

Secretary UDALL. It would give us authority—let us assume two situations. One situation that we can determine who——

Mr. CRAMER. This is undetermined——

Secretary UDALL (continuing). Who caused it, or in the other event that we could not determine that this would give us authority to clean it up, authority that we don't now have.

Mr. CRAMER. The bill, as I understand it, gives you authority to clean up only when you have prospect of recouping.

Secretary UDALL. No, I do not think it is that restrictive.

Mr. CRAMER. Where there has been a discharge and the owner refuses to clean up. When you do not know who the person is that made the discharge, you are out of business, as you drafted the bill, as I read it.

Secretary UDALL. Well, without conceding the point or settling the point, I certainly think that we ought to have broad enough authority that we can protect the beaches and the vital resources of the country under all situations that might arise.

If the language is not that broad, perhaps we should take another look at it with you.

Mr. CRAMER. Let us look at the language. There is no use batting it back and forth. It speaks for itself.

On page 6, line 4:

"The owner or operator of a vessel from which oil is discharged into the contiguous zone shall immediately notify the Secretary or his delegate of such discharge and shall remove such discharged oil in accordance with regulations prescribed under this section. If such owner or operator fails to so act, the Secretary may remove such oil or arrange for its removal, and such owner or operator and the vessel shall be liable, notwithstanding any other provision of law * * *"

That is what it says.

So this Waikiki Beach problem would not be solved by your bill, as I gather.

Secretary UDALL. Maybe a clarifying amendment is needed there. But if we do not know who the owner is, I would assume it falls under the category of someone failing to act, and I think you are probably right that we need a clarifying language to make it clear that we are going to clean it up, whether we know who the culprit is or not.

NEED FOR CERTAINTY IN WATER POLLUTION CONTROL LEGISLATION

Mr. CRAMER. There are some other aspects of oil pollution—definitions and so forth—that I would like to get into, but apparently time does not permit it. Maybe somebody else is going to testify on the subject, I do not know. I would hope so, because I have some other questions relating to definitions. We just amended the Oil Pollution Act in very substantial respects in 1956. We amended the Water Pollution Control Act and called it the Clean Rivers Act. I would hope that one of these days that we get a little bit of certainty into this program. We keep changing the signals. About every 2 years we change the signals, change the formula, change the ground rules, and yet insist that the States go ahead and get the standards together and finalize them and get on with the job.

Now, we are changing formulas again.