

tional basis and, indeed, one of them is one that we mentioned a short time ago, in Mr. Cramer's question where it would shift the burden of proof from the Government or the Secretary of Interior to establish fault to the shipowners. He would be presumed to be negligent unless he could establish he was without fault.

This, as I say, will be considered on an international basis.

When the *Torrey Canyon* accident happened, I might say the United States urged that either Britain or France enact unilateral legislation at that time in an area of despair, so to speak, over the consequences of the *Torrey Canyon* accident.

The Chair is in receipt of a cable from the International Chamber of Shipping, composed of the national shipping organizations of 21 maritime countries, asking that this committee defer final action until this matter can be handled on an international basis.

In effect, what they are saying to us is when the *Torrey Canyon* accident happened over here you pleaded with us to handle this on an international basis, and now we are making the same request of you.

I assure you that great progress has been made in a number of the areas that are involved. There were some 18 principal subjects that they felt should be considered as a result of the *Torrey Canyon* accident, and these have been considered by subcommittees.

The American Merchant Marine Institute, the organization that I had, has engaged separate counsel to attend these meetings in London. We have other consultants that are attending on the areas that involve expertise in these fields.

In concluding, Mr. Chairman, I say that there is a great effort being made on an international basis to avoid the consequences and, indeed, to handle the spill-over that happens as a result of these extraordinary spills, and we do feel that final action should be deferred on any drastic changes in international law on the part of the United States until the matter can be handled effectively on an international basis.

CONCLUSION

The rest of my statement gives a lot of background on the limitation of liability. It analyzes the provisions of the bill which Mr. Cramer refers to, which I believe were inconsistent, and I do believe, were it not for that statement in the central report, that the terms of section 19(b), when it uses the term "unavoidable accident," necessarily implies that if you could avoid it, that you are not liable; but negligence is necessarily implied, and I believe that is what should be the crux of 19(b).

Mr. BLATNIK. Thank you very much, Mr. Casey; and thank you for your cooperation in standing by so long, and summarizing your presentation.

Mr. CRAMER?

Mr. CRAMER. Does not the "ameliorate" disturb you at all?

Mr. CASEY. I do not know where it is. The language that I have in S. 2760 is the same language.

Mr. BLATNIK. The Senate bill.

Mr. CRAMER. That is Mr. Fallon's bill, H.R. 15906, on lines 15, 17, and 18. It is also on line 2, page 9. Here it is if you want to take a look at it.