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EXECUTIVE OFFICE OF THE PRESIDENT

OFFICE OF MANAGEMENT AND BUDGET

WASHINGTON, D.C. 20503

APPROVED
DEC 13 1974

DEC 10 1974

MEMORANDUM FOR THE PRESIDENT

Subject: Enrolled Bill S. 3308 - Icebreaking operations
Sponsors - Sen. Magnuson (D) Washington and
Sen. Cotton (R) New Hampshire

Last Day for Action

December 16, 1974 - Monday

Purpose

Authorizes the Coast Guard to conduct icebreaking operations pursuant to international agreement in foreign waters.

Agency Recommendations

Office of Management and Budget	Approval
Department of Transportation	Approval
Department of Commerce	Approval
Department of Defense	No objection
Department of State	No objection

Discussion

The enrolled bill would amend the Coast Guard icebreaking authority to authorize icebreaking operations in foreign waters, i.e., waters other than the high seas or waters subject to the jurisdiction of the United States, when those operations are undertaken pursuant to international agreement. The enrolled bill would not be self-executing. Specific international agreements would have to be provided before icebreaking operations could be carried out. The purpose of the enrolled bill is to enable the development of specific U.S.-Canadian arrangements to facilitate coordination of icebreaking operations. It would enable the authorities to use U.S. and Canadian equipment more flexibly than under the present system where U.S. equipment may not be used in Canadian waters even when it is much closer and more appropriate to the particular task than the nearest Canadian equipment.

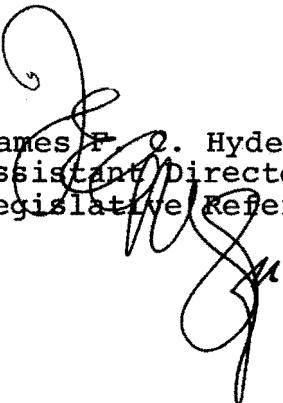
Postal
12/14
Archives
12/16

The enrolled bill is identical to a draft bill that the Department of Transportation transmitted to the Congress in February 1974.

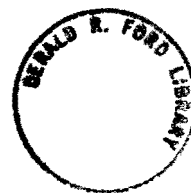
The House Committee on Merchant Marine and Fisheries in its report on the bill stated:

". . . The immediate aim of this legislation is to provide a statutory basis for more efficient ice-breaking throughout the Great Lakes-St. Lawrence Seaway system, various portions of which lie within Canadian waters. Icebreaking in these waters, coordinated by an international agreement between Canada and the United States as required by legislation, would be mutually beneficial to both countries and would increase the efficiency of winter navigation throughout the system."

Icebreaking operations will not increase and there will be no increased costs as a result of this enrolled bill.


James F. O. Hyde, Jr.
Acting Assistant Director for
Legislative Reference

Enclosures




ACTION

THE WHITE HOUSE
WASHINGTON

Last Day: December 16

December 12, 1974

MEMORANDUM FOR THE PRESIDENT
FROM: KEN COLLE 
SUBJECT: Enrolled Bill S. 3308
Icebreaking Operations

Attached for your consideration is S. 3308, sponsored by Senator Magnuson and Senator Cotton, which authorizes the Coast Guard to conduct icebreaking operations pursuant to international agreement in foreign waters. The purpose of the bill is to enable the development of specific U.S. - Canadian arrangements to facilitate coordination of icebreaking operations.

OMB recommends approval and provides you with additional background information in its enrolled bill report (Tab A).

Bill Timmons, Phil Areeda and the NSC recommend approval.

RECOMMENDATION

That you sign S. 3308 (Tab B)



EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

To -
Harmon Harbridge
12-10-74
4:45 p.m.

DEC 10 1974

MEMORANDUM FOR THE PRESIDENT

Subject: Enrolled Bill S. 3308 - Icebreaking operations
Sponsors - Sen. Magnuson (D) Washington and
Sen. Cotton (R) New Hampshire

Last Day for Action

December 16, 1974 - Monday

Purpose

Authorizes the Coast Guard to conduct icebreaking operations pursuant to international agreement in foreign waters.

Agency Recommendations

Office of Management and Budget	Approval
Department of Transportation	Approval
Department of Commerce	Approval
Department of Defense	No objection
Department of State	No objection

Discussion

The enrolled bill would amend the Coast Guard icebreaking authority to authorize icebreaking operations in foreign waters, i.e., waters other than the high seas or waters subject to the jurisdiction of the United States, when those operations are undertaken pursuant to international agreement. The enrolled bill would not be self-executing. Specific international agreements would have to be provided before icebreaking operations could be carried out. The purpose of the enrolled bill is to enable the development of specific U.S.-Canadian arrangements to facilitate coordination of icebreaking operations. It would enable the authorities to use U.S. and Canadian equipment more flexibly than under the present system where U.S. equipment may not be used in Canadian waters even when it is much closer and more appropriate to the particular task than the nearest Canadian equipment.



The enrolled bill is identical to a draft bill that the Department of Transportation transmitted to the Congress in February 1974.

The House Committee on Merchant Marine and Fisheries in its report on the bill stated:

" . . . The immediate aim of this legislation is to provide a statutory basis for more efficient ice-breaking throughout the Great Lakes-St. Lawrence Seaway system, various portions of which lie within Canadian waters. Icebreaking in these waters, coordinated by an international agreement between Canada and the United States as required by legislation, would be mutually beneficial to both countries and would increase the efficiency of winter navigation throughout the system."

Icebreaking operations will not increase and there will be no increased costs as a result of this enrolled bill.

(Signed) James F. C. Hyde, Jr.

Acting Assistant Director for
Legislative Reference

Enclosures



THE WHITE HOUSE

ACTION MEMORANDUM

WASHINGTON

LOG NO.: 765

Date: December 10, 1974

Time: 5:30 p.m.

FOR ACTION: Mike Duval *ok.*
Geoff Shepard *ok.*
Bill Timmons *ok.*
Phil Areeda *ok.*
NSC/S *no obj.*

cc (for information): Warren Hendtiks
Jerry Jones

FROM THE STAFF SECRETARY

DUE: Date: Thursday, December 12

Time: 2:00 p.m.

SUBJECT:

~~Enrolled~~ Bill S. 3308 - Icebreaking operations

ACTION REQUESTED:

For Necessary Action

For Your Recommendations

Prepare Agenda and Brief

Draft Reply

For Your Comments

Draft Remarks

REMARKS:

Please return to Judy Johnston, Ground Floor West Wing



PLEASE ATTACH THIS COPY TO MATERIAL SUBMITTED.

If you have any questions or if you anticipate a delay in submitting the required material, please telephone the Staff Secretary immediately.

K. R. COLE, JR.
For the President

THE WHITE HOUSE

ACTION MEMORANDUM

WASHINGTON

LOG NO.: 768

Date: December 10, 1974

Time: 5:30 p.m.

FOR ACTION: Mike Duval
Geoff Shepard
Bill Timmons
Phil Areeda
NSC/S

cc (for information): Warren Hendriks
Jerry Jones

FROM THE STAFF SECRETARY

DUE: Date: Thursday, December 12

Time: 2:00 p.m.

SUBJECT:

Enrolled Bill S. 3308 - Icebreaking operations

ACTION REQUESTED:

For Necessary Action

For Your Recommendations

Prepare Agenda and Brief

Draft Reply

For Your Comments

Draft Remarks

REMARKS:

Please return to Judy Johnston, Ground Floor West Wing

OK - Sign
M. Duval



PLEASE ATTACH THIS COPY TO MATERIAL SUBMITTED.

If you have any questions or if you anticipate a delay in submitting the required material, please telephone the Staff Secretary immediately.

Warren K. Hendriks
For the President

THE WHITE HOUSE

ACTION MEMORANDUM

WASHINGTON

LOG NO.: 768

Date: December 10, 1974

Time: 5:30 p.m.

FOR ACTION: Mike Duval
Geoff Shepard ✓
Bill Timmons
Phil Areeda
NSC/S

cc (for information): Warren Hendriks
Jerry Jones

FROM THE STAFF SECRETARY

DUE: Date: Thursday, December 12

Time: 2:00 p.m.

SUBJECT:

Enrolled Bill S. 3308 - Icebreaking operations

ACTION REQUESTED:

- For Necessary Action
- For Your Recommendations
- Prepare Agenda and Brief
- Draft Reply
- For Your Comments
- Draft Remarks

REMARKS:

Please return to Judy Johnston, Ground Floor West Wing

*no objection
YES -12/12*



PLEASE ATTACH THIS COPY TO MATERIAL SUBMITTED.

If you have any questions or if you anticipate a delay in submitting the required material, please telephone the Staff Secretary immediately.

Warren K. Hendriks
For the President

THE WHITE HOUSE

WASHINGTON

December 11, 1974

MEMORANDUM FOR: MR. WARREN HENDRIKS
FROM: WILLIAM E. TIMMONS *WT*
SUBJECT: Action Memorandum - Log No. 768
Enrolled Bill S. 3308 - Icebreaking Operations

The Office of Legislative Affairs concurs in the attached proposal and has no additional recommendations.

Attachment



THE WHITE HOUSE

ACTION MEMORANDUM

WASHINGTON

LOG NO.: 768

Date: December 10, 1974

Time: 5:30 p.m.

FOR ACTION: Mike Duval
Geoff Shepard
Bill Timmons
Phil Areeda ✓
NSC/S

cc (for information): Warren Hendriks
Jerry Jones

FROM THE STAFF SECRETARY

DUE: Date: Thursday, December 12

Time: 2:00 p.m.

SUBJECT:

Enrolled Bill S. 3308 - Icebreaking operations

ACTION REQUESTED:

- | | |
|---|--|
| <input type="checkbox"/> For Necessary Action | <input checked="" type="checkbox"/> For Your Recommendations |
| <input type="checkbox"/> Prepare Agenda and Brief | <input type="checkbox"/> Draft Reply |
| <input checked="" type="checkbox"/> For Your Comments | <input type="checkbox"/> Draft Remarks |

REMARKS:

Please return to Judy Johnston, Ground Floor West Wing

*Approval
P. Areeda*



PLEASE ATTACH THIS COPY TO MATERIAL SUBMITTED.

If you have any questions or if you anticipate a delay in submitting the required material, please telephone the Staff Secretary immediately.

Warren K. Hendriks
For the President



OFFICE OF THE SECRETARY OF TRANSPORTATION
WASHINGTON, D.C. 20590

DEC 5 1974

Honorable Roy L. Ash
Director
Office of Management and Budget
Washington, D.C. 20503

Dear Mr. Ash:

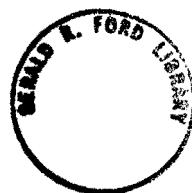
Reference is made to your request for the comments of the Department of Transportation concerning S. 3308, an enrolled bill

"To amend section 2 of title 14, United States Code, to authorize icebreaking operations in foreign waters pursuant to international agreements, and for other purposes."

The enrolled bill is part of the legislative program of the Department of Transportation. It was approved by both Houses of Congress without amendment.

The enrolled bill would amend section 2 of title 14, United States Code, to provide the Coast Guard with authority to conduct icebreaking operations in waters other than the high seas or waters subject to the jurisdiction of the United States. The authority will not be self-executing. Icebreaking in other than the high seas or waters subject to the jurisdiction of the United States will be authorized only when undertaken pursuant to a specific international agreement.

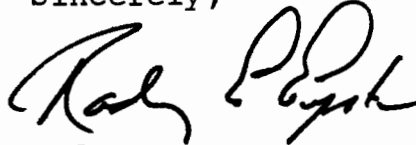
One purpose of the legislation is to provide a basis on which to improve the efficiency of United States and Canadian ice clearing operations in the Great Lakes-St. Lawrence Seaway navigational system. The likelihood that full coordination of those operations would increase their efficiency has been suggested by United States-Canadian cooperation with regard to a study now underway on the feasibility of extending the system's navigational season. The study was authorized by the Rivers and Harbors and Flood Control Act of 1970 (P.L. 91-611) and continued through December 1976 by an amendment to that Act (§70 of P.L. 93-251).



The Coast Guard does not intend to expand its icebreaking activities under this legislation prior to completion of the feasibility study. Therefore, no additional costs would be incurred prior to December 31, 1976. Costs thereafter will depend upon the degree of implementation authorized by international agreements negotiated under this new authority.

The Department of Transportation recommends that the President sign the enrolled bill.

Sincerely,



Rodney E. Eyster
General Counsel





THE ASSISTANT SECRETARY OF COMMERCE
Washington, D.C. 20230

DEC 6 1974

Honorable Roy L. Ash
Director, Office of Management
and Budget
Washington, D. C. 20503

Attention: Assistant Director for Legislative Reference

Dear Mr. Ash:

This is in reply to your request for the views of this Department concerning S. 3308, an enrolled enactment

"To amend section 2 of title 14, United States Code, to authorize icebreaking operations in foreign waters pursuant to international agreements, and for other purposes."

S. 3308 would amend the basic statutory authority of the Coast Guard so as to allow that agency to conduct icebreaking operations in waters other than the high seas or waters of the United States, pursuant to international agreements. The purpose of S. 3308 is to provide a basis to improve the efficiency of icebreaking in the Great Lakes-St. Lawrence Seaway navigational system by permitting cooperative U. S. / Canadian efforts.

This Department recommends approval by the President of S. 3308.

Enactment of this legislation will not involve any increase in the budgetary requirements of this Department.

Sincerely,

Robert J. Blackwell

ROBERT J. BLACKWELL
Assistant Secretary
for Maritime Affairs





DEPARTMENT OF THE NAVY
OFFICE OF THE SECRETARY
WASHINGTON, D. C. 20350

6 December 1974

Dear Mr. Ash:

Your transmittal sheet dated 4 December 1974, enclosing a facsimile of an enrolled bill of Congress, S. 3308, "To amend section 2 of title 14, United States Code, to authorize icebreaking operations in foreign waters pursuant to international agreements, and for other purposes", and requesting comment of the Department of Defense has been received. The Department of the Navy has been assigned the responsibility for the preparation of a report thereon expressing the views of the Department of Defense.

S. 3308 will authorize the Coast Guard pursuant to international agreement, to conduct icebreaking operations in the waters other than the high seas or waters of the United States.

The Department of the Navy, on behalf of the Department of Defense, interposes no objection to the enactment of S. 3308.

Sincerely yours,

A handwritten signature in black ink, appearing to read "J. William Middendorf II".

J. William Middendorf II
Secretary of the Navy

Honorable Roy L. Ash
Director, Office of Management and Budget
Washington, D. C. 20503





DEPARTMENT OF STATE

Washington, D.C. 20520

December 5, 1974

Honorable Roy L. Ash
Director, Office of Management
and Budget
Washington, D.C. 20503

Dear Mr. Ash:

This is in response to Mr. Rommel's communication of December 4, requesting the views of the Department of State on S. 3308, an enrolled bill "to amend Section 2 of Title 14, U.S. Code, to authorize icebreaking operations in foreign waters pursuant to international agreement, and for other purposes."

The Department of State has no objection to the approval of this bill by the President.

Cordially,

A handwritten signature in cursive script that reads "Linwood Holton".

Linwood Holton
Assistant Secretary
for Congressional Relations



AUTHORIZATION OF ICEBREAKING
OPERATIONS IN FOREIGN WATERS

REPORT

OF THE

SENATE COMMITTEE ON COMMERCE

ON

S. 3308

TO AMEND SECTION 2 OF TITLE 14, UNITED STATES CODE,
TO AUTHORIZE ICEBREAKING OPERATIONS IN FOREIGN
WATERS PURSUANT TO INTERNATIONAL AGREEMENTS,
AND FOR OTHER PURPOSES



AUGUST 12, 1974.—Ordered to be printed

U.S. GOVERNMENT PRINTING OFFICE

WASHINGTON : 1974



[COMMITTEE PRINT]

93D CONGRESS }
2d Session }

SENATE

REPORT }
No. 93-1084 }

AUTHORIZATION OF ICEBREAKING OPERATIONS IN
FOREIGN WATERS

AUGUST 12, 1974.—Ordered to be printed

Mr. MAGNUSON, from the Committee on Commerce,
submitted the following

REPORT

[To accompany S. 3308]

The Committee on Commerce, to which was referred the bill (S. 3308), to amend section 2 of title 14, United States Code, to authorize icebreaking operations in foreign waters pursuant to international agreements, and for other purposes, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

PURPOSE

The purpose of S. 3308 is to provide the authority for Coast Guard icebreaking operations in waters other than the high seas or waters subject to the jurisdiction of the United States when those operations are undertaken pursuant to international agreement.

BACKGROUND AND NEED

The immediate aim of the legislation is to provide a statutory basis for increased efficiency in clearing ice from the Great Lakes-Saint Lawrence Seaway system. Portions of that system lie within Canadian waters. Coast Guard icebreaking in the Canadian portions of the system, coordinated by international agreement as required by the bill, would be mutually beneficial to the United States and Canada as it would increase the efficiency of the Seaway system by extending winter navigation thereon. The benefits of coordinated icebreaking in the Great Lakes-Saint Lawrence Seaway system have been demonstrated by a study, under way since 1971, on the feasibility of extending the system's navigational season. This study was authorized by the River and Harbor Act of 1970 (Public Law 91-611), and has been continued through December, 1976, by an amendment to that Act (§ 70 of Public Law 93-251).

The statute to be amended outlines the primary duties of the Coast Guard including its duty to undertake icebreaking operations on the high seas and on those waters subject to the jurisdiction of the United States. The legislation would authorize icebreaking activities in other areas when appropriately provided for by international agreement.

ESTIMATED COSTS

In accordance with section 252(a) of the Legislative Reorganization Act of 1970 (Public Law 91-510), the Committee estimates that there will be no immediate additional cost to the Government as a result of the enactment of this legislation. Any additional cost which may occur would be after the completion of the feasibility study on December 31, 1976, and will depend upon the degree of implementation authorized by international agreements negotiated under this new authority.

CHANGES IN EXISTING LAW

In compliance with subsection 4 of Rule XXIX of the Standing Rules of the Senate, changes in existing law made by the bill are shown as follows (existing matter proposed to be omitted is enclosed in brackets, new matter is printed in italics, and existing law in which no change is proposed is shown in roman):

SECTION 2 OF TITLE 14, UNITED STATES CODE

SEC. 2. PRIMARY DUTIES

The Coast Guard shall enforce or assist in the enforcement of all applicable Federal laws on and under the high seas and waters subject to the jurisdiction of the United States; shall administer laws and promulgate and enforce regulations for the promotion of safety of life and property on and under the high seas and waters subject to the jurisdiction of the United States covering all matters not specifically delegated by law to some other executive department; shall develop, establish, maintain, and operate, with due regard to the requirements of national defense, aids to maritime navigation, icebreaking facilities, and rescue facilities for the promotion of safety on, under, and over the high seas and waters subject to the jurisdiction of the United States; *shall, pursuant to international agreements, develop, establish, maintain, and operate icebreaking facilities on, under, and over waters other than the high seas and waters subject to the jurisdiction of the United States*; shall engage in oceanographic research on the high seas and in waters subject to the jurisdiction of the United States; and shall maintain a state of readiness to function as a specialized service in the Navy in time of war.

AGENCY COMMENTS

DEPARTMENT OF STATE,
Washington, D.C., May 22, 1974.

HON. WARREN G. MAGNUSON,
Chairman, Committee on Commerce,
U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: The Secretary has asked me to reply to your letter of April 26 enclosing for comment a copy of S. 3308, a bill to amend section 2 of Title 14, United States Code, to authorize ice-breaking operations in foreign waters pursuant to international agreements.

The Department of State has reviewed this bill and supports its enactment. It seems clear that icebreaking services provided pursuant to international agreements can be of benefit to the foreign relations of the United States.

The Office of Management and Budget advises that from the standpoint of the Administration's program there is no objection to the submission of this report.

Cordially,

LINWOOD HOETON,
Assistant Secretary,
for Congressional Relations.

GENERAL COUNSEL OF THE DEPARTMENT OF COMMERCE,
Washington, D.C., May 17, 1974.

HON. WARREN G. MAGNUSON,
Chairman, Committee on Commerce,
U.S. Senate,
Washington, D.C.

DEAR MR. CHAIRMAN: This is in reply to your request for the views of this Department concerning S. 3308, a bill "To amend section 2 of title 14, United States Code, to authorize icebreaking operations in foreign waters pursuant to international agreements, and for other purposes."

S. 3308 would amend the basic statutory authorization of the Coast Guard to allow that agency to conduct icebreaking operations in waters other than the high seas or waters of the United States, pursuant to international agreements. The bill would provide a basis to improve the efficiency of icebreaking in the Great Lakes-St. Lawrence Seaway navigational system by permitting cooperative U.S./Canadian efforts.

This Department recommends enactment of S. 3308.

We have been advised by the Office of Management and Budget that there would be no objection to the submission of our report to the Congress from the standpoint of the Administration's program.

Sincerely,

BERNARD PARRETTE,
Acting General Counsel.

ICEBREAKING OPERATIONS IN FOREIGN WATERS

SEPTEMBER 30, 1974.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mrs. SULLIVAN, from the Committee on Merchant Marine and Fisheries, submitted the following

REPORT

[To accompany H.R. 13791]

The Committee on Merchant Marine and Fisheries, to whom was referred the bill (H.R. 13791) to amend section 2 of title 14, United States Code, to authorize icebreaking operations in foreign waters pursuant to international agreements, and for other purposes, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

PURPOSE OF THE LEGISLATION

The purpose of H.R. 13719 is to amend section 2 of title 14, United States Code, to provide authority for the Coast Guard to conduct icebreaking operations pursuant to international agreement in waters other than the high seas or waters subject to the jurisdiction of the United States.

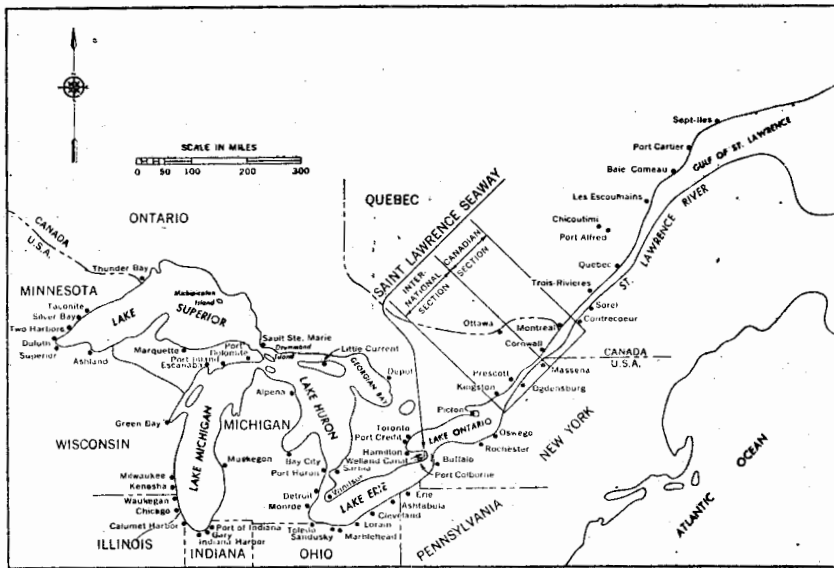
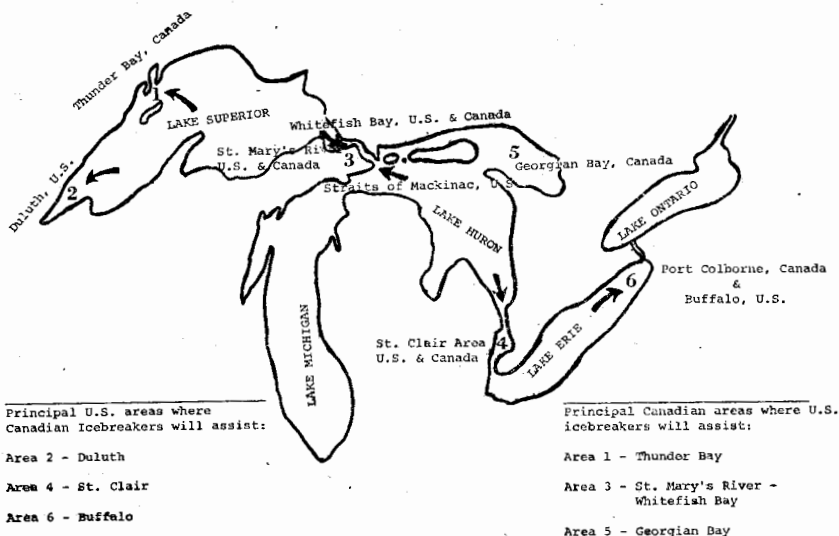
BACKGROUND AND NEED FOR THE LEGISLATION

The statute to be amended outlines the basic duties of the Coast Guard including its duties to undertake icebreaking operations on the high seas and those waters subject to the jurisdiction of the United States. The immediate aim of this legislation is to provide a statutory basis for more efficient icebreaking throughout the Great Lakes-St. Lawrence Seaway system, various portions of which lie within Canadian waters. Icebreaking in these waters, coordinated by an international agreement between Canada and the United States as required by the legislation, would be mutually beneficial to both countries and would increase the efficiency of winter navigation throughout the system.

The following maps of the Great Lakes-St. Lawrence Seaway system show the overall area covered by this legislation. Based on recent past experience, the areas of operational reciprocity would include Georgian Bay and Thunder Bay on the Canadian side and Buffalo,

St. Clair River (Detroit/Port Huron) and Duluth Area on the United States side. In addition, depending on conditions, cooperative efforts would be launched in Lake Ontario and St. Lawrence Seaway, proper:

U.S. - CANADIAN EFFORTS



The benefits of coordinated icebreaking in the Great Lakes-St. Lawrence Seaway system have been exhibited by a study, underway since 1971, on the feasibility of extending the system's navigational

season. This study was authorized by the Rivers and Harbors Flood Control Acts of 1970 (P.L. 91-611), and has been continued through December 1976 by the 1974 amendments to that Act (§ 70 of P.L. 93-251).

The Coast Guard testified that they have already conducted a limited amount of exchange icebreaking with the Canadians. This contributed to the efficiency of icebreaking operations associated with the interagency demonstration project to extend the navigation season on the Great Lakes and St. Lawrence Seaway.

Based on this experience, the Coast Guard concludes that icebreaking operations are not anticipated to increase as a result of this proposal. Therefore, associated costs are expected to be negligible and may, through economies in operation made possible through international agreement, result in some savings. This is possible because of the dispersal of the two countries' icebreakers at various points along the Seaway system. For example, if a United States Cutter is at point A and receives word to proceed to point B for icebreaking operations, the operational costs of proceeding to point B can be eliminated if a Canadian Cutter is already there to do the job and vice versa.

The Canadians have a high capability in icebreaking activities. The Coast Guard testified that the Canadians have in the past utilized five icebreaking vessels on the waters under discussion and they are expected to continue in operation. Four of the five, CGCS *Alexander Henry*, CGCS *Montmorency*, CGCS *Griffon*, and CGCS *Simcoe* are more powerful than the five 180' and five 110' cutters the U.S. Coast Guard has available. The CGCS *Rogers* is the fifth and surpasses the Coast Guard's remaining two cutters in horsepower, the CGC *Mackinaw* and the assigned 269' Wind Class.

In terms of the cooperation expected from the Government of Canada on the program proposed by this legislation, Vice Admiral Edward D. Scheiderer testified:

... I have no reason to believe that the Canadian Government would not be amenable to the authority granted in the proposed legislation.

The legislation would authorize similar icebreaking activities in other areas when appropriately negotiated for by international agreement.

COMMITTEE ACTION AND CONCLUSION

The Committee held hearings on July 18, 1974. All testimony received was favorable. The Committee ordered the legislation favorably reported without amendment or objection.

COST OF LEGISLATION

Pursuant to Clause 7 of Rule XIII of the Rules of the House of Representatives, the Committee estimates that there will be no immediate additional cost to the Government as a result of the enactment of his legislation. Any additional costs which might occur would be after the completion of the feasibility study on December 31, 1976, and will depend upon the degree of implementation required by international agreements negotiated under this new authority.

DEPARTMENTAL REPORTS

H.R. 13791 was the subject of Executive Communication No. 1987, as well as reports from the Departments of Commerce, Defense (Navy), State, and the National Science Foundation. The information referred to above follows herewith:

[Exec. Comm. No. 1987]

THE SECRETARY OF TRANSPORTATION,
Washington, D.C., March 5, 1974.

HON. CARL ALBERT,
Speaker of the House of Representatives,
Washington, D.C.

DEAR MR. SPEAKER: There is transmitted herewith a draft of a proposed bill

"To amend section 2 of title 14, United States Code, to authorize icebreaking operations in foreign waters pursuant to international agreements, and for other purposes."

The proposed bill would amend section 2 of title 14, United States Code, to provide authority for the Coast Guard to conduct icebreaking operations in waters other than the high seas or waters of the United States, pursuant to international agreements. The proposed bill would not be self-executing. Icebreaking in other than the high seas or waters of the United States could not be carried out without specific international agreement.

One purpose of the proposal is to provide a basis to improve the efficiency of United States and Canadian icebreaking in the Great Lakes-St. Lawrence Seaway navigational system. The likelihood of coordinating United States-Canadian icebreaking operations in the Great Lakes-St. Lawrence area has been suggested by a study now underway on the feasibility of extending the system's navigational season. The study was authorized by the Rivers and Harbors and Flood Control Act of 1970 (P.L. 91-611). That authority expires on July 30, 1974.

The cost of the proposal would depend upon the degree of implementation.

It would be appreciated if you would lay the proposed bill before the House of Representatives. A similar bill has been transmitted to the President of the Senate.

The Office of Management and Budget has advised that there is no objection from the standpoint of the Administration's program to the submission of this proposed legislation to the Congress.

Sincerely,

CLAUDE S. BRINEGAR.

A BILL To amend section 2 of title 14, United States Code, to authorize icebreaking operations in foreign waters pursuant to international agreements, and for other purposes

Be it enacted in the Senate and House of Representatives of the United States of America in Congress assembled. That section 2 of title 14, United States Code, is hereby amended by inserting the words

"shall, pursuant to international agreements, develop, establish, maintain, and operate icebreaking facilities on, under, and over waters other than the high seas and waters subject to the jurisdiction of the United States;" immediately before the words "shall engage in oceanographic research".

GENERAL COUNSEL OF THE DEPARTMENT OF COMMERCE,
Washington, D.C., April 24, 1974.

HON. LEONOR K. SULLIVAN,
Chairman, Committee on Merchant Marine and Fisheries, House of Representatives, Washington, D.C.

DEAR MADAM CHAIRMAN: This is in reply to your request for the views of this Department concerning H.R. 13791, a bill

"To amend section 2 of title 14, United States Code, to authorize icebreaking operations in foreign waters pursuant to international agreements, and for other purposes."

H.R. 13791 would amend the basic statutory authorization of the Coast Guard to allow that agency to conduct icebreaking operations in waters other than the high seas or waters of the United States, pursuant to international agreements. The bill would provide a basis to improve the efficiency of icebreaking in the Great Lakes-St. Lawrence Seaway navigational system by permitting cooperative U.S./Canadian efforts.

This Department recommends enactment of H.R. 13791.

We have been advised by the Office of Management and Budget that there would be no objection to the submission of our report to the Congress from the standpoint of the Administration's program.

Sincerely,

KARL E. BAKKE,
General Counsel.

DEPARTMENT OF THE NAVY,
OFFICE OF LEGISLATIVE AFFAIRS,
Washington, D.C., April 17, 1974.

HON. LEONOR K. SULLIVAN,
Chairman, Committee on Merchant Marine and Fisheries, House of Representatives, Washington, D.C.

DEAR MADAM CHAIRMAN: Your request for comment on H.R. 13791, a bill "To amend section 2 of title 14, United States Code, to authorize icebreaking operations in foreign waters pursuant to international agreements, and for other purposes," has been assigned to this Department for the preparation of a report thereon.

This bill would authorize the Coast Guard, pursuant to international agreements, to conduct icebreaking operations in the waters other than the high seas or waters of the United States.

The Department of the Navy, on behalf of the Department of Defense, interposes no objection to H.R. 13791.

This report has been coordinated within the Department of Defense, in accordance with procedures prescribed by the Secretary of Defense.

The Office of Management and Budget advises that, from the standpoint of the Administration's program, there is no objection to the presentation of this report on H.R. 13791 for the consideration of the Committee.

For the Secretary of the Navy.
Sincerely yours,

E. H. WILLETT,
Captain, U.S. Navy,
Deputy Chief.

DEPARTMENT OF STATE,
Washington, D.C., May 17, 1974.

HON. LEONOR K. SULLIVAN,
Chairman, Committee on Merchant Marine and Fisheries, House of Representatives, Washington, D.C.

DEAR MADAM CHAIRMAN: Thank you for the opportunity to comment on H.R. 13791, a bill to amend section 2 of Title 14, United States Code, to authorize icebreaking operations in foreign waters pursuant to international agreements.

The Department of State has reviewed this bill and supports its enactment. It seems clear that icebreaking services provided pursuant to international agreements can be of benefit to the foreign relations of the United States.

The Office of Management and Budget advises that from the standpoint of the Administration's program there is no objection to the submission of this report.

Cordially,

LINWOOD HOLTON,
Assistant Secretary for
Congressional Relations.

NATIONAL SCIENCE FOUNDATION,
Washington, D.C., June 5, 1974.

HON. LEONOR K. SULLIVAN,
Chairman, Committee on Merchant Marine and Fisheries, House of Representatives, Washington, D.C.

DEAR MADAM CHAIRMAN: This is in reply to your letter of April 2, 1974 requesting the views of the National Science Foundation on H.R. 13791, a bill to amend 14 U.S.C. 2 to authorize icebreaking operations in foreign waters pursuant to international agreements.

The proposed legislation would authorize the United States Coast Guard, in addition to its other duties as specified in section 2 of Title 14, U.S.C., to engage in icebreaking operations in foreign waters pursuant to international agreements.

The Foundation has no objection to enactment of H.R. 13791.

The Office of Management and Budget has advised us that there is no objection to the submission of this report from the viewpoint of the Administration's program.

Sincerely yours,

H. GUYFORD STEVER,
Director.

CHANGES IN EXISTING LAW

In compliance with clause 3 of rule XIII of the Rules of the House of Representatives, as amended, changes in existing law made by the bill, as reported, are shown as follows (new matter is printed in italic, existing law in which no change is proposed is shown in roman) :

Section 2, Title 14, United States Code

COAST GUARD

§ 2. Primary duties

The Coast Guard shall enforce or assist in the enforcement of all applicable Federal laws on and under the high seas and waters subject to the jurisdiction of the United States; shall administer laws and promulgate and enforce regulations for the promotion of safety of life and property on and under the high seas and waters subject to the jurisdiction of the United States covering all matters not specifically delegated by law to some other executive department; shall develop, establish, maintain, and operate, with due regard to the requirements of national defense, aids to maritime navigation, icebreaking facilities, and rescue facilities for the promotion of safety on, under, and over the high seas and waters subject to the jurisdiction of the United States; *shall, pursuant to international agreements, develop establish, maintain, and operate icebreaking facilities on, under, and over waters other than the high seas and waters subject to the jurisdiction of the United States*; shall engage in oceanographic research on the high seas and in waters subject to the jurisdiction of the United States; and shall maintain a state of readiness to function as a specialized service in the Navy in time of war.

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Ninety-third Congress of the United States of America

AT THE SECOND SESSION

*Begun and held at the City of Washington on Monday, the twenty-first day of January,
one thousand nine hundred and seventy-four*

An Act

To amend section 2 of title 14, United States Code, to authorize icebreaking operations in foreign waters pursuant to international agreements, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 2 of title 14, United States Code, is hereby amended by inserting the words "shall, pursuant to international agreements, develop, establish, maintain, and operate icebreaking facilities on, under, and over waters other than the high seas and waters subject to the jurisdiction of the United States;" immediately before the words "shall engage in oceanographic research".

Speaker of the House of Representatives.

*Vice President of the United States and
President of the Senate.*

④

December 4, 1974

Dear Mr. Director:

The following bills were received at the White House on December 4th:

- S. 1561 ✓
- S. 3308 ✓
- S. 3546 ✓

Please let the President have reports and recommendations as to the approval of these bills as soon as possible.

Sincerely,

Robert D. Linder
Chief Executive Clerk



The Honorable Roy L. Ash
Director
Office of Management and Budget
Washington, D. C.