

strengthening changes, into the Federal Water Pollution Control Act.

We think this is a very wise step to get all of our legislation together under one act. Most of these changes were recommended by the administration last June.

The Senate bill would:

1. Delete the requirement that a "discharge" be "grossly negligent or willful" before liability attaches.
2. Limit criminal penalties to cases in which the discharge was due to a willful act.
3. Apply civil penalties to all discharges except emergencies imperiling life or property, unavoidable accident, collision, or stranding. The last two to apply only to vessels.
4. Expand the act's coverage to shore installations.
5. Specifically include in its coverage Puerto Rico, the Virgin Islands, Guam, and American Samoa.
6. Require the owners of vessels and shore installations to remove discharged oil from navigable waters and adjoining shorelines or to pay the cleanup costs. Thus, the discharger has the responsibility to clean up oil under our direction. We only act where he fails to meet his responsibility. The Government can then recover its costs and, in the case of a vessel, the owner cannot limit his liability.

We realize that this cleanup provision is quite severe, but we believe there is a clear and present need for this authority as recently demonstrated in Puerto Rico. We hope that it will make those in charge of tankers and shore installations more conscious of their responsibility to the Nation to prevent damage to its natural resources. Those who control the oil should be responsible for bearing this cost, rather than the public in our judgment.

7. Authorize appropriations to a revolving fund to enable the Secretary to finance such cleanup measures.

We are working now so that in all of these different areas—and the Coast Guard has important responsibilities, the Corps of Engineers has important responsibilities, along with FWPCA—we have a contingency action plan, so that we can anticipate any kind of disaster and know where supplies of the chemicals or emulsifiers, or whatever we are going to use are located, and have an action plan ready to go in the event that a large or small disaster occurs.

In my letter of March 8, 1968, to this committee, I recommended certain amendments to this portion of S. 2760 in order to facilitate administration of these provisions. The primary purpose of the proposed amendments is to clarify certain provisions of the bill and to delineate more precisely the respective roles of the Department of the Interior and other Federal agencies. We believe quite strongly that the Coast Guard and other agencies must be given a big role in making the legislation work. And we are going to have to have some team work, and we would like legislation to spell that out.

THE OIL AND HAZARDOUS SUBSTANCE POLLUTION CONTROL ACT OF 1968

The oil pollution control portion of S. 2760 is a major step toward closing yet another chink in our pollution control armor. However, the bill does not reach certain aspects of the recommendations in the oil pollution report. The Oil and Hazardous Substance Pollution Con-