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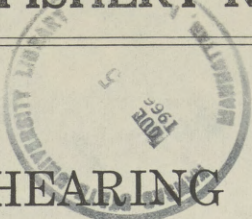
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# SURVEY OF FISHERY RESOURCES

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## HEARING

BEFORE THE

SUBCOMMITTEE ON

MERCHANT MARINE AND FISHERIES

OF THE

COMMITTEE ON COMMERCE

UNITED STATES SENATE

EIGHTY-NINTH CONGRESS

SECOND SESSION

ON

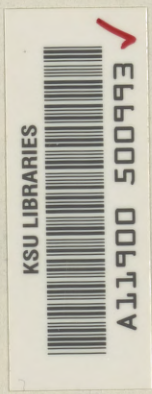
**S.J. Res. 29**

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

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# SURVEY OF FISHERY RESOURCES

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TUESDAY, APRIL 19, 1966

U.S. SENATE,  
COMMITTEE ON COMMERCE,  
SUBCOMMITTEE ON MERCHANT MARINE AND FISHERIES,  
*Washington, D.C.*

The subcommittee met at 10:30 a.m., in room 5110, New Senate Office Building, Hon. Warren G. Magnuson, chairman of the committee, presiding.

The CHAIRMAN. The committee will come to order.

The purpose of the hearing this morning is to receive testimony on Senate Joint Resolution 29. This resolution would direct the Bureau of Commercial Fisheries to conduct a comprehensive survey of U.S. commercial fishery resources. The United States has the richest and most extensive coastal and inland fishery resources of any nation. However, many of these valuable resources are not now being fully utilized by American fishermen. Information recently gathered indicates U.S. fishery production from resources off our own coast could be increased from the present production level of about 5 billion pounds to approximately 25 billion pounds.

This country has a responsibility to make certain that these marine resources are not only used but used wisely and are conserved for use by future generations which will increasingly turn to the sea to meet their food needs. On March 20 of this year, the 1958 Geneva Fishery Convention came into force. Under this convention a coastal nation such as the United States obtained certain rights and obligations under international law to conserve fishery resources in its coastal waters beyond the 3-mile limit. However, the Convention requires that any fishery conservation program on the high seas be based on scientific studies of the resource. Unfortunately, the United States in many instances has only limited information about our coastal fishery resources and limited information about the effect of fishing activities on these stocks. A survey of the type proposed by this legislation would assure the United States of the type of information needed to take advantage of rights we have recently acquired under international law with respect to conserving our coastal fishery resources.

(The resolution and agency comments follow:)

[S.J. Res. 29, 89th Cong., 1st sess.]

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

Whereas the fishery resources of the United States and its contiguous waters are so varied and so abundant that prior to 1957 the fisheries industries had

assumed a world position with respect to the production of fishery commodities second only to that occupied by Japan, but since have declined to fifth position being surpassed not only by Japan but also by Peru, Communist China, and the Soviet Union; and

Whereas, despite the magnitude of these fishery resources and the economic importance to the fishing industry, the United States has failed to develop, to utilize, and to conserve her fishery resources to the fullest extent and to a degree commensurate with the development, utilization, and conservation of the resources of the land, or to a degree commensurate with the development and utilization of marine resources by many other nations; and

Whereas the fishery resources of the United States and of waters contiguous to the United States have, by their variety and abundance of fishery resources, attracted the fisheries industries of many European and Asiatic nations and encouraged them to send fleets of fishing vessels to these waters more numerous, larger, and superior in capacity and equipment to those of the United States and with such enterprise and capabilities as to threaten these resources with depletion or extinction; and

Whereas the demands for fishery products as food, for fishery products and byproducts for industrial uses, and upon fisheries as a potential adjunct to the defenses of the United States, far exceed even the most optimistic estimates; and

Whereas it is in the interest of all the people of the United States to insure the fullest permanent development, utilization, and protection of the marine fishery resources and products of the high seas which may be subject to utilization by United States nationals, and of the marine and fresh-water commercial fishery resources and products within the limits of territorial jurisdiction; and

Whereas it is in the interest of all peoples that fishery resources of the high seas be conserved to maintain optimum sustained yields and that for this purpose international agreements, conventions, or treaties based on factual information of stocks, abundance, reproduction, mortality, and depletion, including causes of depletion, and which have the purpose of international conservation of high seas fishery conservation, be entered into between nations with high seas fisheries industries; and

Whereas it is in the interest of all the people of the United States and of people throughout the world that the nutritive value of fish and fishery commodities and the industrial value of fishery byproducts be studied and determined and that the findings of these studies be made publicly known: Therefore be it

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Bureau of Commercial Fisheries of the Department of the Interior is hereby authorized and directed to conduct a survey of the character, extent, and condition of the marine and fresh-water commercial fishery resources, including both those resources now being utilized and those potential resources which are latent and unused, of the United States, its territories and possessions, including high seas fishery resources in which the United States may have interests or rights; the economic status and organization of the industry based hereon; the economic, legal, and other institutional handicaps to industrial development and conservation of fishery resources; the effects thereon of existing conventions and treaties relating to the living marine resources of the high seas, and the nutritive and industry values of fishery products and byproducts affecting or potentially affecting the fishery industry and its economy; such survey to include but not to be limited to the following:

(a) The current methods, practices, facilities, gear, craft, and equipment used in producing commercial fishery products.

(b) The accretion of depletion of the various species and stocks of living marine resources of commercial use and value of the United States and its contiguous waters resulting from methods, practices, facilities, and equipment used in their production or exploitation by the fishery industry of the United States and other nations fishing in waters contiguous to the United States, or from the absence of methods, practices, facilities, and equipment by nations fishing in waters contiguous to the United States conducive to maintaining optimum sustained yields of fisheries of commercial value.

(c) The accretion or depletion of the various species and stocks of living marine resources of commercial use and value of the United States and its contiguous waters resulting from agreements, conventions, or treaties entered into by the United States with another nation or several nations, or with the indigenous inhabitants of the United States, or from international conventions or treaties involving only nations other than the United States.

(d) The utilization of the fishery resources of waters contiguous to the United States by the fisheries industries of other nations and the effects of this utilization on the domestic and export markets of the United States for such resources.

(e) The methods, practices, facilities, and equipment used in processing, preserving, distributing, transporting, marketing, and storing fishery products, including an assessment of measures existing or in the process of development for the augmented protection or preservation of these commodities, including, but not limited to, developments in the program for radiation-pasteurization of fishery products.

(f) The methods, practices, facilities, and equipment which may be practicable for expanding the utilization of the existing or potential marine and fresh-water commercial fishery resources, including, but not limited to, developments in the program for radiation-pasteurization of fishery products.

(g) The laws and regulations that govern the commercial fisheries.

(h) The economic and legal factors that may handicap the efficient and effective development of full utilization of existing or potential marine fisheries or their conservation.

SEC. 2. The Bureau of Commercial Fisheries of the Department of the Interior is directed to submit a report to the Congress as soon as practicable, but not later than January 1, 1968, concerning the results of the survey authorized and directed in the preceding section, and also shall submit recommendations with respect to the following:

(a) New and revised regulations or precautionary measures deemed to be necessary or advisable for the protection, conservation, and management on a sustained-yield basis of the fishery and other renewable marine and fresh-water commercial resources.

(b) New or revised regulations or precautionary measures deemed to be necessary or desirable to insure adequate protection of the fishery and other biological resources from contamination by pollution or other hazards, including chemical preparations used as pesticides, herbicides, or fungicides, and to prevent spoilage or deterioration of fishery products.

(c) New or revised regulations or precautionary measures deemed to be necessary or desirable to insure adequate protection of the fishery and other biological resources and applicable to the catching, landing, processing, transporting, marketing, or storing of fishery products or commodities derived from the fisheries, and new or revised laws and regulations that will stimulate and encourage rational, economically efficient development of full utilization of presently unutilized or underutilized potential resources.

(d) The opportunities for, and the advisability of, further arrangements for coordinating fishery administration and management through State fishery compacts with the consent of the Congress as authorized by article 1, section 10, of the Constitution of the United States of America, and opportunities for, and the advisability of additional coordinated management and administration of international fisheries.

(e) The opportunities for, and the advisability of, further international agreements, conventions, or treaties for the conservation of the fishery resources of the high seas by, but not necessarily limited to, establishing methods, practices, facilities, and equipment in furtherance of the conservation and maintenance of such resources on an optimum sustained yield basis.

(f) Means of effecting the maximum utilization, consistent with their continued preservation at an optimum level of productivity, of the marine and fresh-water fishery resources utilized, or potentially capable of utilization for commercial fishing, giving special consideration to methods of managing and increasing fishery production, including artificial impoundments and farm ponds.

(g) New and improved methods of capturing, landing, processing, storing, distributing, and marketing fishery products or commodities, including increasing consumption as food and the industrial utilization of fishery products through public education, or other activities, such recommendations to contemplate the full and cooperative use of the personnel and facilities of the appropriate State, territorial, county, local, or other organizations, as well as those of private and industrial or other organizations.

(h) A program of economic stabilization of the fisheries and of Federal, State, or other assistance needed to affect the orderly development and expansion of the commercial fisheries and allied industries, and to secure and provide for the fisheries benefits comparable to those afforded the food production activities and industries dependent upon the lands.

(i) New and improved methods of stimulating and encouraging exports of United States fishery products and commodities, including industrial byproducts of the commercial fisheries and allied industries.

(j) Special and regular appropriations necessary to carry out a program for the optimum utilization of the marine and fresh-water commercial fishery resources such as may be necessary to accomplish the specific purposes and objectives hereinbefore mentioned, including funds for the publication and dissemination of technical and practical information.

Sec. 3. There is authorized to be appropriated, out of moneys in the Treasury not otherwise appropriated, such funds as may be necessary for the purpose of carrying out the provisions of this joint resolution, but not to exceed \$200,000.

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GENERAL COUNSEL OF THE DEPARTMENT OF COMMERCE,  
*Washington, D.C., August 11, 1965.*

HON. WARREN G. MAGNUSON,  
*Chairman, Committee on Commerce,  
U.S. Senate, Washington, D.C.*

DEAR MR. CHAIRMAN: This is in further reply to your request for the views of this Department concerning Senate Journal Resolution 29, 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.

The resolution would direct the Bureau of Commercial Fisheries to conduct a comprehensive survey of all phases of the domestic commercial fisheries industry.

The Department believes that a survey such as is proposed in Senate Journal Resolution 29 could be of great value. The domestic fishing industry has suffered from declining production in recent years. We believe that improved techniques in the fields of processing, preserving, distributing, transporting, and marketing fishery products and byproducts, one of the major areas to be covered in the proposed survey, would be particularly helpful.

However, we note that under section 5 of the Fish and Wildlife Act of 1956, the Department of the Interior has rather broad powers to conduct surveys and investigations. In view of this existing authority we would defer to the views of the Department of the Interior as to the need for enactment of authorization for a specific survey.

In any event, we assume that any survey carried out, will be coordinated with the other agencies concerned, including this Department in view of our general interest and responsibilities in the fields of food processing and food product marketing. The Federal Council on Science and Technology should also of course be of assistance in research and development aspects of any survey undertaken.

We have been advised by the Bureau of the Budget that there would be no objection to the submission of our report from the standpoint of the administration's program.

Sincerely,

(Signed) JAMES L. PARRIS,  
*Acting General Counsel.*

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COMPTROLLER GENERAL OF THE UNITED STATES,  
*Washington, D.C., February 17, 1965.*

XXXXXXXX

HON. WARREN G. MAGNUSON,  
*Chairman, Committee on Commerce,  
U.S. Senate.*

DEAR MR. CHAIRMAN: Your letter of January 29, 1965, invites our comments on Senate Joint Resolution 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.

Our office has no special knowledge of the subject matter of the proposed resolution, and we therefore have no comment to offer.

Sincerely yours,

JOSEPH CAMPBELL,  
*Comptroller General of the United States.*

U.S. DEPARTMENT OF THE INTERIOR,  
OFFICE OF THE SECRETARY,  
Washington, D.C., August 11, 1965.

Hon. WARREN G. MAGNUSON,  
Chairman, Committee on Commerce,  
U.S. Senate, Washington, D.C.

DEAR SENATOR MAGNUSON: Your committee has requested a report on Senate Joint Resolution 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.

Senate Joint Resolution 29 is very similar to a resolution enacted May 11, 1944 (58 Stat. 220) from which resulted Senate Document No. 51, 79th Congress, 1st session, entitled "Fishery Resources of the United States." The current resolution differs from the earlier resolution in its greatly broadened scope and in the magnitude of the survey and related activities it authorizes.

The preamble to Senate Joint Resolution 29 reviews the position of the United States in the utilization of fishery resources in its waters and in waters of the high seas. It states that through the variety and abundance of the fishery resource, the Nation ranked second as a world fishing nation until 1957 but that failure to develop, utilize, and conserve this resource in a manner commensurate with management of the land resources or with the development and utilization of marine resources by other nations, has resulted in a decline of the United States to fifth place among the fishing nations of the world.

The preamble calls attention to the increase of foreign fishing activity in waters contiguous to the United States. It mentions the public interest in the United States in the full utilization of marine and fresh-water resources in our waters and the world public interest in the maintenance of sustained yields from fishery resources of the high seas and the use of international agreements to attain such conservation.

Section 1 of the resolution authorizes and directs the Department to conduct a comprehensive survey of the commercial fishery potential covering such items as the laws and regulations governing the industry and the practices, methods, etc., used in processing, preserving, transporting, distributing, marketing, and storing fishery products.

Section 2 directs that a report be submitted to the Congress by January 1, 1968, concerning the results of this survey, including recommendations with respect to 10 listed subjects.

Section 3 authorizes an appropriation of a maximum \$200,000 to carry out the provisions of the resolution.

The long-range report of the Bureau of Commercial Fisheries of this Department, "Trident," has two broad objectives: (1) to strengthen the industry and (2) to conserve the resource. The provisions of section 1 of this resolution are in accord with the programs and goals set forth in this report.

Obviously, however, before we can be responsive to the directions of section 2 of this resolution, we must first have completed the survey required by section 1. Because this survey calls for information on and analysis in depth of every facet and ramification, both domestic and international, of the commercial fishing industry, considerable time and manpower will be required. Information relating to some of the items in section 1 is now available from various sources and in these cases it would only be necessary to compile and analyze. In the case of other items, however, such as subsection 1(d) which calls for an assessment of foreign fishing operations, definitive information is almost nonexistent and the assembly of and evaluation of such data would be difficult, time-consuming, and costly.

Subsection (g) calls for a survey of the laws and regulations that govern the commercial fisheries. If this were to include all State laws and regulations, as is implied, the undertaking would be of a magnitude that may not justify the necessary time and money. While no such compilation now exists, it is possible, nevertheless, to cite examples on the basis of present knowledge that need corrective action. This, we believe, would suffice in lieu of an overall compendium.

It is our opinion that, while the sum of \$200,000 which is the maximum authorized by this resolution would be sufficient to collect, assess, and publish a report based on existing data by January 1, 1968, it will not be sufficient to probe the entire fisheries situation in depth as contemplated by this resolution. Additional funds would be necessary.

Provided with adequate funds and sufficient time, the Department would welcome an opportunity to undertake the detailed survey and report contemplated by

this legislation. The information to be derived would help to set new guidelines for the long-range planning of the Bureau of Commercial Fisheries.

Although the Fish and Wildlife Act of 1956, as amended (16 U.S.C. sec. 742a et seq.) directs us to conduct general and continuing investigations in commercial fishery matters, among other things, and to prepare and disseminate information thereon, including the making of reports to the Congress and the public, we believe that the specific directions expressed by this resolution, if enacted, would be extremely helpful in our efforts to protect and upgrade our commercial fishing industry. We therefore recommend the enactment of this resolution, if it is amended as suggested below.

Since Reorganization Plan No. 3 of 1950, as amended (5 U.S.C. sec. 481 note) transferred all functions of all agencies and employees of this Department to the Secretary, we recommend the deletion of "Bureau of Commercial Fisheries of the Department of the Interior" in sections 1 and 2 of the resolution and of "Bureau of Commercial Fisheries" in the title thereof and the substitution of the phrase "Secretary of the Interior."

In addition, since the reports of the kind contemplated by section 2 of this resolution are normally transmitted to the Congress by the President, we suggest that after the word "Congress," in the preamble of section 2 of the resolution, there should be inserted a comma and the words "through the President,".

In regard to the provisions of subsections (h), (i), and (j) of section 2 of the resolution, we wish to point out that this Department would not be in a position to make specific program recommendations without first coordinating our views with other agencies of the executive branch. We therefore suggest that these subsections be revised to call for a discussion of program needs, rather than for detailed recommendations.

Senate Joint Resolution 29 includes a provision calling for a study of Indian treaties and their effects on various species and stocks of living marine resources used commercially. The Department now has adequate authority to conduct such a study whenever a need arises, subject to the availability of funds. We think that a study of this type would unnecessarily complicate the type of survey contemplated by this resolution. The subject matter is not directly related to the other problems referred to in the bill to be studied. In addition, such a study would be costly. We therefore suggest that on page 4, lines 21 and 22 there be deleted the following: "or with the indigenous inhabitants of the United States,".

We suggest the following technical changes in the bill:

1. On page 3, line 12 delete "hereon" and insert "thereon".
2. On page 8, line 11 delete "lands" and insert "land".

The Bureau of the Budget has advised that there is no objection to the presentation of this report from the standpoint of the administration's program.

Sincerely yours,

CLARENCE F. PAUTZKE,  
*Deputy Assistant Secretary of the Interior.*

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U.S. DEPARTMENT OF JUSTICE,  
OFFICE OF THE DEPUTY ATTORNEY GENERAL,  
*Washington, D.C., August 30, 1965.*

HON. WARREN G. MAGNUSON,  
*Chairman, Committee on Commerce,  
U.S. Senate, Washington, D.C.*

DEAR SENATOR: This in response to your request for the views of the Department of Justice on Senate Joint Resolution 29, 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.

The resolution authorizes an appropriation of not to exceed \$200,000 for a comprehensive study of commercial fishery resources to be conducted by the Bureau of Commercial Fisheries of the Department of the Interior with a report thereon to be submitted to the Congress not later than January 1, 1968. The study would include marine and fresh water commercial fishery resources including high seas fishery resources in which the United States may have interests or rights.

The subject of the resolution is not a matter for which the Department of Justice has primary responsibility and accordingly we make no recommendation as to its enactment. However, it is suggested that the Committee may wish

to consider the desirability of amending the resolution to vest authority in the Secretary of the Interior rather than in the Bureau of Commercial Fisheries of the Department of the Interior. This change would be in accord with the Organization of the Executive Branch to the effect that no subordinate should have authority independent from that of his superior.

The Bureau of the Budget has advised that there is no objection to the submission of this report from the standpoint of the administration's program.

Sincerely,

RAMSEY CLARK,  
*Deputy Attorney General.*

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NATIONAL SCIENCE FOUNDATION,  
OFFICE OF THE DIRECTOR,  
*Washington, D.C., August 11, 1965.*

HON. WARREN G. MAGNUSON,  
*Chairman, Committee on Commerce,  
U.S. Senate, Washington, D.C.*

DEAR MR. CHAIRMAN: This is in further reply to your request of February 1, 1965, for the views of the National Science Foundation on Senate Joint Resolution 29 which would 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.

We believe that a survey such as that proposed in Senate Joint Resolution 29 would be desirable. The appropriate organization to undertake such a study would appear to be the Department of the Interior. It may be that the Department of the Interior already possesses sufficient statutory authority to undertake the proposed survey. However, passage of Senate Joint Resolution 29 would emphasize the desire of the Congress that the study be made.

The Bureau of the Budget has advised us it has no objection to the submission of this report from the standpoint of the administration's program.

Sincerely yours,

LELAND J. HAWORTH, *Director.*

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DEPARTMENT OF STATE,  
*Washington, D.C., August 10, 1965.*

HON. WARREN G. MAGNUSON,  
*Chairman, Committee on Commerce,  
U.S. Senate.*

DEAR MR. CHAIRMAN: In your letter of January 29 you requested the comments of the Department on Senate Joint Resolution 29, 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. The Department perceives no objection from the standpoint of our foreign relations to the passage of the resolution. Since the resolution covers many matters of domestic concern, and since the Department relies, in general, on the Department of the Interior for technical information on fisheries matters, the Department does not offer any advice as to whether the proposed survey is necessary.

The Department believes that a sound fishing industry is in the best interests of the United States, and takes such action as is appropriate with foreign governments and international organizations to protect the rights and interests of the American fishing industry on the high seas. To this end, several international fisheries conservation conventions have been entered into and the United States participates actively in the international fisheries commissions which have been established by these conventions. Since the resolution contemplates, *inter alia*, a study of the effectiveness of these conventions and the possible need for other conventions, as well as the stimulation of foreign trade in fishery products, the Department would expect that the Bureau of Commercial Fisheries would maintain close liaison with the Department during the course of the study if it should be authorized.

The Bureau of the Budget advises that from the standpoint of the administration's program there is no objection to the submission of this report.

Sincerely yours,

DOUGLAS MACARTHUR II,  
*Assistant Secretary for Congressional Relations.*

The CHAIRMAN. Secretary Cain, you are the first witness. We will be glad to hear from you.

**STATEMENT OF DR. STANLEY A. CAIN, ASSISTANT SECRETARY  
FOR FISH AND WILDLIFE AND PARKS, U.S. DEPARTMENT OF  
THE INTERIOR**

Dr. CAIN. Thank you, Mr. Chairman.

Senate Joint Resolution 29 authorizes and directs the Bureau of Commercial Fisheries of the Department of the Interior to conduct a survey of the marine and freshwater commercial fishery resources of the United States, its territories and possessions. The Department recommends enactment of Senate Joint Resolution 29, if it is amended as suggested in the Department's report of August 11, 1965.

Senate Joint Resolution 29 is very similar to a resolution enacted May 11, 1944 (58 Stat. 220), from which resulted Senate Document No. 51, 79th Congress, 1st session, entitled "Fishery Resources of the United States." The current resolution differs from the earlier resolution in its greatly broadened scope and in the magnitude of the survey and related activities it authorizes.

The preamble to the resolution calls attention to the variety and abundance of our fishery resources, yet recognizes that our position as a world fishing nation has declined substantially in the last 10 years. It calls attention to the increase in foreign activities off our coasts, and to our interest in utilizing fully the living resources of our inland and oceanic waters. It emphasizes the need to maintain the yield of our fisheries and to increase the harvest to more nearly satisfy the national demand for fishery products.

Section 1 of the resolution authorizes and directs the Department to conduct a comprehensive survey of commercial fishery potentials. This intensive study would include assessment of resources now being utilized or those as yet unused by us. It would include also all phases of the fishing industry, from locating and catching the fish to preservation, processing, storing, transporting, and marketing. It would include the economics of the industry, the laws and regulations that govern fisheries, and all factors that handicap efficient development and full utilization of the resource.

Section 2 directs the Department to submit to the Congress a report covering the results of the survey not later than January 1, 1968, and requires recommendations on 10 subjects covering all aspects of the points to be surveyed under section 1.

Section 3 of the resolution authorizes an appropriation not to exceed \$200,000 to cover the costs of collecting and assessing the necessary information and to publish the report.

The survey called for in section 1 covers all the diverse characteristics of the commercial fishing industry, domestic and international. In the broad sense, therefore, the resolution visualizes studies which in some respects are broader than the present program of the Bureau of Commercial Fisheries. For example, some of the responsibilities on which recommendations are requested, such as the laws and regulations that govern commercial fishing, fall almost entirely within the authority of the States. Others, such as research on certain resources of international scope, are the responsibility of international bodies.

We infer from the language of the bill that a status report, rather than an investigation in depth, is contemplated, and we believe that the report which would come out of this survey would be a most valuable document to the Congress and to the Department. The continuing investigations that will be necessary to fill in details not now available are essentially the mission of the Department of the Interior, and we will continue to work diligently to improve the economic status of the commercial fishing industry.

More and more the American fishing industry is basing its actions on synoptic data and scientific facts rather than intuition and personal experience as fishermen have done historically. It is our purpose in the Department of the Interior to furnish our industry with the facts upon which they can make valid decisions. This bill has broad implications for help to industry in the marshaling of facts, which it will stimulate.

With me today is Mr. Donald McKernan, Director of the Bureau of Commercial Fisheries, who has a prepared statement concerning the proposal; and together we will try to answer any questions the committee may have.

Thank you very much, Mr. Chairman.

The CHAIRMAN. Doctor, I think we will have the Director put his statement in, and then we will discuss this a little bit.

Will you do that now?

#### STATEMENT OF DONALD L. MCKERNAN, DIRECTOR, BUREAU OF COMMERCIAL FISHERIES, U.S. DEPARTMENT OF THE INTERIOR

Mr. MCKERNAN. Thank you.

Mr. Chairman and members of the committee, the Fish and Wildlife Act of 1956, as amended, directs the Department of the Interior to conduct general and continuing investigations of the commercial fisheries, among other things, and to make available the information gained from these investigations, including appropriate reports to the Congress and the public. Therefore, in large degree we already have the necessary authority to carry out the activities contemplated in Senate Joint Resolution No. 29. The specific directions expressed by this resolution, if it is enacted, will be helpful, however, to us in understanding the wishes of the Congress in the very complicated and difficult tasks facing all of us concerned with the commercial fisheries of the United States.

Wise management of the fishery resources of our inland and coastal waters is a very large task in itself. The Bureau of Commercial Fisheries, in close cooperation with the States, has been devoting a great deal of attention to this problem for many years. We have by no means resolved all the problems of our domestic fisheries, and we are constantly faced with new problems created by the steady growth of our human population, changes in the environment, especially of in-shore waters, our rapidly increasing technology, and other changes in our dynamic economy.

Since the end of World War II a great revolution has developed in world fisheries as certain nations have sought to increase their supply of animal protein from the sea. The United States has not yet entered as intensively into this extension of high seas fisheries as have Japan,

the Soviet Union, and some other nations, although there are definite signs of growth in our domestic fisheries at the present time.

Essentially, for the moment at least, we remain a coastal fishing nation. The Nation's demand for fishery products has been met by increasing our imports steadily and, as you know, we now import more fishery products than we produce domestically. These developments have created difficult new problems for the American fishing industry, which we are attempting to solve by a variety of international and domestic activities. We have not been unsuccessful in these endeavors, but we must remain alert to direct our efforts in ways which offer greatest promise of economic stability and growth of our own fisheries, and it is in the Nation's interest to play an increasingly important part in international fishery affairs.

Knowing that we do not have the facilities and skilled manpower necessary to tackle all these problems at once, we are obligated to establish priorities in program planning and budgeting. These plans and priorities must be under constant review and revision to be sure that we are making progress in the right direction.

During the last few months we have been engaged in reviewing our system or program planning and budgeting. This has been a most helpful and stimulating exercise, in which we have examined critically, in cold terms of economic benefits, the investment of taxpayers' dollars in fishery research and development activities.

The reorientation of our thinking which has come about through this detailed and critical examination of our efforts and accomplishments should react to the benefit of the fishing industry and the Nation as a whole. This is, therefore, an appropriate time to have the views of the Congress on the direction in which we should be proceeding.

The CHAIRMAN. Mr. McKernan, the rest of your statement involves specific suggestions on the bill?

Mr. MCKERNAN. Yes.

The CHAIRMAN. Let's discuss this other matter that you and Dr. Cain had pointed out in the beginning of both your statements.

I think the Senator from Alaska and I have been more concerned in the past many, many years—possibly 3, 4, or 5 years with our international fisheries. The concern seems to be developing with our people, as you know, with our old problem of international fisheries.

I have just been home for 10 days, in Washington, and no matter where I went—and the Senator from Alaska I suppose ran into the same thing—the concern of everybody with the development, as you point out, of the international fisheries off our coast.

You also point out, and this is a difficult thing to tell people who are not in fisheries—that our people essentially have been a coastal fishery. We didn't go out and develop these resources, such as the Russian fleet fishing off our coast now, and the Japanese.

Although you do have the authority, which Dr. Cain pointed out, and you did, to do this research anyway I suppose we could give you an appropriation through the Appropriations Committee and you could do this.

But what you suggest is what we are trying to suggest, to pinpoint and call attention to the importance of us exploring this field.

The Senator from Alaska and I have a 12-mile limit bill. That doesn't solve it at all. It may be helpful and consoling to some people, but it has some disadvantages, too, and we would like to get at that.

I would be hopeful that you people would direct yourselves, if this resolution passes, more to the aspects of this international situation. We are doing pretty well, I think. We are doing a good job in cooperation with the States and other programs, even on our coastal fishing. But this is looming up larger than ever before. What to do about it, short of an international agreement, is difficult to envision.

We are thinking, by passing this resolution again, we could call attention to the fact that it is in no way critical of what you have been trying to do. It isn't that at all. It is trying to say that we are joining in this sense of direction and reiterate it again so that everybody will know that we are.

I just don't know some of the answers but I know we haven't explored many of the possibilities that we have in this big new field.

When you point out that it is broader, and you do have authority, I think it should be clear why we are doing this. We are not suggesting that we aren't doing all we can do, or trying to do all we can. But again to hammer home that we have to think about this.

I am glad that your statements were posed along that line.

Senator BARTLETT. May I ask a question?

The CHAIRMAN. Yes, Senator Bartlett.

Senator BARTLETT. In the recent past the Bureau of Commercial Fisheries has discovered, has it not, enormous quantities of hake off the Washington and Oregon coast?

Mr. MCKERNAN. Yes.

Senator BARTLETT. Heretofore, before this research was conducted, the existence of this resource was not known in the degree and extent that it is now appreciated.

Mr. MCKERNAN. That is correct.

Senator BARTLETT. My question is principally this:

The Russians are there in numbers. The Japanese are there in numbers. What do you think, do you think that they went there because of the publication of the discovery by our Government, or because of their independent research? This would be entirely speculative, naturally.

Mr. MCKERNAN. I believe that primary emphasis on their developing fisheries in the eastern North Pacific has depended upon their independent explorations. Both the Japanese and the Soviet Union have sent research vessels into this area over the past 5 or 6 years. These vessels have in a sense fanned out in front of their fleets and they have moved when they found large concentrations of fish.

There is little question that they are aware of our literature and of our findings because we tend to publish almost everything in every field of endeavor. This perhaps has made it somewhat easier for them. But I do not doubt for a moment but what they would be essentially where they are and in the general strength without any special knowledge of what we have discovered.

Senator BARTLETT. They may have known this even before we did?

Mr. MCKERNAN. I question that simply as a matter of personal pride. But at least their pattern in the eastern North Pacific, Senator, has been one of coming over first to the area closest to the Soviet Union, where they explored and developed their fisheries, and then the natural flow of this exploration and fisheries development has been about as one would expect. It has flowed from the north on down to the south greater and greater distances away from their own

home ports. And of course it tends to increase the costs of their operations and adds difficulties in operating these distant water fleets.

It is quite a natural sequence which I think you and Senator Magnuson as well as some of us have predicted for some years.

I don't think this is a direct surprise to us. We were hopeful it wouldn't happen, but I think most of us felt that it was natural for these people, when and if they develop their fisheries further, to fish these stocks that are not fully utilized off our coast.

We have a very protective Continental Shelf. And it isn't surprising that other people are going to use the resources if we are not fully using them ourselves.

Senator BARTLETT. Leaving aside considerations of whatever developments may occur with respect to fish protein concentrate, if we had a fishing fleet in existence now or we were to mount one to go out and fish hake, would there be a ready market in the United States for this product?

Mr. MCKERNAN. Yes. There is a ready market, but of course there is a ready market only at a price. That is, the cost-demand relationship is a very acute one in most fisheries products. But right at the present time there is a shortage, for example, of high quality fish meal which is used increasingly in poultry and swine feeds in this country.

I know that the chairman as well as yourself are aware that the Peruvian production of fish meal has been down the last couple of years. This has made a shortage of fish meal in the United States. So that hake is a valuable source of fish meal.

Incidentally, the new fisheries developing in the State of Washington—manufacturing fish meal—seems to be a valuable one, a rather important development. Of course, this is due to some of the support we have had from this committee in getting funds and facilities to carry out this research. But this has led to a new fishery. In fact, there is some indication that this hake fishing in the State of Washington may be the largest fishery by volume of any in the State, even this year of 1966.

The CHAIRMAN. We are going to explore that a little more in Aberdeen next Monday. I hope that you can be there. I would appreciate it.

Mr. MCKERNAN. The survey and report which this resolution would direct the Bureau of Commercial Fisheries to conduct and prepare would provide a useful summary of the status of our fisheries at this critical stage of their history. It would provide the Congress, the fishing industry, the public, and the Department with an inventory of resources now utilized or still lying unused in our inland and marine waters, their condition and potential yield. It would identify the methods by which these resources can be managed for full utilization and how their value could be enhanced by appropriate legislation or technological development. This would, among other things, be a logical sequel to Senate Document No. 51, 79th Congress, 1st session, entitled "Fishery Resources of the United States." Much has happened in the ensuing 20 years and it is appropriate to take stock once again and record the findings in a comprehensive document.

Certain provisions of the resolution place limitations on the agency conducting the study. The survey contemplated in section 1 could be a broad and comprehensive study, requiring more time than would be allowed by the publication date of January 1, 1968, set out in

section 2, and costing more money than the maximum amount of \$200,000 authorized in section 3. Where the information called for is already in existence, we could be responsive to the directives in section 1, for it would necessary only to locate the information and to compile and analyze it. Where definitive information is not complete, as for example in subsection 1(d) of section 1, which requires assessment of foreign fishing operations, an adequate response would be time-consuming and costly.

The resolution calls for study of the "laws and regulations that govern the commercial fisheries" (sec. 1, subsec. g), and for recommendations of "new and revised regulations or precautionary measures deemed to be necessary" for conservation and management, and for other purposes (sec. 2, subsecs. a, b, and c).

If we were to consider assembling a compendium of State laws, this would be a herculean task out of date before completion. On the other hand, if we make a study of those State laws which have major impact, with special attention to those which inhibit the full use of the resources, then such a study would be of great benefit. With respect to State laws and regulations, this would be a large task.

State fishery laws are continually changing, and some are in conflict one with another, or are contrary to the principles of conservation. The need for new and revised regulations, where such are necessary, could be illustrated by citing a few well-chosen examples. For maximum benefit, such a study of laws and regulations should include a review of those Federal laws and regulations which, although they do not affect fishing operations directly, have a bearing on the economic welfare of the industry.

In view of the development of foreign fishing off our coasts utilizing resources important to the full development of U.S. fisheries, the survey contemplated by this proposal becomes increasingly significant.

The CHAIRMAN. I want to put in the record at this point the 1958 Geneva Convention on Fishing and Conservation of the Living Resources of the High Seas. It became effective last month.

Mr. McKERNAN. That is correct.

(The Convention follows:)

CONVENTION ON FISHING AND CONSERVATION OF THE LIVING RESOURCES OF THE  
HIGH SEAS

*The States Parties to this Convention,*

*Considering* that the development of modern techniques for the exploitation of the living resources of the sea, increasing man's ability to meet the need of the world's expanding population for food, has exposed some of these resources to the danger of being overexploited.

*Considering also* that the nature of the problems involved in the conservation of the living resources of the high seas is such that there is a clear necessity that they be solved, whenever possible, on the basis of international co-operation through the concerted action of all the States concerned.

*Have agreed* as follows:

ARTICLE 1

1. All States have the right for their nationals to engage in fishing on the high seas, subject (a) to their treaty obligations, (b) to the interests and rights of coastal States as provided for in this Convention, and (c) to the provisions contained in the following articles concerning conservation of the living resources of the high seas.

2. All States have the duty to adopt, or to co-operate with other States in adopting, such measures for their respective nationals as may be necessary for the conservation of the living resources of the high seas.

## ARTICLE 2

As employed in this Convention, the expression "conservation of the living resources of the high seas" means the aggregate of the measures rendering possible the optimum sustainable yield from those resources so as to secure a maximum supply of food and other marine products. Conservation programmes should be formulated with a view to securing in the first place a supply of food for human consumption.

## ARTICLE 3

A State whose nationals are engaged in fishing any stock or stocks of fish or other living marine resources in any area of the high seas where the nationals of other States are not thus engaged shall adopt for its own nationals, measures in that area when necessary for the purpose of the conservation of the living resources affected.

## ARTICLE 4

1. If the nationals of two or more States are engaged in fishing the same stock or stocks of fish or other living marine resources in any area or areas of the high seas, these States shall, at the request of any of them, enter into negotiations with a view to prescribing by agreement for their nationals the necessary measures for the conservation of the living resources affected.

2. If the States concerned do not reach agreement within twelve months, any of the parties may initiate the procedure contemplated by article 9.

## ARTICLE 5

1. If, subsequent to the adoption of the measures referred to in articles 3 and 4 nationals of other States engage in fishing the same stock or stocks of fish or other living marine resources in any area or areas of the high seas, the other States shall apply the measures, which shall not be discriminatory in form or in fact, to their own nationals not later than seven months after the date on which the measures shall have been notified to the Director-General of the Food and Agriculture Organization of the United Nations. The Director-General shall notify such measures to any State which so requests and, in any case, to any State specified by the State initiating the measure.

2. If these other States do not accept the measures so adopted and if no agreement can be reached within twelve months, any of the interested parties may initiate the procedure contemplated by article 9. Subject to paragraph 2 of article 10, the measures adopted shall remain obligatory pending the decision of the special commission.

## ARTICLE 6

1. A coastal State has a special interest in the maintenance of the productivity of the living resources in any area of the high seas adjacent to its territorial sea.

2. A coastal State is entitled to take part on an equal footing in any system of research and regulation for purposes of conservation of the living resources of the high seas in that area, even though its nationals do not carry on fishing there.

3. A State whose nationals are engaged in fishing in any area of the high seas adjacent to the territorial sea of a coastal State shall, at the request of that coastal State, enter into negotiations with a view to prescribing by agreement the measures necessary for the conservation of the living resources of the high seas in that area.

4. A State whose nationals are engaged in fishing in any area of the high seas adjacent to the territorial sea of a coastal State shall not enforce conservation measures in that area which are opposed to those which have been adopted by the coastal State, but may enter into negotiations with the coastal State with a view to prescribing by agreement the measures necessary for the conservation of the living resources of the high seas in that area.

5. If the States concerned do not reach agreement with respect to conservation measures within twelve months, any of the parties may initiate the procedure contemplated by article 9.

## ARTICLE 7

1. Having regard to the provisions of paragraph 1 of article 6, any coastal State may, with a view to the maintenance of the productivity of the living resources of the sea, adopt unilateral measures of conservation appropriate to any stock of fish

or other marine resources in any area of the high seas adjacent to its territorial sea, provided that negotiations to that effect with the other States concerned have not led to an agreement within six months.

2. The measures which the coastal State adopts under the previous paragraph shall be valid as to other States only if the following requirements are fulfilled:

(a) That there is a need for urgent application of conservation measures in the light of the existing knowledge of the fishery;

(b) That the measures adopted are based on appropriate scientific findings;

(c) That such measures do not discriminate in form or in fact against foreign fishermen.

3. These measures shall remain in force pending the settlement, in accordance with the relevant provisions of this Convention, of any disagreement as to their validity.

4. If the measures are not accepted by the other States concerned, any of the parties may initiate the procedure contemplated by article 9. Subject to paragraph 2 of article 10, the measures adopted shall remain obligatory pending the decision of the special commission.

5. The principles of geographical demarcation as defined in article 12 of the Convention on the Territorial Sea and the Contiguous Zone shall be adopted when coasts of different States are involved.

#### ARTICLE 8

1. Any State which, even if its nationals are not engaged in fishing in an area of the high seas not adjacent to its coast, has a special interest in the conservation of the living resources of the high seas in that area, may request the State or States whose nationals are engaged in fishing there to take the necessary measures of conservation under articles 3 and 4 respectively, at the same time mentioning the scientific reasons which in its opinion make such measures necessary, and indicating its special interest.

2. If no agreement is reached within twelve months, such State may initiate the procedure contemplated by article 9.

#### ARTICLE 9

1. Any dispute which may arise between States under articles 4, 5, 6, 7, and 8 shall, at the request of any of the parties, be submitted for settlement to a special commission of five members, unless the parties agree to seek a solution by another method of peaceful settlement, as provided for in article 33 of the Charter of the United Nations.

2. The members of the commission, one of whom shall be designated as chairman, shall be named by agreement between the States in dispute within three months of the request for settlement in accordance with the provisions of this article. Failing agreement they shall, upon the request of any State party, be named by the Secretary-General of the United Nations, within a further three-months period, in consultation with the States in dispute and with the President of the International Court of Justice and the Director-General of the Food and Agriculture Organization of the United Nations, from amongst well-qualified persons being nationals of States not involved in the dispute and specializing in legal, administrative or scientific questions relating to fisheries, depending upon the nature of the dispute to be settled. Any vacancy arising after the original appointment shall be filled in the same manner as provided for the initial selection.

3. Any State party to proceedings under these articles shall have the right to name one of its nationals to the special commission, with the right to participate fully in the proceedings on the same footing as a member of the commission but without the right to vote or to take part in the writing of the commission's decision.

4. The commission shall determine its own procedure, assuring each party to the proceedings a full opportunity to be heard and to present its case. It shall also determine how the costs and expenses shall be divided between the parties to the dispute, failing agreement by the parties on this matter.

5. The special commission shall render its decision within a period of five months from the time it is appointed unless it decides, in case of necessity, to extend the time limit for a period not exceeding three months.

6. The special commission shall, in reaching its decisions, adhere to these articles and to any special agreements between the disputing parties regarding settlement of the dispute.

7. Decisions of the commission shall be by majority vote.

#### ARTICLE 10

1. The special commission shall, in disputes arising under article 7, apply the criteria listed in paragraph 2 of that article. In disputes under articles 4, 5, 6 and 8 the commission shall apply the following criteria, according to the issues involved in the dispute:

(a) Common to the determination of disputes arising under articles 4, 5 and 6 are the requirements:

(i) That scientific findings demonstrate the necessity of conservation measures;

(ii) That the specific measures are based on scientific findings and are practicable; and

(iii) That the measures do not discriminate, in form or in fact, against fishermen of other States.

(b) Applicable to the determination of disputes arising under article 8 is the requirement that scientific findings demonstrate the necessity for conservation measures, or that the conservation programme is adequate, as the case may be.

2. The special commission may decide that pending its award the measures in dispute shall not be applied, provided that, in the case of disputes under article 7, the measures shall only be suspended when it is apparent to the commission on the basis of *prima facie* evidence that the need for the urgent application of such measures does not exist.

#### ARTICLE 11

The decisions of the special commission shall be binding on the States concerned and the provisions of paragraph 2 of Article 94 of the Charter of the United Nations shall be applicable to those decisions. If the decisions are accompanied by any recommendations, they shall receive the greatest possible consideration.

#### ARTICLE 12

1. If the factual basis of the award of the special commission is altered by substantial changes in the conditions of the stock or stocks of fish or other living marine resources or in methods of fishing, any of the States concerned may request the other States to enter into negotiations with a view to prescribing by agreement the necessary modifications in the measures of conservation.

2. If no agreement is reached within a reasonable period of time, any of the States concerned may again resort to the procedure contemplated by article 9 provided that at least two years have elapsed from the original award.

#### ARTICLE 13

1. The regulation of fisheries conducted by means of equipment embedded in the floor of the sea in areas of the high seas adjacent to the territorial sea of a State may be undertaken by that State where such fisheries have long been maintained and conducted by its nationals, provided that non-nationals are permitted to participate in such activities on an equal footing with nationals except in areas where such fisheries have by long usage been exclusively enjoyed by such nationals. Such regulations will not, however, affect the general status of the areas as high seas.

2. In this article, the expression "fisheries conducted by means of equipment embedded in the floor of the sea" means those fisheries using gear with supporting members embedded in the sea floor, constructed on a site and left there to operate permanently or, if removed, restored each season on the same site.

#### ARTICLE 14

In articles 1, 3, 4, 5, 6 and 8, the term "nationals" means fishing boats or craft of any size having the nationality of the State concerned, according to the law of that State, irrespective of the nationality of the members of their crews.

## ARTICLE 15

This Convention shall, until 31 October 1958, be open for signature by all States Members of the United Nations or of any of the specialized agencies and by any other State invited by the General Assembly of the United Nations to become a Party to the Convention.

## ARTICLE 16

This Convention is subject to ratification. The instruments of ratification shall be deposited with the Secretary-General of the United Nations.

## ARTICLE 17

This Convention shall be open for accession by any States belonging to any of the categories mentioned in article 15. The instruments of accession shall be deposited with the Secretary-General of the United Nations.

## ARTICLE 18

1. This Convention shall come into force on the thirtieth day following the date of deposit of the twenty-second instrument of ratification or accession with the Secretary-General of the United Nations.

2. For each State ratifying or acceding to the Convention after the deposit of the twenty-second instrument of ratification or accession, the Convention shall enter into force on the thirtieth day after deposit by such State of its instrument of ratification or accession.

## ARTICLE 19

1. At the time of signature, ratification or accession, any State may make reservations to articles of the Convention other than to articles 6, 7, 9, 10, 11 and 12.

2. Any Contracting State making a reservation in accordance with the preceding paragraph may at any time withdraw the reservation by a communication to that effect addressed to the Secretary-General of the United Nations.

## ARTICLE 20

1. After the expiration of a period of five years from the date on which this Convention shall enter into force, a request for the revision of this Convention may be made at any time by any Contracting Party by means of a notification in writing addressed to the Secretary-General of the United Nations.

2. The General Assembly of the United Nations shall decide upon the steps, if any, to be taken in respect of such request.

## ARTICLE 21

The Secretary-General of the United Nations shall inform all States Members of the United Nations and the other States referred to in article 15:

- (a) Of signatures to this Convention and of the deposit of instruments of ratification or accession, in accordance with articles 15, 16 and 17;
- (b) Of the date on which this Convention will come into force, in accordance with article 18;
- (c) Of requests for revision in accordance with article 20;
- (d) Of reservations to this Convention, in accordance with article 19.

## ARTICLE 22

The original of this Convention, of which the Chinese, English, French, Russian and Spanish texts are equally authentic, shall be deposited with the Secretary-General of the United Nations, who shall send certified copies thereof to all States referred to in article 15.

IN WITNESS WHEREOF the undersigned Plenipotentiaries, being duly authorized thereto by their respective Governments, have signed this Convention.

DONE at Geneva, this twenty-ninth day of April one thousand nine hundred and fifty-eight.

The CHAIRMAN. And we will put in the record section 323 of the Tariff Act of 1930, as amended, which Senator Bartlett and I proposed and was adopted 3 years ago.

(Section 323 of the Tariff Act of 1930 follows:)

SEC. 323. CONSERVATION OF FISHERY RESOURCES

Upon the convocation of a conference on the use or conservation of international fishery resources, the President shall, by all appropriate means at his disposal, seek to persuade countries whose domestic fishing practices or policies affect such resources, to engage in negotiations in good faith relating to the use or conservation of such resources. If, after such efforts by the President and by other countries which have agreed to engage in such negotiations, any other country whose conservation practices or policies affect the interests of the United States and such other countries, has in the judgment of the President, failed or refused to engage in such negotiations in good faith, the President may, if he is satisfied that such action is likely to be effective in inducing such country to engage in such negotiations in good faith, increase the rate of duty on any fish (in any form) which is the product of such country, for such time as he deems necessary, to a rate not more than 50 percent above the rate existing on July 1, 1934.

The CHAIRMAN. Can you, Mr. McKernan, tell me a little bit about what the Russians are fishing? Have you any information of the present fleet that is out there?

Mr. MCKERNAN. Yes, sir.

The CHAIRMAN. What is the nature of their operation?

Mr. MCKERNAN. Of course, we are doing our very best to monitor the developments of this fishery. There are at the present time about 30 Russian fishing vessels, some of them very latest design, off the coast of Oregon, one or so off Washington, and a research boat further south off California and Mexico. These vessels off Oregon are fishing between 25 and 50 miles from the coastline and they are taking for the most part ocean perch. There are several species of these ocean perch off the coast of Washington, Oregon, and California in abundance, and they are taking several species of these.

As far as we can tell so far, we believe that they are taking mostly the ocean perch. This perch is a valuable food fish for us. We take in the vicinity of 20 million pounds a year of this, which, I might add, I believe is a very small fraction of the sustainable yield from these rather large resources.

There are obviously heavy concentrations along the edge of the Continental Shelf, the 100 fathom curve, and this is where the Russians have concentrated their initial fishing.

The CHAIRMAN. Are they freezing them and filleting them right on board?

Mr. MCKERNAN. We are not certain of the processing techniques being used, but it is most likely that they are being frozen, perhaps cleaned and frozen in blocks and then sent back to the U.S.S.R. I would question whether they would have the manpower to fillet all of these because of the quantities they are taking. They are taking large quantities.

The CHAIRMAN. But they are on the edge of the shelf; is that correct?

Mr. MCKERNAN. Yes. They seem to be fishing close to the edge of the shelf.

At this time of the year, Mr. Chairman, these species seem to concentrate a little off the bottom in reasonably deep water. Probably

later in the year these fish will leave the Continental Shelf area and will move in shore as the warmer waters come in toward the shoreline.

The CHAIRMAN. Could you venture a guess why our people aren't out there, too, at this time? I know there are a lot of our fishermen go out there and fish. But apparently they are out there now. Why are they there now, and our fishermen are not there?

Mr. MCKERNAN. I believe primarily it is because our fishermen have been concentrating on some other more valuable species, such as some of the sole and flounders which are taken a little closer in shore, and which bring a higher price at the marketplace. It means if our fishermen are going to economically take these species they must have larger and newer vessels and take a greater volume. In a sense handle the fish in volume rather than selectively for the higher priced species.

I believe the reason is because our fishermen do not have the capacity to take the large volumes and handle them in the way the Russians are.

The CHAIRMAN. The perch?

Mr. MCKERNAN. Yes.

Senator BARTLETT. I understand that for each of the past 2 years, Mr. McKernan, the Russians have been taking about a billion pounds of perch off the Alaskan coast. Do you know whether the fishery is big enough to sustain such an enormous catch?

Mr. MCKERNAN. No, I don't know. I think that some of the investigations under this current resolution may well give us a better fix on this question. But I would question whether the Russians have overfished the resources off the Alaskan coast. They have probably reduced them. There is a difference here. It is quite obvious that the Russians can take more per unit of effort, unit of fishing effort, down off Washington now so that in a sense the major parts of their fleet have flowed in this direction. Undoubtedly because of the reduction in the quantities in the Gulf of Alaska.

Senator BARTLETT. Do you say that you don't think they have overfished? This is guesswork?

Mr. MCKERNAN. This is guesswork. I don't know.

Senator BARTLETT. They may have seriously overfished.

Mr. MCKERNAN. They may have.

Senator BARTLETT. That again points up the need for some sort of international agreement so that we can find out what is what, if we are capable of doing such, and on an international basis distribute the take so we won't wipe out any given fishery.

Mr. MCKERNAN. Yes, the Geneva Convention that the chairman just put into the record, when implemented, would go a long way toward insuring the conservation and exchange of information, cooperative research efforts, and protection of the resources along the various coastal states of the world.

Senator BARTLETT. The chairman sent me to Honolulu a few weeks ago, where there was a whaling meeting directed by the International Commission. What one discovers at such a meeting is this: Every nation realizes that too many fish, or in this case too many whales, were being taken. They recognize that if the fishing continued in the North Pacific as it has been in the last few years, the North Pacific stocks would be reduced to the level of those in the Antarctic, that is, practically zero. But each nation wants to accommodate itself only. This exempts the United States because the United States has a very small whaling industry, it is inconsequential. But it would seem that the

participating countries ought to be able to get together and arrive at an arrangement whereby whales would be out there forever. But it is extremely difficult, as we discovered. People aren't ready to agree.

The CHAIRMAN. Of course we can't put ourselves in the position where we are going to sit back and do nothing on the basis that they are fishing perch. They might start on all kinds of other things.

Mr. MCKERNAN. Absolutely. The one big advantage that the resolution before this committee has is that it will bring together to a greater extent than in the past our knowledge of the species and the effects of fishing and so forth.

It is quite obvious that we have great difficulty in getting agreement on international fisheries matters even when we have the best of intentions and a great deal of knowledge. But without the knowledge brought together and assembled and analyzed, it is quite obvious that resolution of these problems becomes quite impossible. This is one of the great advantages of this resolution, and it seems to me it comes at an appropriate time, a time just following the acceptance by a required number of nations of the 1958 Geneva Fishing Convention. So it seems to me to be a good piece of legislation and one that is appropriate at this time.

Senator BARTLETT. Do you have enough staff to do the work?

Mr. MCKERNAN. We will have difficulties here, but we have talked among ourselves, the Assistant Secretary and I, and we are hopeful not only to use our own staff but to use some of the staffs of some of the universities and research institutes that are scattered along our coastlines. I think together we can accomplish the task at hand.

Senator BARTLETT. How long will this take? Forever, I suppose. But in terms of being able to bring something together.

Mr. MCKERNAN. The resolution gives us until 1968, and a report, at least a preliminary finding, which we would hope would be ready for submission to Congress as required in the draft resolution.

The CHAIRMAN. With this convention going into effect, what are the prospects now, what are we doing on an international conference on laying some ground rules on conservation?

Mr. MCKERNAN. The Senator is aware that we have been working with staff members of his committee—of this committee—and with knowledgeable industry people to plan for a conference to get together with interested nations and work out methods for implementing the 1958 convention. I am very optimistic about this, Mr. Chairman. I believe that such a conference is needed soon and we are putting our every effort together with others to plan an effective agenda for such a meeting.

The CHAIRMAN. Do you think that we might have a chance to have it early next year?

Mr. MCKERNAN. I would rather not say the exact time.

The CHAIRMAN. Should we strive for that?

Mr. MCKERNAN. We certainly should strive for an early meeting.

The CHAIRMAN. It takes time, and we couldn't do it on the fishing going on now around the high seas of the world but we could have the results of that experience if we did it next year. And you might have assembled some information under the resolution by that time also.

Mr. MCKERNAN. That is right. And if I might add, we also have been working with the States involved. Due to this committee, both

yourself and Senators Bartlett and Hart, the Public Law 88-309 has become an effective tool in bringing together the talents of the States as well as the Federal Government.

It seems to me that this whole thing will work together very well and will bring closer the time when we can effectively get together with other nations and plan for better international cooperation and conservation.

The CHAIRMAN. Russia is not a party to this convention?

Mr. MCKERNAN. Russia is not a party to the 1958 convention. But we believe that any conference called dealing with the matters of conservation of resources will bring Russia to the conference table. We think this because it certainly would be in her interest to have some say in drafting such rules.

The CHAIRMAN. And Japan is not a party?

Mr. MCKERNAN. Japan is not a party.

The CHAIRMAN. We would be hopeful that the result of such a conference would bring the pressure of world opinion upon those two countries to do something about it, or join in whatever rules of the game might be established.

Mr. MCKERNAN. I think so, Mr. Chairman. In my view the fact that they are not a member is not an insurmountable barrier to their participation.

The CHAIRMAN. Russia agreed in principle, as I understand.

Mr. MCKERNAN. Yes, sir.

The CHAIRMAN. Japan never agreed to any of it.

Mr. MCKERNAN. Russia apparently would not agree to the convention, and since has not ratified, primarily because of the compulsory arbitration feature of the 1958 convention. They would not agree to compulsory arbitration. Other aspects of the convention, as far as I am aware—

The CHAIRMAN. I hope we do proceed with due dispatch to get this going. We can't do any harm. At the first meeting we could make beginnings.

The first meeting isn't necessarily the only one and won't solve everything. Surely we can sit down and start along a road which we hope will lead to conservation on the high seas. If we don't do it pretty soon, we won't have any fish for anybody.

Mr. MCKERNAN. We are very much in agreement with you, Mr. Chairman.

The CHAIRMAN. I have to go into executive session shortly. Senator Bartlett and I, and Senator Kennedy, introduced S. 2218 which was to establish a contiguous fishery zone beyond the territorial seas. Are you familiar with that bill?

Mr. MCKERNAN. Yes, sir.

The CHAIRMAN. It seems to me in view of what was said here today, that the Senator from Alaska, if he can do it, ought to have some public hearings on this bill in May.

Senator BARTLETT. The Senator from Alaska is willing, and ready.

The CHAIRMAN. This fits into it, and points up what we are trying to do and what the problem is.

We will put all these together and it will add up to at least one recommendation, that we ought to proceed with this international conference. I think the American people are getting not only concerned

but very critical of what they seem to feel is a lack of action on the part of our Government in this matter. And I think they have a justifiable complaint.

This committee has been trying for years to push these things and we keep at it and at it. We would rather not pass bills and force people to do things. But it seems too difficult to get people to move on a fisheries matter. Why, I don't know. I think we have made better progress in the last few months than the previous 2 or 3 years. We have to keep at it.

With the convention now in effect, with hearings on this bill, and with the glaring example of the Russians and Japanese and others off the coast, and the fact that most nations seem to be conservation minded, or at least give it lipservice, putting all these things together we ought to be able to do something. If they are only going to give it lipservice this is a good way to find out.

You are going to suggest some amendment to this bill.

I have to leave. Senator Bartlett will take over.

I do think, and I think you would agree with me, you and Dr. Cain, if this resolution passes and you start on this work, that we don't want that to be an excuse not to proceed on these other factors. In other words, for someone to say we are making a study and we are not through yet. They could parallel one another and should. The other is much more important. We have a lot of studying to do. I think we can go to an international conference pretty well prepared right now.

Senator BARTLETT (presiding). The committee will give consideration to any possible changes in the resolution, Mr. McKernan.

Why is it basically that the United States discovers itself to be in a situation where we import more than 60 percent of all the fish we consume in this country?

Mr. MCKERNAN. Mr. Chairman, it is my opinion that this comes about because of the very rapid development after the last war of the foreign fisheries around the world. Some of this development of course was stimulated by the United States itself in an effort to make these countries economically independent.

It is natural that such development; that is the development by many of these foreign nations, sought U.S. markets because of the importance of hard currencies in their economic rehabilitation.

This then brought a large proportion, a large amount of the fisheries products from these expanded fisheries into the U.S. markets.

At the same time our own fishing fleets, after the war, were old, decrepit, obsolete, and they had great difficulty in competing with this veritable flood of foreign products being brought into the U.S. market. Capital tended to flow away from the commercial fishing industry so that our industry as a whole was very much undercapitalized. And things in a sense went from bad to worse.

I might also say that in my opinion the Federal Government did not take much account of its commercial fisheries immediately after the war and perhaps the first noticeable change took place when the Fish and Wildlife Act of 1956 was passed strengthening the position of commercial fisheries within the U.S. Government.

Senator BARTLETT. Are we, if you know, giving much money to foreign countries at this time for the development of their fisheries?

Mr. MCKERNAN. I don't have complete figures on this. I think in a general way the answer is, no. We are providing some generous loans in the form of the so-called Cooley loans. We are also carrying out some aid in fisheries in a number of countries throughout the world. But in the last 5 years the development of world markets has been very rapid and the worldwide demand for fisheries products has grown considerably in just the last few years. It is no longer true that the U.S. market is the only good market in the world. The market in North Europe, the market in Japan, and some other parts of the Orient other parts of Asia, Africa, and Europe, are becoming important. This means then that I can foresee a shortage of available fisheries' products.

One more reason of course why this country, in my view, should reconstruct its fishing fleets and get out and start harvesting the resources that are so abundant off our coast.

Senator BARTLETT. Did any economic aid from the United States in years gone by enable Japan to rehabilitate its fishing fleet after the war?

Mr. MCKERNAN. Yes. Immediately after the war the Japanese did get economic aid, part of which went into the development of their fisheries. Of course they were so dependent upon fish as a source of protein immediately after the war—parenthetically, the country was very short of protein. I was in Japan, a member of General MacArthur's staff on fisheries in 1950, and even at that time in Japan there was a great shortage of protein, and fish came in clear from the coast, with very poor systems of transportation at that time. Fish was a very important item in their diet, and it was also important from the standpoint of getting hard currency to begin the rather astounding recovery of the Japanese economy which has taken place.

Senator BARTLETT. I recall some years ago being in Seward, Alaska, where there was a small shrimp plant. And those who were operating it were calling desperately for the services of biologists trained in this particular area of the fishery. But our Federal Government could not supply one for Alaska because they had all gone to India and Pakistan to enable the people over there to develop the fisheries which became competitive with ours.

I have heard, Mr. McKernan, and I would like to check this with you, that Alaska has a potential in respect of shrimp which might be able to supply 100 million pounds a year. Is there any substantance to this?

Mr. MCKERNAN. Yes; there is. I would say that the estimates that you have made are probably minimal because great shrimp resources exist both south of the Aleutians in the Gulf of Alaska and also in the Bering Sea. At the present time it is a source of Japanese fisheries in both these areas, and perhaps also some Russian fisheries as well. Russians have fished shrimp in this area and are continuing to do so at least to some extent.

Senator BARTLETT. Have our fishermen on any of our coasts gone out to the high seas, or do they dedicate themselves almost entirely to coastal fisheries?

Mr. MCKERNAN. No; we have some traditional high seas fisheries. The Grand Banks fishermen from New England are becoming pretty scarce now, almost an endangered species. The fishermen to the Grand Banks in past years went literally hundreds of miles from port.

The shrimp fishermen in the Gulf of Mexico fish off the coast of several South and Central American countries and go considerable distances at sea although I am not sure one can classify them in the true sense as a high seas fleet.

But the tuna fishermen of the west coast of the United States are truly high seas fishermen and they do go as far away as the west coast of Africa exploring, and also to the central Pacific. They have been out in the Marquesas and even to the western Pacific on occasion exploring and searching for tuna.

The largest, best equipped high seas fleet that we have is the tuna fleet.

Senator BARTLETT. However, as to total volume, practically all of the fish comes from coastal waters, does it not?

Mr. MCKERNAN. Yes. A preponderance of our fish comes from in-shore waters of the United States.

Senator BARTLETT. About 90 percent; right?

Mr. MCKERNAN. Yes.

Senator BARTLETT. I was in Anchorage, Alaska, the other day, and there was a headline, a banner line in the local newspaper saying that the Alaska State Department of Fish and Game had predicted another big run of red salmon in Bristol Bay. The prediction was for 28 million fish. Small compared to the unexpected run of 1965, but large by ordinary standards.

Mr. McKernan, isn't the extent of that run dependent upon how many of these fish are taken by the Japanese west of 175 west longitude in accordance with existing treaties?

Mr. MCKERNAN. Yes.

Senator BARTLETT. Maybe the 28 million pounds of fish will get to Bristol Bay for taking by our fishermen and for spawning purposes, and maybe they will not. Right?

Mr. MCKERNAN. To a considerable degree it is up to what are left by the high seas fisheries of Japan. These fish will enter Bristol Bay.

Senator BARTLETT. They have first whack at them.

Mr. MCKERNAN. They have first whack at them. Of course, the Japanese are prevented from fishing east of 175 degrees west longitude.

Senator BARTLETT. They do sneak over occasionally and are caught.

Mr. MCKERNAN. They do sneak over occasionally and are caught. But the proportion of the run west of the line, varies from year to year. Here again, unfortunately this year there is likely to be a larger proportion move farther west because the fish are older and their opportunity for random wandering in the high seas is greater. So that we expect the availability of the Bristol Bay salmon to the Japanese fishery to be higher this year than last year.

Senator BARTLETT. At least if that is the case, we won't be able to say that they are taking all immature fish. They will be bigger this year.

Mr. MCKERNAN. They will be bigger this year.

Senator BARTLETT. Only a few days ago, as you well know Mr. McKernan, the Japanese and the Russians concluded their annual negotiations as to the take of Siberian salmon by the Japanese. My recollection is that the tonnage arrived at during the negotiations represented a decrease from 1965. As a matter of fact the Russians have been cutting the Japanese down each year for the last several years.

Isn't this fact likely to cause the Japanese to intensify their fishing efforts on these Bristol Bay salmon so that their total pack won't be cut?

Mr. MCKERNAN. This overall quota on which the Japanese operate with the Soviet Union includes the fish taken west of 175 degrees west longitude. So that they do have a limitation which includes the Bristol Bay fish.

On the other hand, the limitation as I understand it was mostly in the western area and south of 45 degrees north latitude. So that I don't believe there was much reduction applied in that area, much reduction in quota to the Japanese, applied in the area where the intermingling occurs, intermingling of the North American and Asian salmon. So I don't believe that the Japanese will be inhibited very much this year by their agreement with the Soviet Union. I wish they were, but I don't believe they will have too much trouble taking as many as they can catch.

I am very hopeful that the Japanese will be prudent and will not take many salmon of North American origin because our estimates of the size of the run may well be excessive this year. The run may be smaller than we think. And I am hopeful that they will ease off and take fewer salmon until we can reach agreement with them on some arrangement in the North Pacific.

Senator BARTLETT. What I am going to say now is repetitive. It has been spread on the record a thousand times. But for the sake of this record I think I will restate it.

It is a fact, is it not, Mr. McKernan, that while the Japanese are permitted to fish for salmon with nets on the high seas, American and Canadian fishermen are prohibited by national laws affecting them from doing so?

Mr. MCKERNAN. Yes. Our fishermen cannot net fish on the high seas. We are prohibited from netting fish.

Senator BARTLETT. It is considered to be inimical to sound, proper conservation practices.

Mr. MCKERNAN. That is our point of view.

Senator BARTLETT. Senator Hart?

Senator HART. Thank you, Mr. Chairman.

I am glad we are moving on the resolution.

Senator BARTLETT. Off the record.

(Discussion off the record.)

Senator BARTLETT. Thank you, gentlemen, for appearing and presenting your views. We are glad that you support the resolution in principle.

At this time, since Chairman Magnuson brought up the subject of hearings on S. 2218 to establish a contiguous fisheries zone beyond the territorial zone of the United States, a subject which has been pending for a long time now, and as the chairman said there are pros and cons, all of which ought to be thoroughly explored, and it is the intention of this committee to make such exploration, that public hearings will take place this year on May 18 and 19. We hope that the fishing industry, fishermen, everyone concerned with this vital industry, will be adequately represented and appear before the committee and present their views on the desirability of extending the fisheries zone from the present 3 miles to 12 miles as most of the leading maritime nations of the world have already done.

Mr. McKERNAN. Mr. Chairman, before adjournment, I wonder if the departmental report, which was sent over to the committee on August 11, whether that has been inserted into the record or not. It wasn't clear to me that it was.

Senator BARTLETT. You are talking about the resolution?

Mr. McKERNAN. Yes.

Senator BARTLETT. There are several reports on the resolution, including that of the Department of Interior. They will all be placed in the record.

Mr. McKERNAN. Thank you, Mr. Chairman.

Senator BARTLETT. We have also a series of letters from various people concerning Senate Joint Resolution 29, which likewise will be incorporated in the record.

(The letters mentioned above follow:)

[From the National Fisherman Magazine, Apr. 14, 1966]

STATEMENT ON SENATE JOINT RESOLUTION 29, SURVEY OF COMMERCIAL FISHERY RESOURCES

This is Tom Binmore of Rye, N.H., representing the National Fisherman combined with Maine Coast Fisherman,

Others better informed will tell you in more detail what the needs of the off-shore fisheries are in this direction. In appearing in favor of this bill, I want to talk about the inshore fisheries, which I know best, and for the following reasons:

- (1) The difference between present harvest and potential harvest is greatest.
- (2) The gap between what we know and what we do is widest.
- (3) The impact of social regulation is most severe.
- (4) The problems are almost entirely domestic.
- (5) In this most fruitful area, the concentration of little used species is the greatest.
- (6) The abundance of technical examples of modernization awaiting nontechnical changes in regulation for their full development, is relatively large.

There have been and still are several survey-type efforts going on at both Federal and State levels, but few of them are aimed at the end envisioned in this bill. To me, this bill proposes to ask the Bureau of Commercial Fisheries the following question: For not over \$200,000 in money and a year in time, can you tell the Congress what is needed, and also what our fisheries can do, and how?

I hope Director McKernan says, "Yes." This report is to be given to the Congress; I hope you can find someone with an expendable neck to give it out to the public. The truth may be rough.

Presumably some solutions are to be ruled out, such as manning the fisheries with drafted Government employees, using our Navy to chase strangers out of the Pacific, Caribbean, and Atlantic Oceans, or making the Government a senior partner in every fishery effort.

We must realize, however, that these same conditions, rather than wage-and-price differentials, are the fortresses from which we are assailed by foreign competition.

Some things in current programs puzzle us who are working in the field. There are other surveys now in progress. Just what are they and we supposed to be reporting? Obviously, productive capacity is one phase. Is this to be based on recent harvest? Upon the good old days before pollution? On what we might do with modernized methods? On what intense farming for fish might produce?

Certainly the Bureau of Commercial Fisheries and its scientists and gear research teams are doing a commendable job in opening new fisheries and patching up the old. To cite just two instances, they opened up a new deepsea lobster fishery a few years ago which has developed into an all-year industry. They are now helping in exploring and expanding the northeastern shrimp fishery.

Bureau scientists and private operators, working jointly and separately, have shown how improved methods can greatly increase some of our present fisheries. For instance, it has been shown that mechanical clam digging is infinitely more

efficient and yet less damaging to the remaining crop than the digging of clams by hand. In some cases, this is also true of oyster harvesting. It has been shown that oysters, shrimp, and pompano can be farmed in the South. The Bureau, working with State and Canadian authorities, has turned our Great Lakes fisheries from a scene of disaster to one of hope.

Does this work suffice? No, it does not.

The spread of success is often impeded or even vetoed by the lack of long-term security and by obstacles which are not biological or financial but rather of legal, social, and political order. By political, I do not mean Republicans or Democrats, but the pattern of making decisions based on what people think they want rather than on the needs for rational production of the species.

What we of the inshore need is a wholehearted effort to build up what we have toward such final efficiency. There have been efforts in this direction before. The Atlantic States Marine Fisheries Commission has passed resolutions denouncing social legislation as eventually harmful to the species. Social legislation is that which pretends to be conservation but actually is a device to favor one group against another. The long-range course of such action not only prevents good development of a fish crop but also ends up pauperizing the very people it purports to benefit.

There needs to be more carrot-and-stick technique applied to this balky situation. In advising local people, we are apt to say, "If you insist on using your resources as a playground or poor farm, how can you expect the Bureau of Commercial Fisheries to rush to your aid?"

With regards to restrictive regulations imposed or threatened by sportsmen, we believe and preach that if exploratory work is carefully done and patiently presented, if selective protection is given seed and nursery areas, and if there is reasonable sharing of fishing areas, the result will be more lasting fishing for both commercial and recreational interests. The modern administrator should not entertain the question of who should fish where, let alone try and decide which is more important. Both are important and a tipped balance may result in a shortage for both. We applaud the patient steps taken by some States, notably Massachusetts, toward seeking an end to these conflicts.

One phase of this problem isn't spelled out herein. We on the commercial end know who rents our boats, buys our bait and tackle, pays for shore dinners and then goes ashore and actually sells for us. We want to take care of the sports fisherman, on a live-and-let-live basis. We have also seen how at field level the workers of both phases can cooperate successfully.

We are in the business of providing food, and to do this the policies and attitudes of game management do not apply. We are not providing amusement nor are we in the business of increasing ticket sales. We cannot accept any balance of nature doctrine. We see nature not as a balance but in a perpetual zigzag between boom or bust. To tell us to protect predators so that weaklings can be trimmed out is like telling the farmer to let weeds grow to improve his crops. This conflict of doctrine should no longer be tolerated.

We hope the Bureau will be assigned to start work with the regions, the States, the towns, and the industry to relax these impediments to full utilization of our inshore fisheries. We are not urging that the Bureau go into the field to gather all the statistics firsthand. This should be the job of the regulating agency. But given the means, the Bureau can best project the possibilities of an area.

This sponsors of this bill are to be congratulated for rising to the challenge all along the line. We hope it will be passed and funded. We pledge all the support we can muster to help and encourage the Bureau in such an ambitious undertaking.

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TUNA RESEARCH FOUNDATION, INC.,  
*Terminal Island, Calif., April 13, 1966.*

Senator WARREN G. MAGNUSON,  
*Senate Office Building,  
Washington, D.C.*

DEAR SENATOR MAGNUSON: This is a belated reply to your letter of March 23 informing me that the Subcommittee on Merchant Marine and Fisheries of the Senate Committee on Commerce has scheduled a public hearing for April 19, 1966, on Senate Joint Resolution 29, a bill 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.

It will be completely impossible for this foundation to send a representative to testify at your hearing. I do, however, wish to support most strongly the proposal contained in Senate Joint Resolution 29. If my memory serves me right, the last such survey was made in the mid-1940's and it is timely now to bring that information up to date.

I have rather carefully reviewed Senate Joint Resolution 29 and have indeed discussed the measure with Mr. Harry Hewes of your committee staff. I indicated to Mr. Hewes that there perhaps was one point which was not adequately covered in the bill, but which might very easily be covered by a short amendment. I refer to the desirability of the inclusion in the survey, of information about the extent to which State or territorial laws interfere with the most efficient methods of harvesting our latent and underutilized living marine resources. This problem perhaps is covered by the word "legal" in line 12, page 3, of the measure, but a clarification would, in my opinion, be extremely helpful.

Another possible point for clarification would appear on line 18, page 5, by modifying that line to read "\* \* \* (g) the laws and regulations including those of the several States that govern the commercial fisheries."

I would like to reiterate at this point that the members of this foundation strongly support Senate Joint Resolution 29 and would urge its enactment. Since we cannot because of a conflict of other commitments be represented in person, we would appreciate your arranging to include this letter in the transcript of the hearing.

Best personal regards.

Yours sincerely,

CHAS. R. CARRY,  
*Executive Director.*

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NATIONAL CANNERS ASSOCIATION,  
*Washington, D.C., April 18, 1966.*

HON. WARREN G. MAGNUSON,  
*Chairman, Committee on Commerce,  
U.S. Senate, Washington, D.C.*

DEAR MR. CHAIRMAN: We would like to express, for the record, our strong support for passage of Senate Joint Resolution 29, which would authorize and direct the U.S. Bureau of Commercial Fisheries to conduct a comprehensive survey of the commercial fishery resources of the United States.

Such a survey is long overdue. The last overall study of this country's commercial fishery resources was undertaken 22 years ago, and was limited, for the most part, to a survey of the various commercial species of fish in waters adjacent to the United States.

To our knowledge, a comprehensive survey of the scope and extent proposed in Senate Joint Resolution 29 has never been conducted. A research program of this type is sorely needed by the U.S. commercial fishing industry.

The fishing industry in this country is severely handicapped by a lack of accurate, up-to-date scientific knowledge of our fisheries resources. This country has failed to keep pace with the other major fishing nations of the world whose aggressive research efforts have paid off in larger and larger commercial catches by their fishermen. The catch of our commercial fishermen has failed to keep up with domestic demands and each year a larger share of the U.S. market for fishery products goes, by default, to foreign imports. A report published by the National Academy of Sciences in 1965 indicated that:

"Increasing the U.S. domestic catch of fish requires the existence of sufficient additional productive potential of fish stocks accessible to our fishermen, and the existence of markets for the catch. Both of these conditions, we believe, can be satisfied if the necessary research is done on the living resources of the sea and methods of harvesting them."

In addition to the needs of the commercial fishing industry, it goes without saying that the United States cannot hope to successfully conserve and develop our valuable marine resources without complete and accurate information. One example, with which I know you are well familiar, concerns our North Pacific salmon resources. If greater knowledge of the migratory habits of North American salmon had been available in 1950 when the North Pacific Treaty was signed, the provisions of the tripartite treaty could have given explicit protection to these resources, thus preventing their being taken on the high seas by the Japanese.

Your own deep concern and the concern of the Senate Commerce Committee for the welfare of the U.S. fishing industry are well known and deeply appreciated by the industry. We urge, therefore, that the committee give favorable consideration to Senate Joint Resolution 29, and we hope that Congress will act promptly to pass the resolution.

With kindest regards,  
Sincerely yours,

RONALD W. DE LUCIEN,  
*Director, Fishery Products Program.*

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ST. GEORGE PACKING CO.,  
*Fort Myers Beach, Fla., April 12, 1966.*

Re Senate Joint Resolution 29.

HON. WARREN G. MAGNUSON,  
*Chairman, Committee on Commerce,  
U.S. Senate, Washington, D.C.*

DEAR SENATOR MAGNUSON: I am a fisherman and have been for over 40 years, and my whole life has been devoted to fishing, both in U.S. waters and in the Gulf of Mexico and the Caribbean Sea.

Believing that unity in our fisheries is highly important, I have spent the last several years in very active support of our many shrimp fishery organizations, serving as an officer and on the Board of Directors of Southeastern Fisheries Association; the National Shrimp Congress; and the Shrimp Association of the Americas.

In addition, I have spent a great deal of time in meetings with groups from the several interested states; with the Bureau of Commercial Fisheries, and have served and am serving as a fisheries adviser to the Department of State. The horizons of fisheries can never be local in nature where salt water is concerned. Our problems are both local and national, domestic and international, and they vary from conditions of the domestic market in absorbing our catch to competition from foreign countries in production and to the occasional seizure of one of our vessels.

I have read Senate Joint Resolution 29 with great care and attention and it appears to me that this is a splendid document which will give strength to our fisheries and will result in obtaining valuable information in a bundle which now comes piecemeal. To me, dependent upon the sea harvest, conservation of our fisheries is the most important matter of life. We cannot conserve a resource unless we know enough about it to put wise regulations on the management of the resource. Sometimes, even after we have obtained considerable information about a fishery, bad laws are made, or good laws are made and not enforced, and we who depend upon the fishery for a living have this additional concern to add to the other hazards of this enterprise.

Therefore, and especially for later generations, we should add to our knowledge of the resources of the sea, and this I think is the principal objective of Senate Joint Resolution 29. I verily believe this type of program deserves strong support from Government and certainly more than many other programs which do not give us the long-lasting future returns that this one promises.

I have had the opportunity of reading the statement made on behalf of the domestic shrimp industry by our executive director of the National Shrimp Congress, of which I am a board member, and I wish to go on record as endorsing this statement as a true reflection of the position of the shrimp industry as to Senate Joint Resolution 29.

Together with my fellow fishermen I am grateful for the positive thinking of our leaders in Congress who give their attention and support to our fisheries. Our industry could not survive without this active interest and concern. We fishermen are not great letter writers, but we can express our appreciation and support and we trust that you will continue this good work, as we share with you the belief and conviction that God gave us the sea and its resources for a purpose which we should wisely use and conserve.

Very sincerely yours,

JOHN C. FERGUSON.

FLORIDA BOARD OF CONSERVATION,  
Tallahassee, April 7, 1966.

HON. WARREN G. MAGNUSON,  
Chairman, Committee on Commerce, Subcommittee on Merchant Marine and  
Fisheries, U.S. Senate, Washington, D.C.

DEAR SENATOR MAGNUSON: This is to advise that the Florida Board of Conservation endorses and urges adoption by the Congress of Senate Joint Resolution 29, which would 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.

The board of conservation does not plan to appear at the hearing scheduled April 19, 1966. However, I shall appreciate if you will include in the record of the hearing the support of the Florida Board of Conservation for Senate Joint Resolution 29.

Sincerely,

RANDOLPH HODGES, *Director.*

NATIONAL FISHERIES INSTITUTE, INC.,  
Washington, D.C., April 5, 1966.

HON. WARREN G. MAGNUSON,  
Chairman, Senate Committee on Commerce,  
New Senate Office Building,  
Washington, D.C.

DEAR SENATOR MAGNUSON: Thank you for your invitation to appear before the Subcommittee on Merchant Marine and Fisheries of the Senate Committee on Commerce April 19.

The National Fisheries Institute would like instead to submit that it supports Senate Joint Resolution 29 and believes that the intent contained will go far toward aiding the U.S. commercial fishing industry.

It is our sincere wish that this resolution be passed and be implemented as soon as possible.

This will serve in place of an appearance before the committee.

Sincerely yours,

F. P. LONGEWAY, JR.,  
*Executive Director.*

BEARS BLUFF LABORATORIES,  
Wadmalaw Island, S.C., April 8, 1966.

Senator WARREN G. MAGNUSON,  
Chairman, Committee on Commerce,  
U.S. Senate, Washington, D.C.

DEAR SENATOR MAGNUSON: The passage of Senate Joint Resolution 29 to authorize and direct the Bureau of Commercial Fisheries to conduct a survey of the fisheries resources would ultimately result in the accumulation and dissemination of information of great value. As an administrator of the marine fishery resources of South Carolina, I feel that the survey would be most useful. I respectfully urge the passage of the bill.

Section 2, paragraph f (p. 7 beginning with line 15 of the printed bill), is of particular interest and importance. Since 1946 at Bears Bluff Laboratories, Wadmalaw Island, S.C., we have been carrying on practical applied research on the culture of oysters, fish, crabs, and shrimp in salt-water ponds.

Careful estimates lead to the conclusion that each acre of tidal marshland in South Carolina produces 88 pounds of marketable fish annually. However, under controlled conditions in 1-acre experimental ponds we have repeatedly produced 250 pounds of marketable fish annually. Under controlled conditions we have often harvested better than 200 pounds of shrimp at the end of a 3- or 4-month growing season from 1-acre ponds. Where more complete control could be achieved we have produced, in small ponds (one-tenth acre or less), the equivalent of from 400 up to 800 pounds per acre in a 4-month growing period. Thus, it seems that salt-water ponds can be as much as 24 times as productive as natural tidal marshes.

The directive in Senate Joint Resolution 29 to give "special consideration to methods of managing and increasing fishery production" through pond culture is excellent.

Very truly yours,

G. ROBERT LUNZ, *Director.*

NATIONAL SHRIMP CONGRESS, INC.,  
Key West, Fla., April 11, 1966.

Re Senate Joint Resolution 29.

Hon. WARREN G. MAGNUSON,  
*Chairman, Committee on Commerce,  
U.S. Senate, Washington, D.C.*

DEAR SENATOR MAGNUSON: The National Shrimp Congress strongly supports Senate Joint Resolution 29, introduced by yourself together with Senators Brewster, Fong, and Hart.

The last survey of the U.S. shrimp industry was published by the Department of the Interior, Fish and Wildlife Service, in publications entitled "Special Scientific Report, Fisheries No. 277, Volume I, November 1958" and thence "Volume II, Report No. 308, June 1959." At the request of this organization there followed a section 9(b) report on fresh, frozen, and processed shrimp, published in April 1960. Early this year we discussed with the Bureau of Commercial Fisheries our feeling that fishery information should be updated, so that the thinking of the domestic shrimp industry is closely in line with the objectives of Senate Joint Resolution 29.

It is true that during the past 5 years the Bureau has instituted procedures and programs designed to produce better and more recent information, but we believe that a "crash program" specifically aimed at the purposes of Senate Joint Resolution 29 will better insure the updating of the desired information than to attempt to accommodate it within the budget which suffers from malnutrition at times when other Government programs have high priority.

As to priority, the gathering of food from the ocean deserves a higher status than heretofore given to it if we give proper credence to the able forecasters who predict the growing world population and the resultant food scarcity. There is bound to be a scramble for the priorities of the ocean and unless our leaders lay their plans well, national policy will be ill-served.

It is doubtful that a project of the magnitude envisaged by Senate Joint Resolution 29 in section 1, subparagraphs (a) through (h) can be financed for the modest amount suggested, and while recommending that a larger sum be appropriated this organization would yet suggest additional data necessary for a complete understanding of the fishery situation. Section 1 is couched in such terms as to suggest the practical limitation of the study to our local resources or those nearby, with the international aspect limited (section 1, page 3, lines 14-16) to the effect of conventions and treaties on U.S. fishermen, although there is some saving language in lines 9-11, "including high seas fishery resources in which the United States may have interests or rights." The writer would recommend amplification of this language to read: "in which the United States may now or hereafter appear to have interests or rights."

Great fishery nations are not necessarily so because of the riches of nearby waters, but also because of the boldness and daring of their fishermen. Today and tomorrow we need this and something more: The best fisheries technology that our inventive Nation can produce plus sufficient incentive to interest private enterprise.

There are cogent reasons for lifting our view beyond "Contiguous waters," although it is true that first attention should be given the resource that may be more easily captured and its yield sustained. Yet even in this sortie to nearby areas we are already on the high seas and in the domain of the common pasture of international law, as recognized to some extent by the sixth "Whereas" and section 2(e) of Senate Joint Resolution 29.

We therefore suggest that there should be participation on the part of the Department of State in this important phase of the fishery study because the international policy rests with that Department and its inclusion in this phase of the survey may serve the useful purpose of not only acquiring information

and helping to crystallize it, but also, after the survey is made, continuing on a broader scale to give effect and purpose to the national needs disclosed.

We venture another recommendation, based on economics and on our own personal passage through the throes of foreign competition. Unless there is known to a reasonable extent the condition and potential of other fisheries in the world, as well as fishing fleets and their potential increases, our Nation being one of individual enterprise cannot hope to interest private capital in the already hazardous venture of fishing, whether nearby or distant. There should be sufficient analysis made as the result of this survey, not only to guide national policy but also to provide realistic data which may encourage private enterprise to expand and flourish, to make an honest dollar and to be reasonably protected by our Government, at least in the initial stages.

Facts and figures are available now to show that as we expand in population more fish is eaten, and these same statistics show that more and more fish come from foreign fisherman. The stimulation of U.S. fishermen and U.S. enterprise and capital, we believe, is as necessary to a developing domestic increase in fish production as the governmental development of biological information and fishing techniques. They go hand in hand, from the ocean to the market, and if a suitable and stable market is provided, the U.S. fishing fleet will grow.

We are not unmindful that the shrimp fleet has become highly specialized in reaping the shrimp harvest and making this the No. 1 U.S. industry in dollar value. Nevertheless, there are persons in this industry with imagination and adventuresome spirit who would welcome new horizons made possible by the type of survey which you propose.

For the great interest and leadership of the Senate Committee on Commerce the domestic shrimp industry of the United States is continually grateful and it is ready to play a part in this and other programs which it deems to be of important national concern.

Very respectfully yours,

WILLIAM R. NEBLETT,  
*Executive Director.*

APRIL 7, 1966.

To: The Subcommittee on Merchant Marine and Fisheries of the Senate Committee on Commerce.

From: Raymond T. Richardson, Port Monmouth, N.J.

Subject: Senate Joint Resolution 29.

I have read the bill, Senate Joint Resolution 29, very carefully; and I wish to have my approval of this bill made a part of the hearing record of April 19, 1966. It is my belief that, if legislation based on this concept had been passed many years ago, the United States would not have dropped to the level in world fisheries that it is today. I do not think, however, that the provisions set forth in the bill (\$200,000) will be sufficient to make a survey of our commercial fisheries of the magnitude necessary to again return the United States to the world standing it once held. If we stop to analyze the tremendous amount of work set forth in the context of this bill and then consider the present economic standards in which we must work, I then feel certain that we will fall short by this provision in obtaining the goal this bill wishes to achieve.

I serve at present, as a Commissioner from New Jersey on the Atlantic States Marine Fisheries Commission, and representative of commercial fishermen on the division of fish and game council in the State of New Jersey. I also own and operate a commercial fishing business in New Jersey, participating actively in its operation. It is with considerable knowledge of the industry that I state that the backbone of the commercial fishing industry in this State and many other States has been broken. The present economic standards as they exist today, coupled with over-restrictive laws by States, have caused not only salaried employees, but owners of small businesses to leave the sea for landside jobs. Migratory fish know no boundaries. Fishermen follow and catch these fish from many miles at sea until the fish move inside of State boundaries. Then State legislation, which in many cases is against the tools to do the job rather than true conservation, stops the fisherman's production and thus stops his income. I know a great number of these men personally and several years ago many talked of expanding their businesses. Now many of them have disappeared into the masses leaving only one reminder that they were ever there—a vessel with a sign reading: "For Sale." I hope that we may see large fishing

fleets of United States vessels comparable to Russia, West Germany, and other nations but I feel strongly that the many small enterprises must continue to exist—to give the basic strength necessary for the commercial fishing industry to grow again.

RAYMOND T. RICHARDSON.

STATE OF OREGON,  
FISH COMMISSION OF OREGON,  
Portland, April 8, 1966.

HON. WARREN G. MAGNUSON,  
*Chairman, Subcommittee on Merchant Marine and Fisheries, Senate Committee on Commerce, New Senate Office Building, Washington, D.C.*

DEAR SENATOR MAGNUSON: The Fish Commission of Oregon offers the following comments regarding Senate Joint Resolution 29 which proposes a survey of the character, extent, and condition of the commercial fishery resources of the United States by the Bureau of Commercial Fisheries.

We have reviewed the provisions of this resolution, support its principle, and concur with the need for it. We recognize the urgent need of maintaining current inventories on the status and potential of the resource, the management of the fisheries, and the development of the most efficient means of harvesting and processing the commercial landings of food fish. The information to be collected under this bill can be of tremendous value in a variety of ways to the State and Federal Governments in providing for optimum use of the fishery resources involved. The fishing industry and related business can realize great benefit as well.

Because of the proposed scope of the survey, it appears logical to have it financed and conducted by the Federal Government. However, because of the statutory responsibilities of the States for managing the fishery resources within their political boundaries, consultation, coordination, and cooperation with the State agencies where appropriate should be clearly spelled out. We welcome a critical and impartial look at present regulations, as well as management practices and programs as they relate to the overall needs of the resources involved. The views of the respective State agencies concerning specific treaties, conventions, and compacts, where appropriate, should be made a part of the formal report by the Bureau of Commercial Fisheries.

We would be very surprised if the program as outlined could be conducted and the report prepared by the deadline of January 1, 1968, with only \$200,000. It would appear to us that both limits should be changed, but we do not feel qualified to specify what they should be.

We support the principle of Senate Joint Resolution 29 and urge favorable consideration of it with inclusion of the points mentioned above.

We appreciate the opportunity to present our comments to the committee and have them made a part of the record.

Sincerely,

ROBERT W. SCHONING,  
*State Fisheries Director.*

PACIFIC MARINE FISHERIES COMMISSION,  
Portland, Oreg., April 8, 1966.

HON. WARREN G. MAGNUSON,  
*Chairman, Subcommittee on Merchant Marine and Fisheries, Senate Committee on Commerce, New Senate Office Building, Washington, D.C.*

DEAR MR. CHAIRMAN: I am glad to be able to file the following written comments with your subcommittee, regarding Senate Joint Resolution 29:

The Pacific Marine Fisheries Commission, which is an interstate agency of California, Idaho, Oregon, and Washington, is highly in favor of the adoption of Senate Joint Resolution 29. A similar resolution was enacted on May 11, 1955, and it resulted in Senate Document No. 51, 79th Congress, 1st session, entitled "Fisheries Resources of the United States." A copy of this document is in my personal library and I have referred to it on numerous occasions. I am sure that other fishery scientists have also made good use of the document and share PMFC's hope and mine that Senate Document 51 will be brought up to date and expanded in scope as outlined in Senate Joint Resolution 29.

A widely distributed report on a survey of the "Fisheries Resources of the United States" would stimulate interest in these important resources at a most

crucial time. It would serve as a point of departure or reference in charting greater use of the Nation's fishery resources. Fishing vessels and fishermen are strategic resources in time of war or emergency. The national output of fishery products and byproducts has declined, while imports have increased greatly. The discrepancy between exports and imports of fishery products has been an important factor in the Nation's balance-of-payments deficit. There has been a decrease in the numbers of U.S. fishing vessels, fishermen, and shore workers. Meanwhile, there has been a much greater increase of foreign fishing vessels and fishermen off the coasts of North America. Our fishing industry is hobbled in some instances by obsolete and conflicting laws and regulations. Ecological changes have occurred and are occurring that adversely affect both the anadromous fishes that migrate from the sea to fresh water to spawn and the catadromous fishes that migrate from fresh water to the depths of the sea to spawn. The rapidly increasing world population demands that more and more food must come from the oceans, estuaries, rivers, and lakes. Fishery products not only satisfy hunger, but they promote good health. At present, only a few of the available palatable species are being fully utilized, especially in this country. Fish protein concentrate offers an inexpensive means of supplying undernourished peoples with necessary protein. A survey of the Nation's fishery resources will help to bring these points into sharper focus.

Thank you for this opportunity to comment on Senate Joint Resolution 29.

Respectfully,

LEON A. VERHOEVEN, *Executive Director.*

The committee will be in recess.

(Whereupon, at 11:18 a.m., the subcommittee recessed.)



