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## Report on Legislation Pending in Congress Affecting Fish and Shellfish

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THE SUBSTANCE AND STATUS of measures of greatest interest to the commercial fishing industry pending before Congress as of November 1969 are discussed in this report.

### ***Fishing vessel legislation***

H. R. 4813 by Mr. Garmatz (Dem-Md.) provides for Extension of the U. S. Fishing Fleet Improvement Act. The bill would extend the federal construction assistance program for an additional 2 years until June 30, 1971, broaden the program to include reconditioning, conversion and remodeling; increase the appropriation from \$10 million to \$20 million per year and simplify administration. The bill passed the House August 12, 1969, and hearings were held by a sub-committee of the Senate Commerce Committee October 23, 1969.

The Fishing Fleet Improvement Act (Fishing Vessel Subsidy) has materially benefited our fishing industry since Congress enacted the law. Twenty-six new vessels have been built and applications for 31 more have been approved.

The Senate is expected to take favorable action on the House-passed bill in the near future, after considering some possible language changes.

H. R. 14124, Mr. Garmatz (Dem-Md.) and others, would extend until June 30, 1980, the Fish and Wildlife Act of 1956 which provides low interest loans for financing and refinancing new and used fishing vessels. The present law will expire June 30, 1970. The House Committee on Merchant Marine and Fisheries plans to consider this legislation early in 1970.

### ***Consumer legislation***

In President Johnson's administration, both the executive and legislative branches of the federal government were very active in consumer activities. Democrats in the Senate, under Senator Magnuson, Chairman of the Com-

merce Committee, established a Consumer Subcommittee, of which he became Chairman. He sponsored several consumer bills, as did Senator Hart, and a number of these bills, notably the meat and poultry inspection bills, became law.

Democratic Senators are sponsoring consumer legislation in this Congress also, including Senator Magnuson's S. 3074, the Consumer Products Guaranty Act; Senator Hart's (for himself and Senator Moss) S. 2959, to establish an Independent Consumer Council — an independent non-governmental organization. Sec. 4(a) names 16 persons to serve on the Council. Hearings were held November 3, 1969, and will be resumed in January.

Of extreme significance to the fishing industry is S. 1092, by Senator Hart (Dem-Michigan) and 21 other Senators, to amend the Food and Drug Act and provide inspection facilities to be used in harvesting and processing fish and fishery products. After completion of public hearings by the Senate Subcommittee, the Nixon administration submitted S. 2712 by Senator Cotton (New Hampshire), ranking Republican member of the Senate Commerce Committee, and Senator Prouty (Rep-Vermont).

The principal issue involves continuous inspection. Senator Hart will probably insist on continuous inspection. The administration advocates continuous inspection only in those cases necessary and provides for periodical inspection where feasible. No further hearings are scheduled by the Senate Committee at this time, and no action is now expected on fish inspection bills referred to the House Committee on Interstate and Foreign Commerce.

While the difference between the Hart bill and the Cotton-Prouty bill may delay consideration in the Senate Commerce Committee, it is reasonable to expect that the numerous consumer bills now pending in both Houses of Congress will generate action on fish inspection legislation similar to laws now in force on meat and poultry inspection.

On the House side, activity on consumer legislation has not been lacking. Congressman Rosenthal (Dem-N.Y.) on February 4, 1969, introduced H.R. 6037 (for himself and 24 other members) to establish a Department of Consumer Affairs. Now the Nixon administration is pushing for the consumer. On October 30, 1969, President Nixon sent a message to Congress entitled "Protection of Interests of Consumers." His opening sentence: "Consumerism — Upton Sinclair and Rachel Carson would be glad to know—is a healthy development that is here to stay." The President's message proposed: a new Office of Consumer Affairs in the Executive Office of the President, a new Division of Consumer Protection in the Department of Justice, a new Consumer Protection law, expanded powers for a revitalized Federal Trade Commission, a newly activated National Commission on Consumer Finance, expanded consumer education activities, including a new Consumer Bulletin, stronger efforts in the field of food and drug safety including a thorough re-examination of the Food and Drug Administration and other reforms including an expansion of consumer activities in the Office of Economic Opportunity.

As of November 12, 1969, the administration had not sent Congress a draft of the President's proposed consumer legislation.

### ***Environmental legislation***

Numerous bills on this subject are pending in Congress. Conferees of the Senate and House have held their first conference and further meetings will be held on S. 1075 by Senator Jackson (Dem-Washington) and several co-

authors, and H.R. 12549 by Mr. Dingell (Dem-Michigan) and others, including Congressman Rogers of Florida. The short title of S. 1075 is National Environmental Policy Act of 1969. The purposes of the Act are:

To declare a national policy which will encourage production and enjoyable harmony between man and his environment; to promote efforts which will prevent or eliminate damage to the environment and biosphere and stimulate the health and welfare of man; to enrich the understanding of the ecological systems and natural resources important to the Nation; and to establish a Board of Environmental Quality Advisers.

The problem is most complicated. House Report No. 91-378 quoted a New York Times editorial of May 3, 1969, on the background and need for the legislation:

"By land, sea, and air, the enemies of man's survival relentlessly press their attack. The most dangerous of all these enemies is man's own un-directed technology. The radioactive poisons from nuclear tests, the runoff into rivers of nitrogen fertilizers, the smog from automobiles, the pesticides in the food chains, and the destruction of topsoil by strip mining are examples of the failure to foresee and control the untoward consequences of modern technology."

H.R. 14308 by Mr. Bush (Rep-Texas) and nine others seeks to redesignate the Department of the Interior as the Department of Resources, Environment and Population. Hearings on this and similar bills are scheduled to begin before the House Committee on Government Operations on November 11, 1969.

#### ***National Oceanic and Atmospheric Program***

H.R. 13247 has been introduced by Mr. Lennon (Dem-N.C.) for himself and 21 others, including Congressman Rogers of Florida. Congressman Lennon, his subcommittee and staff, have worked diligently on this legislation. A series of hearings has been held. An executive subcommittee meeting is scheduled for November 12, 1969. It is expected that this bill will be ready to report to the full committee in the near future.

The bill would establish an independent agency within the Executive branch of the government, the National Oceanic and Atmospheric Agency; provide for an Administrator, a Deputy Administrator and a General Counsel, all to be appointed by the President, by and with the advice and consent of the Senate. Eleven specific functions of the Agency are listed in the bill, including "the rehabilitation of the U.S. fisheries through research, development, and encouragement of the use of improved management practices and harvesting techniques and new concepts of research, detection, transportation, and processing." Senator Hollings (Dem-South Carolina), a member of the Senate Commerce Committee, has introduced a companion bill—S. 2841.

#### ***Water Quality Improvement Act of 1969***

H.R. 4148 was introduced by Mr. Fallon (Dem-Md.) and it passed the House April 16, 1969. S. 7, Senator Muskie (Dem-Maine) and 30 other co-authors, passed the Senate October 8, 1969. Senate language was incorporated in H.R. 4148 since the House acted first. The bill has four titles: (1) Water Quality Improvement, (2) Environmental Quality—it creates an Office of Environmental Quality in the Executive Office, (3) Property Acquisition and (4) Alaska Village Safe Water Facilities.

Conferences between the two Houses have not yet been scheduled. Mean-

while, on November 12, 1969, the Senate included an unprecedented \$1 billion to help states fight water pollution in its Public Works Appropriation bill. This now goes to conference.

***Territorial water legislation***

H.R. 14678 was introduced by Mr. Garmatz (Dem-Md.) for himself and 23 House co-sponsors. It prohibits fishing in the territorial waters and the contiguous fishing zone of the U. S. Hearings are anticipated early in December 1969.

**CONCLUSION**

The 91st Congress is confronted with a host of legislative problems affecting every facet of American life. We find such terms as environment, space, oceanography and pollution included in many bills. These subject matters are duplicated in the authority of numerous Congressional committees and a host of established government departments and agencies.

Fisheries are involved directly and indirectly in many of these legislative problems. It behooves our industry to keep well informed and do our best to assist members of Congress in finding solutions.