



FEDERAL ACTIONS



Department of the Interior

FISH AND WILDLIFE SERVICE

BUREAU OF COMMERCIAL FISHERIES

REVISION OF FISHERIES LOAN FUND PROCEDURES:

The proposed revision of Part 250--Fisheries Loan Fund Procedures, published in the May 11, 1962, Federal Register, was adopted with minor editorial changes, and was promulgated in the Federal Register of July 19, 1962. The revision was effective at the beginning of the 30th calendar day following the date of publication in the Federal Register. Interested parties were given 30 days in which to submit written comments, sug-

gestions, or objections to the proposed changes. Two suggestions were received, and were considered in connection with the proposed changes.

The purpose of the revision is to provide for procedural changes necessitated by transfer of certain acts formerly performed by the Small Business Administration to the Department of the Interior, to clarify the meaning of several sections, and to provide published standards that insurance underwriters furnishing insurance on property serving as collateral for a fisheries loan must meet.

The revised procedures as published in the July 19, 1962, Federal Register follow:

Title 50—WILDLIFE AND FISHERIES

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

SUBCHAPTER F—AID TO FISHERIES

PART 250—FISHERIES LOAN FUND PROCEDURES

Revision of Procedures

On page 4517 of the FEDERAL REGISTER of May 11, 1962, there was published a notice and text of a proposed revision of Part 250. The purpose of the revision is to provide for procedural changes necessitated by transfer of certain acts formerly performed by the Small Business Administration to the Department of the Interior, to clarify the meaning of several sections, and to provide published standards that insurance underwriters furnishing insurance on property serving as collateral for a fisheries loan must meet. Due to the numerous changes being proposed, the procedures will be more readily understood if the entire part is revised.

Interested persons were given 30 days within which to submit written comments, suggestions, or objections with respect to the proposed revision. Two suggestions were received and have been considered in connection with the proposed revision. The proposed revision is hereby adopted with minor editorial changes and is set forth below. This revision shall become effective at the beginning of the 30th calendar day following the date of this publication in the FEDERAL REGISTER.

Part 250 is revised to read as follows:

Sec.	
250.1	Definition of terms.
250.2	Purposes of loan fund.
250.3	Interpretation of loan authorization.
250.4	Qualified loan applicants.
250.5	Basic limitations.
250.6	Applications.
250.7	Processing of loan applications.
250.8	Approval of loans.
250.9	Interest.
250.10	Maturity.
250.11	Security.
250.12	Books, records, and reports.
250.13	Insurance required.
250.14	Penalties on default.

AUTHORITY: §§ 250.1 to 250.14 issued under sec. 4, 70 Stat. 1121; 16 U.S.C. 742c.

§ 250.1 Definition of terms.

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

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

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

(c) *State*. Any State, the Territories and possessions of the United States, the Commonwealth of Puerto Rico, and the District of Columbia.

§ 250.2 Purposes of loan fund.

The broad objective of the fisheries loan fund created by the Fish and Wildlife Act of 1956 is to provide financial assistance which will aid the commercial fishing industry to bring about a general upgrading of the condition of both fishing vessels and fishing gear thereby contributing to more efficient and profitable fishing operations.

(a) Under section 4 of the act, the Secretary is authorized, among other things:

(1) To make loans for financing and refinancing of operations, maintenance, replacement, repair and equipment of fishing gear and vessels, and for research into the basic problems of fisheries.

(2) Subject to the specific limitations in the section, to consent to the modification, with respect to the rate of interest, time of payment of any installment of principal, or security, of any loan contract to which he is a party.

(b) All financial assistance granted by the Secretary must be for one or more of the purposes set forth in paragraph (a) of this section.

§ 250.3 Interpretation of loan authorization.

The terms used in the act to describe the purposes for which loans may be granted are construed to be limited to the meanings ascribed in this section.

(a) *Operation of fishing gear and vessels*. The words "operation of fishing gear and vessels" mean and include all phases of activity directly associated with the catching of fish and shellfish for commercial purposes, except the construction of new vessels.

(b) *Maintenance of fishing gear and vessels*. The words "maintenance of fishing gear and vessels" mean the normal and routine upkeep of all parts of fishing gear and fishing vessels, including machinery and equipment.

(c) *Replacement of fishing gear and vessels*. The words "replacement of fishing gear and vessels" contemplate the purchase of fishing gear or equipment, parts, machinery, or other items incident to outfitting for fishing to replace lost, damaged, worn, obsolete, inefficient or discarded items of a similar nature, or the purchase or construction of a fishing vessel to operate the same type of fishing gear as a comparable

vessel which has been lost, destroyed or abandoned or has become obsolete or inefficient. Any vessel lost, destroyed or abandoned more than two years prior to the date of receipt of the application shall not be considered eligible for replacement. In order to be eligible for replacement an obsolete or inefficient vessel must be permanently removed from commercial fishing, and if sold, must be sold subject to an agreement that it will not reenter the commercial fishery.

(d) *Repair of fishing gear and vessels.* The words "repair of fishing gear and vessels" mean the restoration of any worn or damaged part of fishing gear or fishing vessels to an efficient operating condition.

(e) *Equipment of fishing gear and vessels.* The words "equipment of fishing gear and vessels" mean the parts, machinery, or other items incident to outfitting for fishing which are purchased for use in fishing operations.

(f) *Research into the basic problems of fisheries.* The words "research into the basic problems of fisheries" mean investigation or experimentation designed to lead to fundamental improvements in the capture or landing of fish conducted as an integral part of vessel or gear operations.

§ 250.4 Qualified loan applicants.

(a) Any person residing or conducting business in any State shall be deemed to be a qualified applicant for financial assistance if such person:

(1) Owns a commercial fishing vessel of United States registry (if registration is required) used, or to be used, directly in the conduct of fishing operations, irrespective of the type, size, power, or other characteristics of such vessel;

(2) Owns any type of commercial fishing gear used directly in the catching of fish or shellfish;

(3) Owns any property, equipment, or facilities useful in conducting research into the basic problems of fisheries or possesses scientific, technological or other skills useful in conducting such research;

(4) Is a fishery marketing cooperative engaged in marketing all catches of fish or shellfish by its members pursuant to contractual or other enforceable arrangements which empower the cooperative to exercise full control over the conditions of sale of all such catches and disburse the proceeds from all such sales.

(b) Applications for financial assistance cannot be considered if the loan is to be used for:

(1) Any phase of a shore operation.

(2) Refinancing existing loans that are not secured by the fishing vessel or gear, or debts which are not maritime liens within the meaning of subsection P of the Ship Mortgage Act of 1920, as amended (46 U.S.C. 971).

(3) Refinancing existing mortgages or secured loans on fishing vessels and gear, or debts secured by maritime liens, except in those instances where the Secretary deems such refinancing to be desirable in carrying out the purpose of the Act.

(4) (i) Effecting any change in ownership of a fishing vessel (except for replacement of a vessel or purchase of the interest of a deceased partner), (ii) refinancing working capital used for such purpose or (iii) liquidating a mortgage lien for such purpose less than 2 years prior to the date of receipt of the application.

(5) Replacement of fishing gear or vessels where the applicant or applicants own less than a 20-percent interest in

said fishing gear or vessel to be replaced or owned less than 20-percent interest in a corporation owning said fishing gear or vessel: *Provided*, That applications for a replacement loan by an eligible applicant cannot be considered unless and until the remaining owners or shareholders shall agree in writing that they will not apply for a replacement loan on the same fishing gear or vessel.

(6) Repair of fishing gear or vessels where such fishing gear or vessels are not offered as collateral for the loan by the applicant.

(7) Financing a new business venture in which the controlling interest is owned by a person or persons who are not currently engaged in commercial fishing.

§ 250.5 Basic limitations.

Applications for financial assistance may be considered only where there is evidence that the credit applied for is not otherwise available on reasonable terms (a) from applicant's bank of account, (b) from the disposal at a fair price of assets not required by the applicant in the conduct of his business or not reasonably necessary to its potential growth, (c) through use of the personal credit and/or resources of the owner, partners, management, affiliates or principal stockholders of the applicant, or (d) from other known sources of credit. The financial assistance applied for shall be deemed to be otherwise available on reasonable terms unless it is satisfactorily demonstrated that proof of refusal of the desired credit has been obtained from the applicant's bank of account: *Provided*, That if the amount of the loan applied for is in excess of the legal lending limit of the applicant's bank or in excess of the amount that the bank normally lends to any one borrower, then proof of refusal should be obtained from a correspondent bank or from any other lending institution whose lending capacity is adequate to cover the loan applied for. Proof of refusal of the credit applied for must contain the date, amount, and terms requested. Bank refusals to advance credit will not be considered the full test of unavailability of credit and, where there is knowledge or reason to believe that credit is otherwise available on reasonable terms from sources other than such banks, the credit applied for cannot be granted notwithstanding the receipt of written refusals from such banks.

§ 250.6 Application.

Any person desiring financial assistance from the fisheries loan fund shall make application to the Bureau of Commercial Fisheries, Fish and Wildlife Service, Department of the Interior, Washington 25, D.C., on a loan application form furnished by that Bureau except that, in the discretion of the Secretary, an application made other than by use of the prescribed form may be considered if the application contains information deemed to be sufficient. Such application shall indicate the purposes for which the loan is to be used, the period of the loan, and the security to be offered.

§ 250.7 Processing of loan applications.

If it is determined, on the basis of a preliminary review, that the application is complete and appears to be in conformity with established rules and procedures, a field examination shall be made. Following completion of the field investigation the application will be forwarded with an appropriate report to the Bureau of Commercial Fisheries, Fish and Wildlife Service, Department of the Interior, Washington 25, D.C.

§ 250.8 Approval of loans.

The Secretary will evidence his approval of the loan by issuing a loan authorization covering the terms and conditions for making the loan. Documents executed in connection with a loan shall be in a form approved by the Secretary. Any modification of the terms of a loan following its execution must be agreed to in writing by the borrower and the Secretary.

§ 250.9 Interest.

The rate of interest on all loans which may be granted is fixed at 5 percent per annum.

§ 250.10 Maturity.

The period of maturity of any loan which may be granted shall be determined and fixed according to the circumstances but in no event shall the date of maturity so fixed exceed a period of 10 years.

§ 250.11 Security.

Loans shall be approved only upon the furnishing of such security or other reasonable assurance of repayment as the Secretary may require. The proposed collateral for a loan must be of such a nature that, when considered with the integrity and ability of the management, and the applicant's past and prospective earnings, repayment of the loan will be reasonably assured.

§ 250.12 Books, records, and reports.

The Secretary shall have the right to inspect such books and records of the applicant as the Secretary may deem necessary. Disbursements on a loan made under this part shall be made only upon the agreement of the loan applicant to maintain proper books of account and to submit such periodic reports as may be required by the Secretary during the period of the loan. During such period, the books and records of the loan applicant shall be made available at all reasonable times for inspection by the Secretary.

§ 250.13 Insurance required.

(a) If insurance of any type is required on property under the terms of a loan authorization or mortgage it must be in a form approved by the Secretary and obtained from an underwriter satisfactory to the Secretary and meeting at least one of the following requirements:

(1) An underwriter licensed by an insurance regulatory agency of a State to write the particular form of insurance being written.

(2) A foreign insurance company or club operating in the United States that has deposited funds in an amount and manner satisfactory to the Secretary in a bank chartered under the laws of a State or the United States of America, or in a trust fund satisfactory to the Secretary, which funds are solely for the payment of insurance claims of United States vessels.

(3) A reciprocal or interinsurance exchange licensed by an insurance regulatory agency of a State to write the particular form of insurance being written.

(4) An insurance pool composed entirely of owners and operators of fishing vessels.

(b) Any underwriter (including a company, club, or pool) writing such insurance shall furnish such reasonable financial or operating data as the Secretary may require to determine the standing and responsibility of said underwriter.

§ 250.14 Penalties on default.

Unless otherwise provided in the loan documents, failure on the part of a borrower to conform to the terms of the loan documents will be deemed grounds upon which the Secretary may cause any one or all of the following steps to be taken:

- (a) Discontinue any further disbursements of funds contemplated by the loan documents.
- (b) Take possession of any or all collateral given as security and the property purchased with borrowed funds.
- (c) Prosecute legal action against the borrower.
- (d) Declare the entire amount of the loan immediately due and payable.
- (e) Prevent further disbursement of any funds remaining under his control.

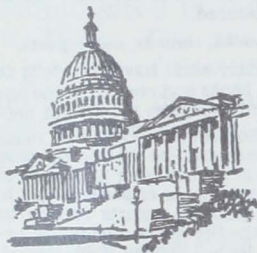
STEWART L. UDALL,
Secretary of the Interior.

JULY 12, 1962.



Eighty-Seventh 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.

ANTIDUMPING ACT AMENDMENT: Introduced in the Senate, S. 3606 (Humphrey) on Aug. 3, and S. 3658 (Case) on Aug. 21, 1962, to amend certain provisions of the Antidumping Act, 1921, to provide for greater certainty, speed, and efficiency in the enforcement thereof, and for other purposes; referred to the Committee on Finance. Similar to other bills previously introduced.

FISH PROTEIN CONCENTRATE: The Subcommittee on Health and Safety of the House Committee on Interstate Commerce, held public hearings on Aug. 8 and 9, 1962, on H.R. 9101, 9102, and 9331 (identical bills), to amend clause (3) of section 402(a) of the Federal Food, Drug, and Cosmetic Act. Amends act so that "no processed seafood product shall be deemed to consist of any such substance or to be otherwise unfit for food because such processed seafood product is derived from whole fish, provided such product is processed under sanitary conditions and after processing is nutritious and in no manner harmful to the health of consumers thereof." Namely, it provides that a processed seafood product can be produced from whole fish and not be considered adulterated.

FOOD AND AGRICULTURE ACT OF 1962: The Senate on Aug. 21, 1962, resumed consideration of H.R. 12391, Food and Agriculture Act of 1962, to improve and protect farm income, to reduce costs of farm pro-

grams to the Federal Government's excessive stocks of agricultural commodities, to maintain reasonable and stable prices of agricultural commodities and products to consumers, to provide adequate supplies of agricultural commodities for domestic and foreign needs, to conserve natural resources, and for other purposes; in lieu of S. 3225, the Senate version of the same bill. Senator Ellender introduced an amendment on behalf of Senator Fulbright (Ark.) to H.R. 12391, which amendment had been unanimously agreed to by the Senate when it was considering S. 3225. The amendment reads "Section 343. As used in this title (1) the term 'farmers' shall be deemed to include persons who are engaged in, or who, with assistance afforded under this title, intend to engage in, fish farming, and (2) the term 'farming' shall be deemed to include fish farming." This is an amendment to a Committee amendment. The Senate agreed to the amendment of the Senator from Ark. A motion to reconsider the amendment was tabled.

The Senate on Aug. 22, 1962, passed with Committee amendment (in nature of a substitute) H.R. 12391. Senate insisted on its amendment, asked for conference with House, and appointed conferees.

GLOUCESTER HARBOR (MASS.) IMPROVEMENT: S. Rept. 1777, Authorizing Modification of the Project for Gloucester Harbor, Mass. (Report from the Committee on Public Works, United States Senate, 87th Congress, 2nd Session, July 23, 1962, to accompany S. 3544, 7 pp., printed. The Committee reported favorably thereon and recommended passage of the bill. Contains purpose of the bill, description of project, Committee views, and agency comments.

The Senate on Aug. 2, 1962, passed S. 3544, to authorize modification of the project for Gloucester Harbor, Mass. This bill authorizes the deepening of Gloucester Harbor to 20 feet and provides turning and anchorage basins.

HEALTH, EDUCATION, AND WELFARE APPROPRIATIONS FY 1963: S. Rept. 1672, Departments of Labor, and Health, Education, and Welfare, and Related Agencies Appropriation Bill, 1963 (June 29, 1962, a report from the Committee on Appropriations, to accompany H.R. 10904, making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies for the fiscal year ending June 30, 1963, and for other purposes). Included is \$959,000 to equip and properly staff the two shellfish laboratories on the East and Gulf Coasts of the United States; also funds for research grants for shellfish technology and marine ecology, shellfish sanitation, water pollution control, and vocational training (including fisheries).

The Senate on July 20, 1962, passed H.R. 10904 amended. Senate insisted on its amendments, asked for conference with the House and appointed conferees. Conference was held July 25, 1962, and the report filed July 31, 1962 (H. Rept. 2100).

H. Rept. 2100, Departments of Labor, and Health, Education, and Welfare, and Related Agencies Appropriation Bill, 1963 (July 31, 1962, a report from the Committee on Conference to accompany H.R. 10904). The Committee on Conference came to agreement and presented their recommendations to their respective Houses.

The House on Aug. 1, 1962, adopted the conference report and the Senate on Aug. 2, 1962, also agreed to conference report, thus clearing the bill for the President's signature.

The President on Aug. 14, 1962, signed H.R. 10904, fiscal 1963 appropriations for the Departments of Labor and Health, Education and Welfare (P. L. 87-582).

EXEMPT TRANSPORTATION OF AGRICULTURAL AND FISHERY PRODUCTS: The House Committee on Interstate and Foreign Commerce met Aug. 7 through 9, 1962, on H.R. 11583, to exempt certain carriers from minimum rate regulation in the transportation of bulk commodities, agricultural and fishery products, and passengers, and for other purposes. The Committee on Aug. 10, concluded hearings on H.R. 11583. Testimony was given by personnel of various agencies and industry. Hearings adjourned subject to the call of the Chair.

The Senate Committee on Commerce, July 27, 1962, concluded hearings on S. 3243, to exempt certain carriers from minimum rate regulation in the transportation of bulk commodities, agricultural and fishery products, and passengers, and for other purposes. Testimony was heard from various Federal agencies and Congressmen. The hearings were recessed subject to call. The Senate Committee on Aug. 22 and 23, 1962, resumed hearings on S. 3243.

INCOME TAX REVISION IN FAVOR OF FISHERMEN: The Senate Committee on Finance, in executive session, Aug. 3, 1962, ordered favorably reported H.R. 6413, to extend to fishermen the same treatment accorded farmers in relation to estimated income tax. The Senate, the same date, received the report (S. Rept. 1819) from the Committee.

S. Rept. 1819, Declaration of Estimated Income Tax of Fishermen (Report from the Committee on Finance, United States Senate, 87th Congress, 2nd Session, Aug. 1962, to accompany H.R. 6413), 7 pp., printed. The Committee reported favorably with amendments and recommended passage of the bill. Contains a summary of House provision, summary of Committee amendment, a general explanation of the House provision and Committee amendment, and changes in existing laws. The House bill provides that, for purposes of the estimated income tax, fishermen are to be accorded the same treatment as is presently available for farmers. The Committee amendment makes the extra 10-per-cent limitation on deduction of charitable contributions presently available in the case of contributions to a church, school, hospital, or medical research organization available also in the case of contributions to an organization which normally receives a substantial amount of its support from the United States or any State or political subdivision thereof or from direct or indirect contributions from the general public, organized and operated exclusively to receive, hold, invest, and administer property and to make expenditures to or for the benefit of a State university or college, including a land-grant college or university. This provision is to apply to taxable years beginning after Dec. 31, 1960.

The Senate on Aug. 8, 1962, passed over H.R. 6413.

INDIAN FISHING RIGHTS: H.J. Res. 838 (Tollefson) introduced in the House on July 25, 1962, regarding Indian fishing rights; referred to the Committee on Interior and Insular Affairs. Similar to other bills previously introduced. Proposes to solve the problem of treaty and non-treaty Indians fishing off the reservation in violation of State regulations.

INTERIOR APPROPRIATIONS FY 1963: The House on July 26, 1962, agreed to a conference with the Senate on H.R. 10802, making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1963, and for other purposes. The House appointed the following conferees: Messrs. Kirwan, Magnuson, Cannon, Jensen, and Taber. The conferees met on July 27, 1962.

The Senate and the House held a joint conference, in executive session, July 27, 1962, on H.R. 10802.

H. Rept. 2049, Department of the Interior and Related Agencies Appropriation Bill, 1962 (July 27, 1962, a report from the Committee of Conference on H.R. 10802), 11 pp., printed. The Committee of Conference came to agreement and presented their recommendations to the respective Houses. Included are funds for the Bureau of Commercial Fisheries, the Bureau of Sport Fisheries and Wildlife, and the Commissioner's Office. The conferees agreed to appropriate to the Bureau of Commercial Fisheries the following appropriations of \$15,225,000 for management and investigation of resources instead of \$14,600,000 as proposed by the House and \$15,981,000 as proposed by the Senate. The increase over the House allowance provides for \$325,000 for expanded biological research on shrimp in the Gulf of Mexico; \$100,000 for research and development of shrimp gear; and \$200,000 for Atlantic herring research; and appropriations of \$8,473,000 for construction as proposed by the Senate instead of \$7,900,000 as proposed by the House. The increase provides for \$413,000 for equipment for the laboratories at Seattle, Wash., and Ann Arbor, Mich., and \$160,000 for purchase of land and land filling to initiate construction of the Shellfish Research Center at Milford, Conn. Granted to the Bureau of Sport Fisheries and Wildlife was \$27,112,000 for management and investigation of resources, which included \$100,000 for technical assistance in sport fishing management through cooperative programs with Indian tribes; \$150,000 for establishing new cooperative fishery units at five institutions; \$105,000 for increased fish control research in the southeastern United States; \$85,000 for increased reservoir research in the White River interstate reservoir complex of Arkansas and Missouri; and \$25,000 for continuing a fishery management project at Springville, Utah. Construction funds included \$125,000 for improvements at the Federal Fish Farm Experiment Station, Kelso, Arkansas; \$340,000 for the establishment of a fish genetics facility in Wyoming; and 11 fish hatcheries. Appropriation for the Office of the Commissioner was \$364,000.

The House on July 30, 1962, received the conference report (H. Rept. No. 2049), on H.R. 10802. The House in a voice vote adopted the conference report and sent the legislation to the Senate.

The Senate on Aug. 1, 1962, adopted the conference report (H. Rept. No. 2049) on H.R. 10802, thereby clearing the bill for the President's signature.

The President, on Aug. 9, 1962, signed H.R. 10802 (P.L. 87-578).

INTERNATIONAL FISHERIES ORGANIZATIONS: United States Contributions to International Organizations (Letter from the Acting Secretary of State transmitting the 10th Report on the Extent and Disposition of U.S. Contributions to International Organizations for

the Fiscal Year 1961, Pursuant to Section 2 of Public Law 806, 81st Congress), H. Doc. 460, 146 pp., printed. It is the annual report presented to Congress on the United States contributions to International Organizations by the Secretary of State. Included are reports on the following international fisheries organizations: Inter-American Tropical Tuna Commission; International Commission for the Northwest Atlantic Fisheries; International North Pacific Fisheries Commission; International Whaling Commission; and North Pacific Fur Seal Commission. It also contains a chart showing the estimated contributions from 1946 to 1962.

MEDICAL CARE FOR VESSEL PERSONNEL: The Subcommittee on Health and Safety of the House Committee on Interstate Commerce announced that public hearings were held on Aug. 13, 1962, on H.R. 3797, 8029, 10921, and 11920, to provide medical care for certain persons engaged on board a vessel in the care, preservation, or navigation of such vessel. Owner-fishermen and all persons employed as fishermen on board United States registered, enrolled, and licensed commercial fishing vessels could be considered for eligibility for the medical and dental services that are provided for seamen.

NATIONAL FISHERIES CENTER AND AQUARIUM: S. Report No. 1782, Authorizing the Administrator of General Services to Construct a National Fisheries Center and Aquarium in the District of Columbia (July 23, 1962, Report of the Committee on Public Works, United States Senate, 87th Congress, 2nd Session, to accompany H.R. 8181, to authorize the construction of a National Fisheries Center and Aquarium in the District of Columbia and to provide for its operation), 15 pp., printed. Committee reported bill favorably, with amendments, and recommended passage. Contains purpose of the bill, hearings, amendments, general statement, committee views, estimated Federal cost, and agency comments. The purpose of the bill as amended is to authorize the Administrator of General Services to plan, construct, and maintain a National Fisheries Center and Aquarium in the District of Columbia or its vicinity, for the display of freshwater, marine, and shell fish and other aquatic resources for educational, recreational, cultural, and scientific purposes. The facility would be operated by the Secretary of the Interior, who would assign such responsibility to that branch of the Bureau of Sport Fisheries and Wildlife having as its major activity the rearing and holding of living fish, including the operation of aquariums. A non-partisan advisory board would be established to render advice and to submit recommendations to the Secretary concerning the management and operation of the Center and Aquarium. The cost would not exceed \$10 million, and the Secretary will establish charges for visits to the Center and Aquarium, and for other uses, at such rates that will produce sufficient revenues to cover an appropriate share of its annual operation and maintenance costs.

NATIONAL FISHERIES PROBLEMS: In the Senate on Aug. 3, 1962, Senators Magnuson, Bartlett, and Smith (Mass.) discussed at length (Congressional Record, Aug. 3, 1962, pp. 14565-14571) national fisheries problems. Attention was called to the decline of our United States fisheries while foreign nations have taken action to expand and modernize their own fishing fleets. Sen. Magnuson stated: "Our own fishing fleets composed of small and ancient ships equipped with long outdated gear are disintegrating." It was further brought out that a few years ago the United States

commercial fishery catch was exceeded only by Japan. Today we are topped also by Soviet Russia, Communist China, and Peru. Also incorporated in the Record is the speech given by the Assistant Secretary of the Interior for Fish and Wildlife, Frank P. Briggs, "Fisheries in a Changing World," at the Annual Convention of the Oyster Institute of North America in Baltimore, Md., on July 31, 1962. Sen. Bartlett, in introducing an amendment (Congressional Record, Aug. 3, 1962, pp. 14563-65) to the Trade Expansion Act of 1962 (H.R. 11970), which would protect the United States fisheries, also discussed national fisheries problems and the fishing of foreign nations off our coasts.

OCEANOGRAPHIC RESEARCH: The Subcommittee on Oceanography of the House Committee on Merchant Marine and Fisheries met Aug. 9, 1962, on H.R. 12601, to provide for a comprehensive, long-range, and coordinated national program in oceanography and for other purposes. The Subcommittee ordered reported favorably to the full committee H.R. 12601, amended.

The House Committee on Merchant Marine and Fisheries, Aug. 14, 1962, met in executive session and ordered reported favorably to the House H.R. 12601 amended. The House on the same date received the report (H. Rept. 2221) from the Committee; referred to the Committee of the Whole House on the State of the Union.

H.R. 12601 was passed by the House on Aug. 20. The language of H.R. 12601 then was substituted for S. 901, a similar bill passed by the Senate on July 28, 1961. Then S. 901 was passed by the House on Aug. 20, 1962. It was sent to the Senate for concurrence as amended. Senate received S. 901 (amended) as passed by the House on Aug. 21, 1962.

OYSTER BROOD STOCK PURCHASES: The House on July 30, 1962, concurred with the Senate amendments to H.R. 7336, to promote the production of oysters by propagation of disease-resistant strains, and for other purposes.

On Aug. 9, 1962, the President signed H.R. 7336 (P.L. 87-580). The Secretary of the Interior is authorized to acquire oyster brood disease-resistant stock for transfer to the particular States involved for planting in spawning sanctuaries. Distribution of the resultant seed oysters by the States shall be in accordance with the plans and procedures that are mutually acceptable to the Secretary and the cooperating States. The purchase of the stock by the Secretary shall be conditional upon the participating State or States, in each instance, paying one-third of the cost of such stock. The Secretary is authorized to make grants to the States for the purpose of assisting such States in the financing of research and other activities necessary in the development and propagation of disease-resistant strains of oysters. A grant shall be made upon agreement by the State to use the proceeds thereof only for the purposes specified and to use an additional amount for such purposes from State or other non-Federal sources equal to at least 50 percent of the amount of such grant. Federal Government total appropriation for such grants is \$100,000.

POTOMAC RIVER COMPACT (MD. & VA.) OF 1958: H. Rept. 1980, Potomac River Compact (July 17, 1962, report from the Committee on the Judiciary, to accompany H.J. Res. 659), 4 pp., printed. The Committee reported favorably thereon without amendment and recommended that the resolution be passed. Contains the purpose, statements, and agency reports.

The House on Aug. 6, 1962, passed H. J. Res. 659, granting consent of the Congress to a compact entered into between the State of Maryland and the Commonwealth of Virginia for the creation of the Potomac River Compact of 1958. Gives Maryland and Virginia permission to set up a Potomac River Fisheries Commission. It would regulate through three members from each State the taking of fish and shellfish from the Potomac River between the District of Columbia line and Chesapeake Bay. Research, regulation of fisheries, an oyster inspection fee and licensing would be within the power of the new commission. The compact succeeds an obsolete agreement of 1785, which has been disputed by the States. The bill was sent to the Senate.

PRICE-QUALITY STABILIZATION: H. J. Res. 832 (Mason) and H. J. Res. 833 (Nelson) introduced in the House on July 25, 1962, to amend the Federal Trade Commission Act, to promote quality and price stabilization to define and restrain certain unfair methods of distribution and to confirm, define, and equalize the rights of producers and resellers in the distribution of goods identified by distinguishing brands, names, or trademarks, and for other purposes; referred to the Committee on Interstate and Foreign Commerce.

The Special Fair Trade Subcommittee of the Senate Committee on Commerce, on July 25, 1962, met in executive session and approved for full committee consideration with amendments S. J. Res. 159, to promote quality and price stabilization.

The Subcommittee on Commerce and Finance of the House Committee on Interstate and Foreign Commerce, Aug. 2, 1962, ordered reported favorably to the committee, H. J. Res. 636.

H. J. Res. 857 (MacGregor) introduced in the House on Aug. 16, 1962; referred to the Committee on Interstate and Foreign Commerce. Similar to other bills previously introduced.

SCIENCE AND TECHNOLOGY COMMISSION: Create Commission on Science and Technology (Hearings before the Committee on Government Operations, United States Senate, 87th Congress, 2nd Session, on S. 2771 to provide for the establishment of a Commission on Science and Technology, Part 2, July 24, 1962), 5 pp., printed. Contains information on the hearing, statements and communications from various Federal agencies and industry personnel.

The Senate Committee on Government Operations, Aug. 2, 1962, ordered favorably reported with amendments S. 2771 for the establishment of a Commission on Science and Technology. The Senate on Aug. 6, 1962, received the report (S. Rept. No. 1828) on S. 2771. The bill provides for the establishment of a Hoover-type commission composed of representatives from a legislative and executive branches of the Government and of persons from private life who are eminent in one or more fields of science or engineering, or who are qualified and experienced in policy determination and administration of industrial scientific research and technological activities. The objectives of the proposed Commission provide for a study of all of the programs, methods, and procedures of the Federal departments and agencies which are operating, conducting, and financing scientific programs, with the purpose of bringing about more economy and efficiency in the performance of these essential activities and

functions. Emphasis has also been directed toward the need for developing a program for the elimination of duplication in science efforts, where one agency of Government works on programs which are under way in other agencies, or where research is being done on problems which have already been solved by other scientists. The Commission also would be specifically directed to study and recommend ways and means of meeting our scientific manpower needs. In undertaking its studies the Commission would be vested with authority to set up a Science Advisory Panel of outstanding science, engineering and technological authorities from all sections of the Nation to assist it in the performance of the functions outlined in the bill.

S. Rept. 1828, Establishment of a Commission on Science and Technology (Aug. 6, 1962, Report of the Committee on Government Operations, United States Senate, 87th Congress, 2nd Session, on S. 2771), 54 pp., printed. The Committee reported favorably with amendments and recommended passage of the bill. Contains an analysis of provisions of the bill, Committee amendments, background, and abstracts from hearings on the bill. The Committee amendments, which are of a technical and perfecting nature, were adopted with a view to further clarify the purpose and objectives of the proposed legislation.

The Senate on Aug. 8, 1962, passed with amendments S. 2771. The bill was sent to the House.

The House, Aug. 9, 1962, received from the Senate S. 2771; referred to the Committee on Science and Astronautics.

SPORT FISH RESEARCH: S. 1542 (McGee) introduced in the Senate on Apr. 12, 1961, to authorize the Secretary of the Interior to conduct studies of the genetics of sport fish and to carry out selective breeding to develop strains with inherent attributes valuable in programs of research, fish hatchery production, and management of recreational fishery resources. Would authorize the Secretary of the Interior to establish fishery research laboratories. The Senate Committee on Commerce, on Aug. 7, 1962, reported favorably (S. Rept. No. 1857) on S. 1542 with amendments.

S. Rept. 1857, Studies of Genetics of Sport Fishes (Report from the Committee on Commerce, United States Senate, 87th Congress, 2nd Session, August 7, 1962, to accompany S. 1542), 5 pp., printed. The Committee reported favorably with amendments and recommended that the bill be passed. Contains purpose of the bill, costs, and agency reports.

The Senate on Aug. 9, 1962, passed with amendments S. 1542. Cleared for the House.

The House on Aug. 13, 1962, received from the Senate S. 1542; referred to the Committee on Merchant Marine and Fisheries.

STERN RAMP TRAWLERS: S. 3610 (Magnuson and others) introduced in the Senate on Aug. 3, 1962, to authorize the Secretary of the Interior to construct two modern stern ramp trawlers to be used for research, and for other purposes; referred to the Committee on Commerce. The trawlers (one for the West Coast and one for the East Coast) would have scientific facilities suitable for use as research vessels and for the development of advanced technology for the production, preparation, processing, and preservation of fishery products, including those from areas distant from

ports and subject to severe climatic difficulties. The vessels would be prototype vessels for United States fisheries fleets of the future. It requires that any disposal of fishery products caught and processed must be done with due regard to the possible impact on the domestic fisheries industry and in a manner to avoid adverse effects upon domestic prices or current market demands. The bill would help our own fisheries industry compete against the massive foreign fishing fleets now operating off our shores. The Interior Secretary would have the option of chartering these vessels or operating them himself, but charters would be subject to certain conditions and stipulations. Companion bills H.R. 12848 (Bates) and H.R. 12928 (MacDonald) were introduced in the House on Aug. 9 and 16, 1962, respectively, also H.R. 12959 (Glenn) on Aug. 23; all referred to the Committee on Merchant Marine and Fisheries.

SUPPLEMENTAL APPROPRIATIONS FY 1963: The House on Aug. 13, 1962, received a communication from the President (H. Doc. No. 514) transmitting proposed supplemental appropriations for the fiscal year 1963 for the Judiciary, the District of Columbia, and various agencies of the Executive Branch. Includes funds for the Bureau of Commercial Fisheries in the amount of \$500,000 for research and development of processes to produce a concentrated protein from fish. This program is based on the results of a survey of scientific and development work on this subject under way in other countries which were not available when the 1963 budget was presented. Because of the growing need for a low-cost, dietary supplement of animal protein in many countries, the potential benefits to the fishing industry, and for the improved conservation of fishery resources, a research and development program should be started at this time.

H. Doc. 514, Supplemental Appropriations for the Judiciary, the District of Columbia, and Various Agencies of the Executive Branch (Communication from the President of the United States transmitting proposed supplemental appropriations for the fiscal year 1963 in the amounts of \$20,000 for the Judiciary and \$10,886 for the District of Columbia, proposed supplemental appropriations for the fiscal years 1962 and 1963 in the amount of \$595,826,000, and requests for consideration of four items transmitted in the 1963 budget for various agencies of the Executive Branch), 87th Congress, 2nd Session, House of Representatives, 19 pp., printed. Included are funds for the Bureau of Commercial Fisheries in the amount of \$500,000 for research and development of processes to produce a concentrated protein from fish.

TECHNOLOGICAL LABORATORY LAND IN MARYLAND: The House Subcommittee on Public Lands of the Committee on Interior and Insular Affairs met in executive session on July 27, 1962, and ordered reported favorably to the full committee H.R. 8362, amended, to provide for the conveyance of certain real property of the United States to the State of Maryland. Property affected is the site of the Bureau of Commercial Fisheries Technological Laboratory at College Park, Md.

TRADE EXPANSION ACT OF 1962: Senator Bartlett, Aug. 3, 1962, introduced an amendment to the Trade Expansion Act of 1962, H.R. 11970, to promote the general welfare, foreign policy, and security of the United States through international trade agreements and through adjustment assistance to domestic

industry, agriculture, and labor, and for other purposes. The amendment is offered to section 252(b) of chapter title II, that portion of the trade bill which specifies the conditions under which the President can withhold or withdraw from a particular country the benefits of trade concessions given to all countries. The amendment offers two additional circumstances under which the President may take this action, and it supplements the authority given him under the present bill by adding the power to impose import quotas and embargoes, all intended to guarantee the preservation of our fishery resources.

In its present form, section 252(b) permits the President to suspend or withdraw any trade concession to a nation which engages in an action that burdens or restricts United States commerce. With the addition of this amendment, the President can take the same action when another country permits its citizens to engage in fishing activities which will defeat the effort of our States and our Federal Government to conserve our fishery resources or when a foreign government allows its nationals to harass or interfere with our fishermen on the high seas while they are engaged in lawful activities. With this amendment, the President can not only maintain present tariffs with regard to a specific country, which is engaging in practices which do violence to our conservation efforts, but if appropriate, he can also increase our present tariff, for example, on canned salmon and crab from 15-1/2 percent ad valorem to 25 percent. This can be done without changing tariffs on fresh or frozen salmon and crab which may be considered an important source of supply. This amendment also gives the President flexible powers to adjust imports by another action including the use of import quotas or embargoes.

Paragraph (c) of section 252 states that the President shall provide an opportunity for a hearing and public presentation of views on these problems. In the event a foreign country is violating principles of fishery and resources conservation, this provision, with the amendment, amply insures that any person shall have adequate opportunity to protest.

Senator Javitts, Aug. 7, 1962, submitted to the Senate 8 amendments to H.R. 11970. They were printed in the Congressional Record, Aug. 7, 1962, pp. 14705-14706. Proposed amendment A would authorize the President to eliminate tariffs on a mutual basis with all fully developed countries or areas of the free world, provided that the most substantial concessions are made on the products of the strongest United States industries. Amendment B provides for the use of authority for the purpose of getting the fully developed nations to share the burden of providing markets for the developing nations--a burden which the United States has been carrying to a large extent alone. Proposed amendment C is designed to facilitate the escalation of international labor standards and to place greater pressure on exporting nations to refrain from subsidizing their exports through artificially depressed wages. Amendment D would specify infringements of United States patents, copyrights, and registered trademarks as actions unjustifiably restricting United States commerce and as cause for retaliatory action by the United States. Amendment E would provide for a termination date (June 30, 1974) for the certification of firms and workers eligible for adjustment assistance; would provide for such termination through concurrent resolution of the Congress. Amendment F would require the President to submit a detailed report on ex-

and commitments under the adjustment assistance program, in connection with the annual report on the administration of the entire Trade Expansion Act now required by H.R. 11970. Proposed amendment would require the Tariff Commission to keep up to date and publish at least every 5 years "Summaries on Tariff Information." Amendment H would establish a council of advisers, composed of representatives of manufacturing, agriculture, and labor groups. Its chairman would be the special representative for trade negotiations. Congressional delegates to negotiations would be ex officio members of the council.

On August 16, 1962, the Senate Committee on Finance concluded hearings on H.R. 11970. Testimony received from Congressmen, various Federal agencies, and industry personnel.

Sen. Pell on Aug. 15, 1962, in the Senate, introduced several amendments to H.R. 11970. One amendment directs the Secretary of Labor to compile a comparative real wage index which would contrast the average real wages or earnings--in terms of purchasing power--for a worker in an American industry with the average real wages or earnings for a worker in the same industry in a country with which we would be negotiating an agreement. The second amendment would make grants, in addition to loans, available to firms for the purpose of acquiring and installing new machinery, or modernizing or converting existing machinery. A third amendment concerns a community which is a firm or firms with deep roots in the economical life of that community. This amendment would authorize such a community, which suffers serious injury through idling of productive facilities and unemployment resulting from expanded imports, to apply for adjustment assistance. This would include technical assistance and appropriate financial assistance for public facilities which would materially contribute to the economic adjustment of the particular community.

TRANSPORTATION ACT OF 1962: The House Committee on Interstate and Foreign Commerce met Aug. 10, 1962, on H.R. 11584, to provide for strengthening and improving the national transportation system, and for other purposes.

The House Committee on Aug. 10, 1962, concluded hearings on H.R. 11584. Testimony was given by personnel of various agencies and industry. Hearings adjourned subject to the call of the Chair.

The Senate Committee on Commerce, July 27, 1962, concluded hearings on S. 3242, to provide for strengthening and improving the national transportation system and for other purposes. Testimony has been heard from various Federal agencies, congressmen. The hearings were recessed subject to call.

The Senate Committee on Aug. 22 and 23, 1962, resumed hearings on S. 3242, to provide for strengthening and improving the national transportation system, and for other purposes.

TUNA CONVENTION ACT OF 1950: Conservation of Tropical Tuna (Hearings before the Merchant Marine and Fisheries Subcommittee of the Committee on Commerce, United States Senate, 87th Congress, 2nd Session, on S. 2568, a bill to amend the act of September 7, 1950, to extend the regulatory authority of the Federal and state agencies concerned under the terms of the convention for the establishment of an Inter-American Tropical Tuna Commission, signed at Washington, May 31, 1949, and for other purposes.), 128 pp., printed. Contains hearings held May 23, 24, 1962, on S. 2568; testimonies, letters, and reports from various Federal agencies and industry representatives are included.

VESSEL CONSTRUCTION SUBSIDY AMENDMENTS: S. 3611 (Magnuson and others) introduced in the Senate, Aug. 3, 1962, to amend the Act of June 12, 1960, for the correction of inequities in the construction of fishing vessels, and for other purposes; referred to the Committee on Commerce. Would extend the provisions of the existing fishing vessel construction differential subsidy law (40 U.S.C. 1401-1413) to fisheries which are unable to obtain a finding of injury caused by increased imports; also would increase the limitation on the subsidy paid from 33-1/3 percent on all vessels to 35 percent on wood vessels and 50 percent on metal vessels. Would increase the annual authorization from \$2.5 million to \$12.5 million and extend the date for the last application for subsidy from June 12, 1963, to July 30, 1972. The following identical House bills were introduced: H.R. 12849 (Bates) Aug. 9; H.R. 12927 (MacDonald) Aug. 16; H.R. 12960 (Glenn) Aug. 23; and H.R. 12967 (Tollefson) Aug. 23; all referred to the Committee on Merchant and Fisheries.

VESSEL TRANSFER: The House on July 30, 1962, concurred with the Senate amendments to H.R. 3788, to provide for the transfer of the United States vessel Alaska to the Department of Fish and Game of the State of California. The amended bill makes the transfer conditional upon the State of California paying the Federal Government an amount equal to 50 percent of the fair market value of the vessel at the time it was leased by the State of California; it also provides that if the vessel should cease to be used for a public purpose, all right, title, and interest therein shall revert to the United States. The bill was cleared for the President's signature.

The President on Aug. 9, 1962, signed H.R. 3788, (P. L. 87-576).

