

84TH CONGRESS  
2D SESSION

# H. R. 8590

---

## IN THE HOUSE OF REPRESENTATIVES

JANUARY 18, 1956

Mr. FOGARTY introduced the following bill; which was referred to the Committee on Merchant Marine and Fisheries

---

## A BILL

To establish a national policy with respect to commercial fisheries; to establish the Office of Assistant Secretary of Commerce for Commercial Fisheries, and define his functions, powers, and responsibilities; to strengthen the commercial fisheries segment of the national economy, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*  
3 That the Congress recognizes the material contribution made  
4 to the food-producing segment of the national economy by  
5 the commercial fisheries of the United States and that indus-  
6 try's potential for strengthening the defense of the United  
7 States. As is true with other segments of our economy,

1 the well-being of commercial fisheries has a direct bearing  
2 on the well-being of all. It is therefore the intent of Con-  
3 gress in enacting this legislation to promote a healthy, pros-  
4 perous, and productive condition in our domestic commercial  
5 fisheries; to provide for conservation and efficient utilization  
6 of our food resources based upon fisheries; and to stimulate  
7 the development of a strong, prosperous, efficient, thriving  
8 domestic commercial fisheries industry.

9       SEC. 2. There shall be in the Department of Commerce  
10 an additional Assistant Secretary of Commerce (hereafter  
11 in this Act referred to as the "Assistant Secretary") who  
12 shall be appointed by the President, by and with the advice  
13 and consent of the Senate. He shall perform such duties  
14 as shall be prescribed by the Secretary of Commerce or as  
15 may be required by law. He shall exercise all functions  
16 with respect to commercial fisheries prescribed by this Act  
17 or transferred to him, under the general supervision and  
18 control of the Secretary of Commerce.

19       SEC. 3. (a) Those portions of the Fish and Wildlife  
20 Service of the Department of the Interior having to do with  
21 biological, oceanographic, meteorological, technological,  
22 economic and other scientific investigations, conservation  
23 management, foreign activities, and economic activities, as

1 all of these portions relate to the commercial fisheries, and  
2 their functions, are hereby transferred to the Assistant  
3 Secretary.

4 (b) All records, property, personnel, commitments, and  
5 unexpended balances (available or to be made available)  
6 of appropriations, allocations, and other funds as the Director  
7 of the Bureau of the Budget shall determine to relate pri-  
8 marily to the functions transferred by subsection (a) shall  
9 be transferred to the Assistant Secretary.

10 SEC. 4. With a view to keeping the commercial fisheries  
11 industry and the Government informed, the Assistant Secre-  
12 tary shall conduct continuing studies, and periodically report  
13 on, the following:

14 (1) Production and flow to market of domestically  
15 produced fishery commodities;

16 (2) Production and flow to market of foreign produced  
17 fishery commodities, as they affect the domestic commercial  
18 fisheries;

19 (3) Trends in production of fishery commodities;

20 (4) Measures appropriate to maximize the sustainable  
21 production of fishery commodities and minimize wide fluctu-  
22 ations therein; and

23 (5) The competitive economic position of the several

1 fishery commodities with respect to each other, to competi-  
2 tive foreign-produced fishery commodities, and to other  
3 competitive commodities.

4 SEC. 5. (a) The Secretary shall establish, operate, and  
5 maintain a program of loans for construction or reconstruc-  
6 tion of fishing vessels, and for operating capital and facilities  
7 loans needed by fishermen's associations or cooperatives.  
8 He shall also establish, operate, and maintain a program  
9 of commodity loans to fishermen's associations or coopera-  
10 tives, and emergency loans, purchases, and payments with  
11 a view to securing to domestic fisheries a fair share of the  
12 national income.

13 (b) Loans made under this section shall be made under  
14 such terms and conditions, and for such periods as the  
15 Assistant Secretary shall prescribe, with a view to mitigating  
16 the effects of fluctuating ocean or market conditions upon  
17 the domestic fishery industry.

18 SEC. 6. The Assistant Secretary shall conduct contin-  
19 uing studies, and periodically report, with respect to the  
20 following matters:

21 (1) Through biological, oceanographic, meteorologi-  
22 cal, and other scientific research, he shall study and  
23 predict the availability of the living resources which  
24 support the domestic fishery industry;

25 (2) Through market research, he shall study, pre-

1 dict, and report on marketing conditions insofar as they  
2 affect the domestic fishery industry; and

3 (3) Through such means as he determines to be  
4 feasible, he shall study, and report on the prospective  
5 availability to the market of products produced by the  
6 domestic fishery industry.

7 Whenever the Assistant Secretary determines that there is  
8 a prospective or actual oversupply of any product or prod-  
9 ucts produced by the domestic fishery industry, he shall en-  
10 gage in promotional and informational activities with a view  
11 to stimulating the consumption of such products.

12 SEC. 7. (a) Whenever the Assistant Secretary has  
13 reason to believe that any product or products are being or  
14 are practically certain to be imported into the United States  
15 under such conditions and in such quantities as to render or  
16 tend to render ineffective, or materially interfere with, his  
17 operations under section 5, or to reduce substantially the  
18 amount of any product processed in the United States from  
19 any product produced by domestic commercial fisheries, he  
20 shall so advise the President. If the President agrees that  
21 there is reason for such belief, he shall cause an immediate  
22 investigation to be made by the United States Tariff Com-  
23 mission which shall give precedence to investigations to de-  
24 termine such facts. Such investigations shall be made after  
25 due notice and opportunity for hearing to interested parties,

1 and shall be subject to such regulations as the President shall  
2 specify.

3 (b) If, on the basis of such investigation and report to  
4 him of findings and recommendations made in connection  
5 therewith, the President finds the existence of such facts, he  
6 shall by proclamation impose such fees not in excess of 50  
7 per centum ad valorem or such quantitative limitations on  
8 any article or articles which may be entered, or withdrawn  
9 from warehouse, for consumption as he finds and declares  
10 shown by such investigation to be necessary in order that the  
11 entry of such article or articles will not render or tend to  
12 render ineffective, or materially interfere with, any program  
13 or operation referred to in section 5, or reduce substantially  
14 the amount of any product processed in the United States  
15 from any product produced by domestic commercial fisheries.  
16 In designating any article or articles, the President may  
17 describe them by physical qualities, value, use, or upon such  
18 other bases as he shall determine.

19 (c) After investigation, report, finding, and declaration  
20 in the manner provided in the case of a proclamation issued  
21 pursuant to subsection (b) of this section, any proclamation  
22 or provision of such proclamation may be suspended or  
23 terminated by the President whenever he finds and proclaims  
24 that the circumstances requiring the proclamation or provi-  
25 sion thereof no longer exist or may be modified by the Presi-

1 dent whenever he finds and proclaims that changed circum-  
2 stances require such modification to carry out the purposes  
3 of this section.

4 (d) Any decision of the President as to facts under this  
5 section shall be final.

6 (e) No trade agreement or other international agree-  
7 ment heretofore or hereafter entered into by the United  
8 States shall be applied in a manner inconsistent with the re-  
9 quirements of this section.

10 SEC. 8. (a) The Assistant Secretary shall periodically  
11 prepare and disseminate to the public information relating  
12 to market conditions, production, and economics of fisheries  
13 in the principal fishing countries.

14 (b) The Assistant Secretary shall cooperate with the  
15 Secretary of State in providing representation of the United  
16 States on International Fisheries Commissions and at Inter-  
17 national Fisheries Conferences.

18 (c) The Assistant Secretary shall advise and consult  
19 with the Secretary of State and with other officers of the  
20 United States having responsibilities in the fields of providing  
21 economic and technical aid to foreign nations, with a view  
22 to providing coordination in programs of such aid insofar  
23 as such programs affect the interests of domestic commercial  
24 fisheries. The Assistant Secretary shall be represented in  
25 all international negotiations conducted by the United States

- 1 pursuant to section 350 of the Tariff Act of 1930, insofar as
- 2 such negotiations directly affect domestic commercial fisheries.

84TH CONGRESS  
2D SESSION

# H. R. 8590

## A BILL

To establish a national policy with respect to commercial fisheries; to establish the office of Assistant Secretary of Commerce for Commercial Fisheries, and define his functions, powers, and responsibilities; to strengthen the commercial fisheries segment of the national economy; and for other purposes.

By Mr. FOGARTY

JANUARY 18, 1956

Referred to the Committee on Merchant Marine and Fisheries