

such discharge resulted from the willful act or negligence of such other person, vessel or the United States. When such discharge results from the joint negligence of two or more owners or operators, or their vessels, or shore installations, each shall be liable to the others for its pro rata share of the costs of removal.

"(1) Any person who renders assistance in removing oil from the navigable waters of the United States or adjoining shorelines shall not be held liable, notwithstanding any other provision of law, for any civil damages as a result of any act or omission by such person in rendering such assistance, or as a result of any act or failure to act to provide or arrange for further assistance in removing such oil, except acts or omissions amounting to gross negligence or willful or wanton misconduct.

"(m) (i) The provisions of this section and the regulations issued thereunder shall be enforced by authorized personnel of the Department of the Interior and by authorized personnel of the Department in which the Coast Guard is operating. The Secretary may utilize by agreement with or without reimbursement law enforcement officers or other personnel and facilities of other Federal agencies to carry out the provisions of this section and the regulations issued thereunder, including the enforcement thereof. The Secretary is also encouraged to enter into agreements or other arrangements with any State in carrying out the provisions of this section, including the enforcement thereof. Such Federal personnel are authorized to swear out process and to arrest and take into custody, with or without process proceed against anyone who violates the provisions of this section or the regulations issued thereunder in their presence or view, and to take summon such person immediately for examination or trial before a United States commissioner or court of competent jurisdiction. The judges of the United States district courts and the district courts of Guam and the Virgin Islands and the United States commissioners may, within their respective jurisdictions, upon proper oath or affirmation showing probable cause, issue such warrants or other process as may be required to enforce this section and the regulations.

(n) (j) In the case of Guam, actions arising under this section shall be brought in the district court of Guam and in the case of the Virgin Islands, such actions shall be brought in the district court of the Virgin Islands. In the case of American Samoa, such actions shall be brought in the United States district court for the district of Hawaii and such court shall have jurisdiction of such actions.

"(o) Notwithstanding any other provisions of law this section shall represent the sole remedy available to the United States for any civil or criminal penalties with respect to the discharge of oil and the costs of removal of oil from the navigable waters of the United States or adjoining shorelines. Further, this section supersedes all Federal, and preempts all State or Municipal laws, including those laws of the Commonwealth of Puerto Rico, and the American territories of Guam, American Samoa and the Virgin Islands regulating the discharge of oil into or upon the navigable waters of the United States or adjoining shorelines or the removal of such oil.

(b) Redesignated section 15 of the Federal Water Pollution Control Act, as amended, is amended by deleting the following: "the Oil Pollution Act, 1924, or"

(c) The Oil Pollution Act, 1924 (43 Stat. 604), as amended (80 Stat. 1246-1252), is hereby repealed.

AMERICAN MERCHANT MARINE INSTITUTE, INC.,
Washington, D.C., April 30, 1968.

HON. GEORGE FALLON,
Chairman, Committee on Public Works,
U.S. House of Representatives,
Washington, D.C.

MY DEAR MR. CHAIRMAN: We respectfully request that this letter be made part of the record of the Committee's hearings on April 23-25 and be included as an appendix to my testimony of April 24.

We would like to submit our comments on H.R. 16207—to amend the Federal Water Pollution Control Act, as amended, to control pollution from vessels