf; and finally encourage and facilitate development of regional centers of excellence in the various fields of marine sciences. At one point Rep. Fascell stated that under the sea grant college bill, we will be more capable of coping with the problems confronting industry, especially fishing and shipping.

Special Subcommittee of House Committee on Labor and Public Welfare June 1, 1966, met in executive session, approved for full committee consideration with amendments S. 2439.

Sen. Bartlett spoke in the Senate (Congressional Record, June 9, 1966, p. 12139), endorsing S. 2439. He stated that this bill provides us with a meaningful system whereby the benefits of our learning can be transferred to the fishing and resource development industries.

NATIONAL WATER COMMISSION: Senate Committee on Interior and Insular Affairs May 16, 1966, began

hearings on S. 3107, establishing a National Water Commission to review national water resource problems, with testimony from Stewart L. Udall, Secretary of the Interior. Hearings continued May 17, 1966, recessed subject to call.

H. R. 15110 (Foley) introduced in House May 17, 1966, to Committee on Interior and Insular Affairs.

Committee on Interior and Insular Affairs June 8, 1966, reported (S. Rept. 1212), with amendments, S. 3107.

Senate June 9, 1966, passed, with amendments S. 3107.

OCEANOGRAPHIC AGENCY OR COUNCIL: Rep. Rogers spoke in the House (Congressional Record, May 19, 1966, p. 10560), and stated that a high level U. N. Commission has urged that the United Nations assert ownership over the high seas and sea floor as a means of independent income for the organization. He stated that the United States must assert its leadership to see that the question of title to the high seas is resolved in such a way as to protect our own sovereignty, and encourage the development of ocean exploration. He also stated that the conference report will be available shortly on S. 944, the proposed Marine Resource and Engineering Development Act, and that he is hopeful that once the bill is enacted, the Presidential Commission on Oceanography will begin an immediate examination on the legal aspects of ownership of materials gained from high sea and undersea exploration.

Committee on Conference May 24, 1966, reported the conference (H. Rept. 1548) on S. 944, the proposed Marine Resources and Engineering Development Act of 1966. The text of the report is printed in Congressional Record, May 24, 1966 (pp. 10728-10731). The Conference Committee in effect recommended a bill which contains a declaration of policy and objectives as contained in the House version of S. 944; which provides for a Cabinet-level Council with the Vice President as Chairman as contained in the Senate version except that the provisions of the Act concerning the Council shall expire 120 days after the submission of the report by the Commission; and which provides for a self-liquidating Commission on Marine Science, Engineering, and Resources. The Commission is to have 15 members with 4 additional advisory members appointed by the President from the Senate and House. The Commission is to report to the President via the Council, and to the Congress, not later than 18 months after its creation and shall cease to exist 30 days after submission of its report.

House May 26, 1966, adopted the conference report on S. 944.

H. Rept. 1548, Marine Resources and Engineering Development Act of 1966 (May 24, 1966, report from the Committee of Conference, House of Representatives, 89th Congress, 2nd session, to accompany S. 944), 9 pp., printed. Committee recommended that Senate recede from its disagreement to the amendment of the House and agree to same with an amendment. Discusses declaration of policy and objectives.

Senate June 2, 1966, adopted conference report on and cleared for President S. 944. Supporting remarks and statements from others inserted in Record.

Rep. Reinecke in extension of remarks (Congressional Record, June 6, 1966, pp. A3039-A3040) summarizing the provisions of S. 944, pointed out that enactment of

S. 944, would provide the national marine science program with a legislative base, a legislative commitment of policy and purpose, and a statutory body to plan, evaluate, and coordinate such a program.

OCEANOGRAPHY: Senate May 19, 1966, received a communication from the President of the United States, transmitting the National Oceanographic Program for fiscal year 1967 (with accompanying report); referred to Committee on Commerce.

Resolution was received in the Senate May 19, 1966, which was adopted by the 75th Continental Congress, National Society, Daughters of the American Revolution, Apr. 18-22, 1966. The resolution commended the Congress, industry and scientific institutions for the development in this field and encouraged even more concerted effort to train the scientists and technicians necessary for the expansion of an educational program of oceanography, marine mining, aqua culture and related fields; referred to Committee on Armed Services.

Sen. Magnuson inserted in Congressional Record, May 23, 1966 (pp. 10647-10648), an address given May 11 by Rear Adm. Odale D. Waters, Jr., Oceanographer of the Navy, before the Third Military Oceanography Symposium in San Diego, titled "Navy Oceanography--What and Why." In his address, Admiral Waters predicted tighter direction of spending, and greater orientation toward the production of practical results in the Government-supported oceanographic program, citing the importance of fisheries and ocean mining capabilities along with expansion of military capability.

In extension of his remarks Rep. Rogers inserted in Congressional Record, May 31, 1966 (pp. A2947-A2949), a speech delivered by Sec. of the Navy Hon. Paul H. Nitze, before the annual National Convention of the Navy League on May 27, 1966. Sec. Nitze's remarks concerned the future of oceanography.

OYSTER PLANTERS LOAN: H. R. 15389 (McGrath) introduced in House June 1, 1966, to extend the benefits of the Consolidated Farmers Home Administration Act to oyster planters; to Committee on Agriculture.

RESEARCH CONTRACTS: Introduced in House H. R. 15316 (Aspinall) May 26, and in the Senate, S. 3460 (Jackson) June 6, 1966, to authorize the Secretary of the Interior to enter into contracts for scientific and technological research, and for other purposes; to Committee on Interior and Insular Affairs.

SEA GRANT COLLEGES: Introduced in House, H. R. 15192 (Rogers of Fla.) May 23, H. R. 15471 (Lennon) June 6, and H. R. 15569 (Garmatz) June 8, 1966, to amend title II of the Merchant Marine Act, 1936, to authorize the establishment and operation of sea grant colleges and certain education, training, and research programs; to Committee on Merchant Marine and Fisheries.

Rep. Rogers inserted in Congressional Record, May 27, 1966 (pp. A2914-A2915), an editorial which appeared in the May 6, 1966, issue Palm Beach Post titled "Sea Grant Colleges." Among other things, the editorial covered the Florida Atlantic University's unique program of ocean engineering--the first undergraduate ocean engineering program in the free world.

Speaking in the House Rep. Garmatz pointed out in Congressional Record, June 8, 1966 (pp. 12013-12014),

that this legislation will encourage this Nation's scientific, industrial, and educational facilities to accelerate their involvement in marine technology. He stated that the United States and the Soviet Union are competing for mastery of the seas and that a program of sea grant colleges must be initiated to correct any imbalances in America's ranks of marine scientists and technicians.

The Subcommittee on Oceanography of House Committee on Merchant Marine and Fisheries held hearings June 17, 1966, on H. R. 15192, H. R. 15471, and H. R. 15569.

SUPPLEMENTAL APPROPRIATIONS FY 1966 (2nd): H. Rept. 1476, Second Supplemental Appropriation Bill, 1966 (May 5, 1966, report from the Committee of Conference, House of Representatives, 89th Congress, 2nd session, to accompany H. R. 14012), 6 pp., printed. Committee reported bill favorably with amendments.

On May 13, 1966, the President signed into law H. R. 14012 (P. L. 89-426).

TERRITORIAL SEA AND CONTIGUOUS ZONE CONVENTION: Subcommittee on Fisheries and Wildlife Conservation of House Committee on Merchant Marine and Fisheries have scheduled hearings for May 24 and 25 on H. R. 9530, to protect fishery and other resources by implementing the Convention on the Territorial Sea and the Contiguous Zone.

TERRITORIAL WATERS EXTENSION: H. R. 15278 (St. Germain) introduced in House May 25, 1966, to extend the area within which certain foreign vessels (and the masters thereof) are prohibited from fishing; and to make domestic conservation laws applicable to foreign vessels (and masters thereof) fishing above the Continental Shelf, to the same extent that such laws are applicable to U. S. vessels; to Committee on Merchant Marine and Fisheries. Rep. St. Germain spoke in the House (Congressional Record, May 25, 1966, pp. 10905-10906), and stated that in addition to the establishment of a 9-mile fisheries zone - extending from our 3-mile territorial sea - it is necessary that we establish a conservation zone contiguous to the 9-mile fisheries zone and extending over the Continental Shelf, or to a depth of 200 meters. Thus, all foreign fishermen operating in our coastal waters within the 100 fathom line will be subjected to the same conservation measures as are our own fishermen. This legislation will enable us to: first, effectively control fishing within our coastal waters; second, enhance rather than impair the efforts of our fishermen to expand their catch; third, take proper conservative action to insure that our future demands for fish are met; and fourth, will ultimately allow us to take our proper place in the world fish industry.

TRADE AGREEMENT: Sen. Douglas inserted in Congressional Record, June 6, 1966 (pp. 11770-11772), the text of a letter he received from Christian Herter, Special Representative of the President for Trade Negotiations, expressing the views of his office on the American selling price (ASP) system as it relates to the Kennedy Round of trade negotiations in Geneva.

TRADE EXPANSION ACT AMENDMENT (GATT): Rep. Curtis, member of the Congressional delegation, inserted in Congressional Record, May 31, 1966 (pp. 11280-11293), a report on the sixth Kennedy Round of Trade Negotiations under the General Agreement on Tariffs and Trade. The report reviews some of the ma-

problems of the present negotiations. He stated the problem of fisheries in international trade will be discussed in a second section to this report.

U. S. VESSELS FISHING OFF FOREIGN COASTS:

Kuchel spoke in the Senate (Congressional Record, May 24, 1966, pp. 10686-10687), and stated it would be made abundantly clear that the United States will not bar further assistance to nations which hinder operation of U. S. fishing vessels on the high seas.

Rep. Wilson inserted in Congressional Record, May 1966 (p. 10881), an editorial which appeared in the May 22, 1966, edition of the San Diego Union concerning fishing in foreign territorial waters.

H. R. 15378 (Wilson) introduced in House May 31, 1966, to amend the Foreign Assistance Act of 1961 to provide for a method of reimbursing owners of certain fishing vessels which are subjected to harassment by officials of countries of South and Central America; to Committee on Foreign Affairs.

VESSEL MEASUREMENT: House Committee on Merchant Marine and Fisheries June 7, 1966, reported (Rept. 1618) on S. 2142, to simplify the admeasurement of small vessels; without amendment; referred to Committee of the Whole House on the State of the Union.

WATER POLLUTION CONTROL: H. R. 15106 (Stallman) introduced in House May 17, 1966, to amend the Federal Water Pollution Control Act in order to improve the programs under such act; to Committee on Public Works.

In extension of his remarks Rep. King inserted in Congressional Record, June 1, 1966 (pp. A2962-A2963), recent editorial from the Salt Lake Tribune titled "How To Get Clean Water Program in Gear." The article outlines moves that have been taken since the responsibilities for water pollution control were shifted from HEW to the Interior Department.

WATER RESOURCE PROPOSALS--FEASIBILITY

INVESTIGATIONS: Subcommittee on Irrigation and Reclamation of House Committee on Interior and Insular Affairs May 19, 1966, met in executive session and considered H. R. 13419, to authorize the Secretary of the Interior to engage in feasibility investigations of water resource development proposals. No final action was taken.

Subcommittee on Irrigation and Reclamation of House Committee on Interior and Insular Affairs met May 31, 1966, in executive session and approved for committee action H. R. 13419 (amended).

House Committee on Interior and Insular Affairs May 8, 1966, met in open session and considered H. R. 13419. No final action was taken.

WORLD HUNGER ACT: (H. R. 14929, 14939, 14945). In these bills, which were introduced on May 9, 1966, it is to be noted that the definition of "agricultural commodity" reads: ". . . to include any product of an agricultural commodity. Subject to the availability of appropriations therefor, any domestically produced fishery product (not including fish concentrate until approved by the Food and Drug Administration) may be made available under this." In the old version of the bill, H. R. 12785, the term "agricultural commodity" was used only to include any product of an agricultural commodity.

House Committee on Agriculture May 18, 1966, met in executive session and ordered reported favorably to the House H. R. 14929 (amended).

Rep. Harvey inserted in Congressional Record, May 25, 1966 (pp. 10879-10880), an article from the Christian Science Monitor of May 25, 1966, titled "Strategy Strings Assailed in Food-For-Freedom Program."

House May 27, 1966, reported (H. Rept. 1558) with amendments H. R. 14929, the proposed Food-For-Freedom Act of 1966.

H. Rept. 1558, The Food-For-Freedom Act of 1966 (May 27, 1966), report from the Committee on Agriculture, House of Representatives, 89th Congress, 2nd session, to accompany H. R. 14929, 109 pp., printed. Committee reported bill favorably with amendments. Discusses purposes and major provisions of the bill.

House Committee on Rules June 2, 1966, reported H. J. Res. 878, a resolution providing for the consideration of 4 hours of debate on, and waiving points of order against H. R. 14929 (H. Rept. 1603).

House June 8, 1966, adopted H. Res. 878, a resolution providing for the consideration of H. R. 14929, the proposed Food-For-Freedom Act of 1966. During consideration of the bill, Rep. Cooley inserted in Congressional Record, June 8, 1966 (pp. 11976-11988), a brief summary and explanation of the bill. Rep. Rhodes inserted in the Record the policy statement regarding H. R. 14929 which was adopted by the Republican Policy Committee on June 7, 1966. House concluded all general debate on the bill, and it will be open for amendments on Thursday, June 9.

House June 9, 1966, passed, with amendments, H. R. 14929. The House adopted the amendment offered by Rep. Pike, which would allow fish concentrate to be included in the bill without the existing stipulation that it first must be approved by the Food and Drug Administration.

Note: REPORT ON FISHERY ACTIONS IN 89TH CONGRESS: The U. S. Department of the 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, Bureau of Commercial Fisheries, 1815 N. Fort Myer Drive, Rm. 510, Arlington, Va. 22209.

