

February 10, 1977

CONGRESSIONAL RECORD—SENATE

Approved For Release 2005/12/14 : CIA-RDP91-00901R000600370004-1

Third, under the law, each foreign fishing vessel must have its permit physically onboard on March 1. Again, time limits will prevent this, and the resolution waives this requirement if the permits are approved until a later date.

Finally, to receive permits for its vessels, each nation must pay a license fee in advance under the law. But since the amount of the fee to be paid by each nation will not be known until allocation of catch is made to each fishing nation, we face the same procedural hangup. The resolution would therefore waive this requirement, on a one-time basis only, and make the payment of fees a condition subsequent to fishing rather than a condition precedent. Fees will be paid in a reasonable period of time after March 1. If they are not paid, fishing must cease.

In summary, Mr. President, this resolution must be approved as soon so that we do not receive pressure to delay the effective date of the 200-mile-limit law. These changes made by the resolution are one-time only and are procedural in nature. I urge my colleagues to vote favorably on House Joint Resolution 240.

Mr. PELL. Mr. President, normally, House Joint Resolution 240 would be jointly referred to the Foreign Relations Committee and the Commerce Committee. However, in view of the urgency expressed by the administration, both committees have waived their rights to a referral. It should be noted that this action should not be taken as a precedent for similar legislation, nor should it be interpreted as a diminishing of the Foreign Relations Committee's jurisdiction in the area of international oceans affairs or the Commerce Committee's jurisdiction in oceans policy. It is merely a recognition by the both committees of a need on the part of the administration for quick congressional relief.

As many Senators know, the enforcement provisions of the Fishery Conservation and Management Act (P.L. 94-265) will go into effect on March 1, 1977. This act will create a 200-mile fishery conservation zone within which the United States will exercise exclusive management authority over various fisheries.

In accordance with Public Law 94-265, the Department of State has reviewed all existing fishery agreements and initiated negotiations to revise those provisions inconsistent with the act.

To date, international agreements have been negotiated with the Soviet Union, Poland, Romania, Bulgaria, the Republic of China, Korea, and East Germany. Six of these have been submitted to the Congress. However, the 60-day entry into force period provided for in the act will not elapse for any of these agreements prior to the March 1 enforcement date.

The administration, at a hearing I chaired last Thursday—February 3—before the Subcommittee on Oceans and International Environment, urgently requested the Congress to approve these agreements by an affirmative action in a joint resolution so that they may enter into force before the March 1 enforcement date. It is necessary that these agreements enter into force before the

permits for foreign fishing can be granted.

The resolution we are considering today gives congressional approval to these six agreements.

In addition to approving the agreements, House Joint Resolution 240 will: First, reduce the time in which the eight Regional Fishery Management Councils created by Public Law 94-265 may comment on foreign permit applications submitted pursuant to the above agreements from 45 days to 7 days; second, provide that the provisions of the Federal Advisory Committee Act shall not apply to the actions of any Council in preparing such comments; third, exempt until May 1, 1977, foreign vessels fishing pursuant to the above agreements from the provisions of Public Law 94-265 requiring them to have U.S. permits physically on board; fourth, exempts until May 1, 1977, foreign vessels fishing pursuant to the above agreements from the provisions of Public Law 94-265 requiring the payment of fees before foreign fishing permits are issued; and fifth, repeals the implementing legislation for the International Convention on Northwest Atlantic Fisheries.

The American fishing industry does have difficulties with a number of the provisions in some of the agreements. Specifically, the industry is concerned about such things as: First, the granting of port privileges; second, the continuation of joint Claims Boards; and third, the establishment of multilateral scientific fishery organizations which might have an input in the determination of optimum yield in various American fisheries.

In view of these concerns, the industry has urged the State Department to work closely with the American fishermen in order to develop amendments which address their concerns. They have also urged the Department to submit such amendments at the earliest possible review date to the various foreign governments with which we have concluded fishery agreements.

However, despite these problems the industry is more concerned that the Fisheries Management and Conservation Act enter into force on March 1, 1977. Therefore, industry has expressed in private consultation and in public testimony support for this resolution.

I urge the Senate to vote in favor of House Joint Resolution 240 and thereby expedite the implementation of the Fisheries Management and Conservation Act. The PRESIDING OFFICER. The question is on the third reading and passage of the joint resolution.

The joint resolution (H.J. Res. 240) was ordered to a third reading, was read the third time, and passed.

The preamble was agreed to.

Mr. STEVENS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. STEVENS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

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Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that Senators may have until the hour of 5 p.m. today to include their statements, bills, resolutions, petitions, and memorials in the Record.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECESS TO 1 P.M. TOMORROW

Mr. ANDERSON. Mr. President, if there be no further business to come before the Senate, I move, in accordance with the previous order, that the Senate stand in recess until 1 p.m. tomorrow.

The motion was agreed to; and at 4:02 p.m., the Senate recessed until tomorrow, Friday, February 11, 1977, at 1 p.m.

NOMINATIONS

Executive nominations received by the Senate after the adjournment of the Senate on February 7, 1977, pursuant to the order of February 7th:

DEPARTMENT OF STATE

Warren M. Christopher, of California, to be Deputy Secretary of State, vice Charles W. Robinson, resigned.

DEPARTMENT OF TRANSPORTATION

Alan A. Butchman, of the District of Columbia, to be Deputy Secretary of Transportation, vice John W. Barnum, resigned.

Terrence L. Brucey, of Virginia, to be an Assistant Secretary of Transportation, vice Roger W. Hooker, Jr., resigned.

Chester Davenport, of Maryland, to be an Assistant Secretary of Transportation, vice Robert H. Binder.

Linda Kamm, of the District of Columbia, to be General Counsel of the Department of Transportation, vice John Hart Ely, resigned.

OFFICE OF DRUG ABUSE POLICY

Lee I. Dogoloff, of Maryland, to be Deputy Director of the Office of Drug Abuse Policy. (New position)

Peter G. Bourne, of the District of Columbia, to be Director of the Office of Drug Abuse Policy. (New position)

DEPARTMENT OF THE TREASURY

C. Fred Bergsten, of New York, to be a Deputy Under Secretary of the Treasury, vice Gerald L. Parsky, resigned.

DEPARTMENT OF DEFENSE

W. Graham Claytor, of the District of Columbia, to be Secretary of the Navy, vice J. William Middendorf II, resigned.

IN THE NAVY

The following-named captains of the line of the Navy for temporary promotion to the grade of rear admiral, subject to qualification thereafter as provided by law:

Karl J. Christoph, Jr.	Thomas M. Hopkins
James H. Webber	James W. Lisanby
William G. Sizemore	Grover M. Yowell
Warren C. Hamm, Jr.	Edwin Barrineau
Robert W. Carius	Jack F. O'Hara
James A. Winnefeld	Crawford A. Easterling
Paul A. Lautermilch, Jr.	Thomas M. Ward, Jr.
	Daniel G. McCormick, III
Thomas R. Kinnebrew	Frederick G. Fellowes, Jr.
Henry J. Davis, Jr.	
Alexander M. Sinclair	Milton P. Alexich
Huntington Hardisty	Curtis B. Shellman, Jr.
Floyd H. Miller, Jr.	David S. Cruden
Albert J. Baciocco, Jr.	Clyde R. Bell
Arthur S. Moreau, Jr.	Bernard M. Kauderer
Charles O. Prindle	Frederick C. Johnson
Lowell F. Eggert	Conrad J. Rorie
Samuel W. Hubbard, Jr.	

The following-named officers of the Naval Reserve for temporary promotion to the grade of rear admiral, subject to qualification therefor as provided by law:

LINE

Joseph Louis Loughran
Herbert Marvin Bridge
Samuel Amspoker Cummins
Martin Joseph Andrew

MEDICAL CORPS

Matthias Henry Backer, Jr.

SUPPLY CORPS

William Alvin Armstrong

CIVIL ENGINEER CORPS

Peter Ross Brown

DENTAL CORPS

William James Hughey Vaughn

Executive nomination received by the Senate on February 8, 1977, pursuant to the order of February 7:

AMBASSADOR

Paul C. Warnke, of the District of Columbia, for the rank of Ambassador during his tenure of service as Director of the United States Arms Control and Disarmament Agency, to which position he was nominated February 4, 1977.

Executive nomination received by the Senate on February 9, 1977, pursuant to the order of February 7:

AMBASSADOR

Evan S. Dohelle, of Massachusetts, for the rank of Ambassador during his tenure of service as Chief of Protocol for the White House.

Executive nominations received by the Senate on February 10, 1977, during the adjournment of the Senate, pursuant to the order of February 7:

CENTRAL INTELLIGENCE

Admiral Stansfield Turner, United States Navy, to be Director of Central Intelligence, and to have the grade of Admiral while so serving, vice George Bush, resigned.

IN THE MARINE CORPS

The following-named officers of the Marine Corps for temporary appointment to the grade of brigadier general:

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|------------------------|-------------------------|
| Alexander P. McMilland | George B. Crist |
| Vincente T. Blaz | Dwayne Gray |
| David B. Barker | Albert E. Brewster, Jr. |
| William A. Scott, Jr. | Richard A. Kuci |
| Lawrence R. Seamon | Ernest C. Cheatham, Jr. |
| Thomas R. Morgan | John V. Cox |

CONFIRMATIONS

Executive nominations confirmed by the Senate February 10, 1977:

DEPARTMENT OF TRANSPORTATION

Alan A. Butchman, of the District of Columbia, to be Deputy Secretary of Transportation.

Terrence L. Bracy, of Virginia, to be an Assistant Secretary of Transportation.

Chester Davenport, of Maryland, to be an Assistant Secretary of Transportation.

Linda Kamin, of the District of Columbia, to be General Counsel of the Department of Transportation.

DEPARTMENT OF STATE

Richard B. Parker, of Kansas, a Foreign Service Officer of class 1, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Lebanon.

The above nominations were approved subject to the nominees' commitments to respond to requests to appear and testify before any duly constituted committee of the Senate.