

EXECUTIVE DIRECTOR'S REPORT

Ron Miller came to work the first week in March as the staff advisor for halibut. He comes from 3½ years with the Commercial Fishery Entry Commission and has recently completed post-graduate work on limited entry into the halibut fishery. It's a pleasure to have him aboard.

This will be the last Council meeting for Leroy Sowl who has been the representative of the U.S. Fish and Wildlife Service on the Council almost from the beginning. He's transferring to that center of wisdom and culture on the Potomac.

We sent you the President's Exclusive Economic Zone Proclamation and the Fact sheets prepared by the White House. I'm enclosing a copy of S750 in this Agenda item [B1(b)], the bill Senator Stevens introduced to implement that proclamation. In most respects it is similar to HB 2061 introduced by Congressman Breaux and others for the same purpose, except that S750 calls for a mandatory five-year phase out of all foreign fishing, language not included in the house bill. Senator Packwood, Chairman of the Senate Commerce Committee, has asked for our comments on the EEZ. I would appreciate your advice on a Council response to the Senator. Copies of HB2061 are available if you want them.

Attachment B1(c) is Senator Stevens' March newsletter in which he discusses his proposal to allow the Capital Construction Fund to be used for shore plants. It discusses a number of other fishery matters including the halibut moratorium and the U.S./Canada salmon treaty.

Attachment B1(d) is a letter from the House Merchant Marine and Fisheries Committee to Vice President Bush recommending a small allocation for the Soviet Union to encourage their continued participation in joint ventures with American fisherman. The letter is also signed by Senator Stevens and Senator Packwood.

In the February mailing I sent you the Pacific Council response to our request for an Alaskan troller on their Advisory Panel in the February mailing. They approved the reinstatement of an Alaskan salmon troller on their salmon subpanel, but contingent upon NMFS approval of additional funding and the appointment of a salmon troller from the Pacific area to the North Pacific Advisory Panel. Do you wish to continue this correspondence? The Alaska Trollers Association has recommended the appointment of a California troller to our Advisory Panel if we decide to accept the Pacific Council's offer. Their letter is Attachment B1(e).

When I was in Washington on March 10 to testify before the Senate Commerce Committee I talked to several of the other Councils' Executive Directors and Chairmen. Some, particularly the New England Council, would like to have a Chairmen's Meeting this Spring, preferably before the first of June. Aside

from Council funding, I can't think of very many things to put on a Chairmen's agenda. I don't think that we have had enough time to think about new funding sources in time for a June meeting. There are a number of administrative changes emanating from the recent Act amendments and new NMFS guidelines to warrant a meeting of Executive Directors and Administrative Officers. I doubt if any of the Chairmen would be interested in discussing those areas in the detail that's required. I've told the other Councils, particularly the Gulf Council who will host the next Chairmen's meeting, that I would get back to them after this Council meeting. What are your wishes?

Sea Grant has suggested that we co-sponsor a booth with them and other fishery groups from Alaska at the next Fisheries Exposition in Seattle this fall. It sounded like a good idea and I indicated I would discuss it with you. Since then, there's been some indications of interest from other Councils in joining us in such an effort, including those from the East Coast. If you're interested in the idea, I'll pursue the matter contingent on time and money, as well as interest.

I went to Spokane last week to take part in a panel discussion on fisheries at the Pacific Northwest World Trade Conference. I was on a panel with Dick Johnston from Oregon State University and Bob Stokes from the University of Washington. The Trade Conference itself was very well attended with a number of notables in attendance. The Fisheries Panel was not heavily attended; we couldn't compete with the glamour subjects like HiTech, but there was a fair turnout and a good bit of interest. When my speech is typed up, I'll send it to you in a Council mailing.

We have scheduled the July meeting for Homer during the week of July 25. Actual meeting dates should be July 27 and 28. We made the change partly because we think we can afford it now and partly because we were having an extremely difficult time finding enough space in Anchorage to sleep and meet.

The second Lowell Wakefield Symposium, on sablefish, is being held March 29-31 at the Sheraton Hotel here in Anchorage. Abstracts of the papers to be presented are available from the University of Alaska Sea Grant program. The Council is co-sponsoring the symposium with Sea Grant, the Alaska Department of Fish and Game, National Marine Fisheries Service, and the Pacific Fishery Management Council.

Attachment B1(f) is a membership list of the State Boards of Fish and Game. Jim Beaton is still the Chairman of the Board of Fisheries.

The SSC will be doing its preliminary screening of programmatic requests for next year at this meeting and should have a list of those that they will recommend for funding in their report.

Council Documents 19 and 19a are available in limited quantities at the Council offices. Document 19 is the contractor's report on the "Feeding Habits, Food Requirements and Status of Bering Sea Marine Mammals." Document 19a is the annotated bibliography for the report.

Status of Fishery Management Plans

1. Salmon FMP

The Council will give final consideration to 1983 troll salmon management focusing mainly on harvest guidelines, proposed seasons to achieve them, and change in fishing year. The Council may also discuss the proposed U.S.-Canada salmon treaty.

2. Herring FMP

The Council will discuss changes to the FMP recommended by the Herring Workgroup. Given Council approval, recommended revisions will be forwarded to Washington, DC to recommence Secretarial Review of the plan.

3. King Crab FMP

The Council will review regulatory proposals to the Board of Fisheries concerning 1983 king crab management. The Council will also review the procedures for determining ABC and OY.

The plan was submitted to Secretarial Review on June 1, 1982. The review period has been extended pending receipt of minor editorial and technical changes, the EIS, and revised set of implementing regulations. These documents are nearing completion and the Secretary should act on the FMP in the near future.

4. Tanner Crab FMP

The Council will review regulatory proposals to the Board of Fisheries.

Amendment #9, which frameworks the Fishing Season section of the FMP and increases the Regional Director's flexibility in setting seasons is in the Region undergoing further development. Once completed, it will be submitted for Secretarial review.

Amendment #8, the housekeeping amendment with accompanying Environmental Assessment and Regulatory Review is nearing completion and will be submitted to the Secretary in the next few weeks.

Amendment #7, which established new C. bairdi OYs and set C. opilio OY equal to DAH (i.e. TALFF = 0), was submitted to the Secretary on December 24, 1980 and published in the Federal Register as a proposed rule on September 3, 1981. The amendment is currently at OMB and no date has been given for final publication and implementation.

5. Gulf of Alaska Groundfish FMP

No action is required by the Council at this meeting.

Amendment #12, which would ban pots in the Southeast sablefish fishery, is being prepared for submission to NMFS Regional Office for review.

Amendment #11, which adjusts sablefish and pollock OY and introduces a framework DAH, is undergoing Regional Office review which should be completed by the end of March. It then will be sent via the Council office to begin Secretarial review in Washington, DC.

6. Bering Sea/Aleutian Islands Groundfish FMP

No action is required by the Council at this meeting.

Amendment #7 modifying restrictions on foreign longliners in the Winter Halibut Savings Area was approved by the Council in September 1982. The NMFS Regional Office is preparing the amendment and supporting documentation for Secretarial review.

Amendment #6 establishing a U.S. Fishery Development Zone north of Unimak Pass was approved by the Council in September 1982 and will be sent to Regional Office review within the next week or so.

Amendment #5 decreasing the prohibited species catch of chinook salmon to 45,500 salmon for 1982 began Secretarial review on June 1, 1982. The amendment was approved by NMFS, DC on December 30, 1982. No proposed rule has been published yet.

Amendment #4 revising fishery apportionments for various species or groups began Secretarial review on February 22, 1982 and was published as a proposed rule in the Federal Register on December 6, 1982. The 45-day comment period ended January 20, 1983. Word has been received that the portion of the amendment granting the Regional Director field order authority to adjust time-area closures for conservation and management reasons has been disapproved.

Amendment #3 establishing prohibited species catch limitations for crabs, salmon, and halibut was submitted for Secretarial review on January 18, 1983 and the notice of proposed rulemaking was published in the Federal Register on March 11.

Amendment #1 on managing groundfish as a complex was sent to Secretarial review on December 10, 1982. No word has been received on its status.

wages for such work at not less than 80 percent of the individual's average weekly wage for his most recent base period."

(b) Section 231(a)(4) of the Trade Act of 1974 (19 U.S.C. 2291(a)(4)) is amended by striking out "202(a)(3)" and inserting in lieu thereof "202(a)(3)(II)".

SEC. 5. OFFICE OF TRADE ADJUSTMENT ASSISTANCE

(a)(1) Subchapter C of chapter 2 of title II of the Trade Act of 1974 is amended by adding at the end thereof the following new section:

"SEC. 250A. ASSISTANT SECRETARY FOR TRADE ADJUSTMENT ASSISTANCE.

"There is established in the Department of Labor the Office of Trade Adjustment Assistance. The Office shall be headed by the Assistant Secretary of Labor for Trade Adjustment Assistance, who shall be appointed by the President, by and with the advice and consent of the Senate. The Secretary shall carry out this chapter through the Assistant Secretary of Labor for Trade Adjustment Assistance."

(2) The table of contents in the first section of such Act is amended by inserting after the item relating to section 250 the following new item:

"Sec. 250A. Assistant Secretary for Trade Adjustment Assistance."

(b) Section 5315 of title 5, United States Code, is amended by striking out "(5)" in the item relating to the Assistant Secretaries of Labor and inserting in lieu thereof "(6)".

(c) (1) The Office of Trade Adjustment Assistance in the Employment and Training Administration of the Department of Labor is transferred to the Office of Trade Adjustment Assistance established by section 250A of the Trade Act of 1974 (as added by subsection (a) of this section).

(2) The position of Director of the Office of Trade Adjustment Assistance is terminated.

SEC. 6. REVISIONS.

Section 235 of the Trade Act of 1974 is amended by striking out "September 30, 1983" and inserting in lieu thereof "September 30, 1982".

SEC. 7. EFFECTIVE DATES.

(a) The amendments made by sections 1 and 2 shall apply with respect to determinations regarding training and applications for allowances under sections 235, 237, and 238 of such Act that are made or filed after September 30, 1982.

(b) The amendments made by sections 3, 5, and 8 shall take effect on the date of the enactment of this Act.

(c) The amendments made by section 4 shall take effect with respect to weeks of unemployment beginning on or after the date of the enactment of this Act.

By Mr. STEVENS:

S. 750. A bill to implement an exclusive economic zone adjacent to the territorial sea of the United States, and for other purposes; to the Committee on Commerce, Science, and Transportation.

EXCLUSIVE ECONOMIC ZONE IMPLEMENTATION ACT

Mr. STEVENS. Mr. President, I have addressed the Senate several times to commend the President's decision not to sign the Law of the Sea Treaty. Many Senators share my concern that we must not agree to participate in a permanent cartelization of our ocean resources.

I am offering a bill today with my good friend Congressman BREAUX of

Louisiana, who has introduced the same measure in the House.

Mr. President, this is truly the decade of the oceans. Vast potential lies in the living and nonliving resources just off our shores. This legislation will complete the job that we began in the Magnuson Fisheries Conservation and Management Act of 1976 and the Deep Seabed Hard Mineral Resources Act of 1980, by extending plenary U.S. jurisdiction over the 200-mile zone.

In brief, the bill establishes an exclusive economic zone which runs 197 miles seaward from the territorial sea. Within this zone, the United States will assert sovereign rights for the purposes of exploring, exploiting, conserving and managing all natural resources, both living and nonliving. The bill specifically asserts that the fisheries resources of this Nation are to be used to the benefit of the U.S. fishing industry.

This bill seeks to implement, through legislation, the goals and declarations which the President has stated today in his proclamation of an exclusive economic zone.

In addition, I have added a section to this bill which mandates the elimination of foreign fishing within our exclusive economic zone. I feel strongly that we must reassert our intention to fully develop and control the fishery resources within our waters. Foreign participation in our development has proceeded, but at a much reduced pace from our needs. I hope to work with the Senate in formulating changes in our fishery policy which will maximize the interests and needs of the U.S. fishing industry.

Such action will also substantially benefit the consumers in this country, who now mainly purchase foreign, higher-priced products while our own fishery products are being caught and processed by foreign vessels. Bringing these products to the U.S. consumer will greatly broaden their options and price savings.

Mr. President, I feel that this legislation will take the step that is now long overdue. We can now strengthen the status of our adjoining oceans resources and facilitate their orderly development.

Mr. President, I ask that a statement by the President; a proclamation issued by the President, on this subject, and the bill appear at this point in the Record.

There being no objection, the material was ordered to be printed in the Record, as follows:

STATEMENT BY THE PRESIDENT

The United States has long been a leader in developing customary and conventional law of the sea. Our objectives have consistently been to provide a legal order that will, among other things, facilitate peaceful, international uses of the oceans and provide for equitable and effective management and conservation of marine resources. The United States also recognizes that all nations have an interest in these issues.

Last July I announced that the United States will not sign the United Nations Law

of the Sea Convention that was opened for signature on December 10. We have taken this step because several major problems in the Convention's deep seabed mining provisions are contrary to the interests and principles of industrialized nations and would not help attain the aspirations of developing countries.

The United States does not stand alone in those concerns. Some important allies and friends have not signed the Convention. Even some signatory States have raised concerns about these problems.

However, the Convention also contains provisions with respect to traditional uses of the oceans which generally confirm existing maritime law and practices and, fairly balance the interests of all States.

Today I am announcing three decisions to promote and protect the oceans interests of the United States in a manner consistent with those fair and balanced results in the Convention and international law.

First, the United States is prepared to accept and act in accordance with the balance of interests relating to traditional uses of the oceans—such as navigation and overflight. In this respect, the United States will recognize the rights of other States in the waters off their coasts, as reflected in the Convention, so long as the rights and freedoms of the United States and others under international law are recognized by such coastal States.

Second, the United States will exercise and assert its navigation and overflight rights and freedoms on a worldwide basis in a manner that is consistent with the balance of interests reflected in the Convention. The United States will not, however, acquiesce in unilateral acts of other States designed to restrict the rights and freedoms of the international community in navigation and overflight and other related high seas uses.

Third, I am proclaiming today an Exclusive Economic Zone in which the United States will exercise sovereign rights in living and non-living resources within 200 nautical miles of its coast. This will provide United States jurisdiction for mineral resources out to 200 nautical miles that are not on the continental shelf. Recently discovered deposits there could be an important future source of strategic minerals.

Within this Zone all nations will continue to enjoy the high seas rights and freedoms that are not resource-related, including the freedoms of navigation and overflight. My Proclamation does not change existing United States policies concerning the continental shelf, marine mammals and fisheries, including highly migratory species of tuna which are not subject to United States jurisdiction. The United States will continue efforts to achieve international agreements for the effective management of these species. The Proclamation also reinforces this government's policy of promoting the United States fishing industry.

While international law provides for a right of jurisdiction over marine scientific research within such a zone, the Proclamation does not assert this right. I have elected not to do so because of the United States interest in encouraging marine scientific research and avoiding any unnecessary burdens. The United States will nevertheless recognize the right of other coastal States to exercise jurisdiction over marine scientific research within 200 nautical miles of their coasts, if that jurisdiction is exercised reasonably in a manner consistent with international law.

The Exclusive Economic Zone established today will also enable the United States to take limited additional steps to protect the

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marine environment. In this connection, the United States will continue to work through the International Maritime Organization and other appropriate international organizations to develop uniform international measures for the protection of the marine environment while imposing no unreasonable burdens on commercial shipping.

The policy decisions I am announcing today will not affect the application of existing United States law concerning the high seas or existing authorities of any United States government agency.

In addition to the above policy steps, the United States will continue to work with other countries to develop a regime, free of unnecessary political and economic restraints, for mining deep seabed minerals beyond national jurisdiction. Deep seabed mining remains a lawful exercise of the freedom of the high seas open to all nations. The United States will continue to allow its firms to explore for and, when the market permits, exploit these resources.

The Administration looks forward to working with the Congress on legislation to implement these new policies.

EXCLUSIVE ECONOMIC ZONE OF THE UNITED STATES OF AMERICA

By the President of the United States of America

A PROCLAMATION

Whereas the Government of the United States of America desires to facilitate the wise development and use of the oceans consistent with international law;

Whereas international law recognizes that, in a zone beyond its territory and adjacent to its territorial sea, known as the Exclusive Economic Zone, a coastal State may assert certain sovereign rights over natural resources and related jurisdiction; and

Whereas the establishment of an Exclusive Economic Zone by the United States will advance the development of ocean resources and promote the protection of the marine environment, while not affecting other lawful uses of the zone, including the freedoms of navigation and overflight, by other States;

Now, therefore, I Ronald Reagan, by the authority vested in me as President by the Constitution and laws of the United States of America, do hereby proclaim the sovereign rights and jurisdiction of the United States of America and confirm also the rights and freedoms of all States within an Exclusive Economic Zone, as described herein.

The Exclusive Economic Zone of the United States is a zone contiguous to the territorial sea, including zones contiguous to the territorial sea of the United States, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands (to the extent consistent with the Covenant and the United Nations Trusteeship Agreement), and United States overseas territories and possessions. The Exclusive Economic Zone extends to a distance 200 nautical miles from the baseline from which the breadth of the territorial sea is measured. In cases where the maritime boundary with a neighboring State remains to be determined, the boundary of the Exclusive Economic Zone shall be determined by the United States and other State concerned in accordance with equitable principles.

Within the Exclusive Economic Zone, the United States has, to the extent permitted by international law, (a) sovereign rights for the purpose of exploring, exploiting, conserving and managing natural resources, both living and non-living, of the seabed and subsoil and the superjacent waters and with

regard to other activities for the economic exploitation and exploration of the zone, such as the production of energy from the water, currents and winds; and (b) jurisdiction with regard to the establishment and use of artificial islands, and installations and structures having economic purposes, and the protection and preservation of the marine environment.

This Proclamation does not change existing United States policies concerning the continental shelf, marine mammals and fisheries, including highly migratory species of tuna which are not subject to United States jurisdiction and require international agreements for effective management.

The United States will exercise these sovereign rights and jurisdiction in accordance with the rules of international law.

Without prejudice to the sovereign rights and jurisdiction of the United States, the Exclusive Economic Zone remains an area beyond the territory and territorial sea of the United States in which all States enjoy the high seas freedoms of navigation, overflight, the laying of submarine cables and pipelines, and other internationally lawful uses of the sea.

In witness whereof, I have hereunto set my hand this tenth day of March, in the year of our Lord nineteen hundred and eighty-three, and of the Independence of the United States of America the two hundred and seventh.

R. 759

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Exclusive Economic Zone Implementation Act".

SEC. 2. FINDINGS AND PURPOSE.

(a) FINDINGS.—The Congress finds that— (1) it is in the national interest to promote and facilitate the full and responsible development and use of ocean resources;

(2) recent international practice and codification efforts widely recognized as reflective of customary international law encompass certain State rights over the natural resources, both living and nonliving, of the ocean and its floor out to two hundred nautical miles from the baselines from which territorial seas are measured;

(3) such rights over such natural resources should be exercised in a manner that preserves the high seas rights and freedoms of other States;

(4) recent efforts to codify international law with respect to a wide range of ocean activities, both within and beyond zones of natural resource jurisdiction, have concluded and have not adequately addressed all of the objectives and interests of maritime and coastal States;

(5) the United States has previously enacted interim laws related to the conservation, management, development and use of the natural resources of the ocean and its floor with a view to the successful conclusion of such recent codification efforts; and

(6) the Presidential Proclamation of March 1983, with an accompanying oceans policy statement, asserted certain rights and jurisdiction of the United States, and confirmed the rights and freedoms of all States, within such zones; and

(7) the Congress should enact requisite legislation to implement the establishment of the exclusive economic zone.

(b) PURPOSES.—It is therefore declared to be the purposes of the Congress in this Act—

(1) to implement an exclusive economic zone which will clarify the rights and jurisdiction of the United States and the rights

and freedoms of other States within such zone;

(2) to set forth the policy of the United States regarding the development and use of the natural resources of the oceans and its floor beyond such zone; and

(3) to conform previously enacted international law with such rights, jurisdiction, a policy.

TITLE I—ESTABLISHMENT AND IMPLEMENTATION OF THE EXCLUSIVE ECONOMIC ZONE

SEC. 101. ESTABLISHMENT OF ZONE.

(a) IN GENERAL.—There is established a zone contiguous to the territorial sea of the United States to be known as the exclusive economic zone. The inner boundary of the exclusive economic zone is a line coterminous with the seaward boundary of each of the States, and, subject to subsection (b), the outer boundary of such zone is a line drawn in such a manner that each point on it is 200 nautical miles from the baseline from which the territorial sea is measured. For purposes of this subsection, the term "State" means each of the several States; the Commonwealth of Puerto Rico; the United States Virgin Islands, American Samoa, Guam, or any other territory or possession of the United States; the Commonwealth of the Northern Mariana; and the Trust Territory of the Pacific Islands.

(b) BOUNDARY ADJUSTMENTS.—The Secretary of State may initiate and conduct negotiations with any adjacent or opposite coastal State for purposes of establishing, in accordance with equitable principles, the outer boundary of the exclusive economic zone in relation to that coastal State.

SEC. 102. UNITED STATES RIGHTS AND JURISDICTION WITHIN THE EXCLUSIVE ECONOMIC ZONE.

Within the exclusive economic zone, the United States asserts, and will maintain—

(1) sovereign rights for the purpose of exploring, exploiting, conserving, and managing the living resources (other than highly migratory species of fish) and the nonliving resources of the seabed and subsoil and superjacent waters;

(2) sovereign rights for the purpose of carrying out economic exploration and exploitation not covered under paragraph (1), including, but not limited to, the production of energy from the water, currents, and winds; and

(3) jurisdiction with regard to—

(A) the establishment and use of artificial islands;

(B) other installations and structures having economic purposes; and

(C) the protection and preservation of the marine environment.

As used in this section, the term "highly migratory species of fish" means species of tuna which, in the course of their life cycle, spawn and migrate over great distances in ocean waters.

SEC. 103. ASSERTION OF SOVEREIGN RIGHTS AND JURISDICTION SUBJECT TO FREEDOMS OF THE HIGH SEAS.

The United States recognizes, and shall maintain the sovereign rights and jurisdiction asserted by it under section 102 in accordance with the rules of international law, specifically the recognized freedoms of the high seas, including, but not limited to, those pertaining to navigation, overflight, marine scientific research, and the laying and maintenance of submarine cables and pipelines.

SEC. 104. DISCLAIMER.

Nothing in this Act is, nor shall be deemed to be, a basis for any royalty, fee, tax, or other assessment of revenue, for fishing by U.S.-flag vessels for living marine resources

over which the United States exercises sovereign rights.

SEC. 102. MARINE SCIENTIFIC RESEARCH

(a) **DEFINITION.**—As used in this section, the term "marine scientific research area", with respect to any coastal State means—

(1) an area the inner boundary of which is the base line from which the territorial sea of the coastal State is measured and the outer boundary of which in a line drawn in such a manner that each point on it is 200 nautical miles from the inner boundary; and

(2) the continental shelf of the coastal State.

(b) **REQUESTS BY UNITED STATES SCIENTISTS TO ENGAGE IN RESEARCH IN FOREIGN MARINE RESEARCH AREAS.**—Notwithstanding that the conduct of marine scientific research is recognized by the United States as a freedom of the high seas, the Secretary of State shall submit promptly to the appropriate officials of a coastal State, if that coastal State exercises jurisdiction over marine scientific research in a reasonable manner that is not inconsistent with international law, each request by United States scientists for permission to conduct marine scientific research in the marine scientific research area of that State.

(c) **NEGOTIATIONS.**—The Secretary of State shall initiate negotiations with coastal States for the purpose of obtaining bilateral and multilateral agreements that will facilitate the conduct of marine scientific research in the marine research area of such States. It shall be a negotiating objective to enter into agreements that will permit United States scientists to obtain, in a timely manner, authorization from the other coastal States to conduct such research with a minimum of fiscal and procedural restraint.

(2) In carrying out this subsection, the Secretary shall give priority to seeking agreements with those coastal States with marine scientific research areas in which United States scientists have expressed the greatest interest in conducting marine scientific research.

SEC. 104. REPORT OF LAWS AFFECTED BY ESTABLISHMENT OF EXCLUSIVE ECONOMIC ZONE

(a) **REPORT BY AGENCIES TO THE PRESIDENT.**—The head of each Federal department, agency, or instrumentality that is responsible for implementing any law or program that is administered within, or with respect to, the exclusive economic zone shall submit a report to the President listing all such laws and programs, together with such suggested amendments as may be required to bring such laws and programs into conformity with the establishment of such zone. The report shall be submitted to the President not later than 12 months after the date of enactment of this Act.

(b) **SUBMISSION OF COMPREHENSIVE REPORT TO CONGRESS.**—Not later than 18 months after the date of enactment of this Act, the President shall compile the reports submitted under subsection (a) and submit to the Congress a single report thereon together with any additional recommendations of the President for changes, with respect to existing laws and programs, that are required by the enactment of this title.

TITLE II—EXPLORATION FOR, AND EXPLOITATION OF, THE MINERAL RESOURCES OF THE EXCLUSIVE ECONOMIC ZONE, OUTER CONTINENTAL SHELF, AND DEEP SEABED

SEC. 201. AMENDMENTS RELATING TO THE OUTER CONTINENTAL SHELF.

(a) **DEFINITION OF OUTER CONTINENTAL SHELF AND FOOT OF THE CONTINENTAL SLOPE.**—Section 2 of the Outer Continental Shelf Lands Act (43 U.S.C. 1331(a)) is amended—

(1) by amending subsection (a) to read as follows:

"(a) The term 'Outer Continental Shelf' means—

"(1) all submerged lands lying seaward and outside of the area of lands beneath navigable waters (as defined in section 2(a) of the Submerged Lands Act (43 U.S.C. 1301(a)) and extending to a boundary within the zone the inner boundary of which is the foot of the continental slope and the outer boundary of which is a line drawn in such a manner that each point on it is 60 nautical miles from the inner boundary; and

"(2) submerged lands, the boundaries of which shall be established, in accordance with equitable principles, by the United States and the other coastal State concerned, under the Gulf of Mexico and the Bering Sea that are partially enclosed—

"(A) by submerged lands described in paragraph (1); and

"(B) by submerged lands of the other coastal State that are treated under the laws of that State in a manner equivalent to that accorded by the United States to the submerged lands described in paragraph (1)."; and

(2) by adding at the end thereof the following new subsection:

"(b) The term 'foot of the continental slope' means the lowest point in the most seaward major course of downward inclination in the generally descending profile of the continental slope, beyond which the gradient either flattens very gently to merge eventually with the abyssal plain, or reverses to form the other side of an oceanic trench".

SEC. 202. AMENDMENTS RELATING TO THE DEEP SEABED.

(a) **CHANGE IN TITLE OF ACT.**—(1) Section 1 of the Deep Seabed Hard Mineral Resources Act (30 U.S.C. 1401 et seq.) is amended to read as follows:

SECTION 1. SHORT TITLE.

"This Act may be cited as the 'Deep Seabed Mineral Resources Act'."

(2) Any reference to the Deep Seabed Hard Mineral Resources Act shall be deemed to refer to the Deep Seabed Mineral Resources Act.

(b) **AMENDMENTS TO THE DEEP SEABED MINERAL RESOURCES ACT.**—The Deep Seabed Mineral Resources Act is amended as follows:

(1) The Act is amended by striking out "hard mineral resource" each place it appears and inserting in lieu thereof "mineral resource", by striking out "hard mineral resources" each place it appears and inserting in lieu thereof "mineral resources", and by striking out "hard minerals" each place it appears and inserting in lieu thereof "minerals".

(2) Paragraph (4) of section 2(a) is amended to read as follows:

"(4) there is an alternate source of supply, which is significant in relation to national needs, of certain minerals existing on or under the deep seabed";

(3) Section 3(a) is amended by striking out paragraphs (7), (8), (9), (10), (15), and (16), and by renumbering paragraphs (11), (12), (13), and (14) (and all references thereto) as paragraphs (7), (8), (9), and (10), respectively.

(4) Paragraph (9) of section 2(a) (as renumbered by paragraph (3) of this subsection) is amended by striking out "pending a Law of the Sea Treaty, and".

(5) Paragraph (10) of section 2(a) (as renumbered by paragraph (3) of this section) is amended to read as follows:

"(10) pending an agreement among States on an orderly and environmentally sound

program for the recovery of the mineral resources of the deep seabed, the protection of the marine environment from the potential effects of exploration or recovery of such mineral resources depends upon the enactment of suitable national legislation".

(6) Paragraph (1) of section 2(b) is amended to read as follows:

"(1) to encourage the successful conclusion of an international agreement that will assure the development of the mineral resources of the deep seabed for the benefit of mankind and that will assure, among other things, nondiscriminatory access to such resources for all nations";

(7) Section 2(b) is amended by striking out paragraphs (2) and (3) and by renumbering paragraphs (4) and (5) (and all references thereto) as paragraphs (2) and (3), respectively.

(8) Paragraph (1) of section 3(b) is amended to read as follows:

"(1) The Secretary of State is encouraged to negotiate comprehensive international agreements which, among other things, provide assured and nondiscriminatory access to the mineral resources of the deep seabed for all nations, assure the development of such mineral resources for the benefit of mankind, and provide for the establishment of requirements for the protection of the quality of the marine environment".

(9) Paragraph (2) of section 3(b) is amended by striking out "a Treaty" and inserting in lieu thereof "an agreement".

(10) Section 4(2) is amended to read as follows:

"(2) 'Continental Shelf' has the same meaning that is given to such term in section 2(a) of the Outer Continental Shelf Lands Act (43 U.S.C. 1331(a))."

(11) Section 4(4) is amended to read as follows:

"(4) 'deep seabed' means the seabed, and the subsoil thereof lying seaward of and outside—

"(A) the Continental Shelf of any nation; and

"(B) any area of national resource jurisdiction of any foreign nation, if such area extends beyond the Continental Shelf of such nation and such jurisdiction is recognized by the United States"; (12) Section 4(6) is amended to read as follows:

"(6) 'mineral resources' includes oil, gas, sulphur, geopressed-geothermal and associated resources, and all other minerals which are authorized by an Act of Congress to be produced from 'public lands' as defined in section 103 of the Federal Land Policy and Management Act of 1976";

(13) Section 4(7) is amended by striking out "concluded through negotiations at the Third United Nations Conference on the Law of the Sea," and by striking out "an international" and inserting in lieu thereof "a".

(14) Section 102(c)(1) is amended by striking out subparagraph (D).

(15) Section 118(a)(1) is amended by inserting "generally" after "manner".

(16) Section 118(a)(2) is amended to read as follows:

"(2) recognizes licenses and permits issued under this title to the extent that such nation, under its laws, prohibits any person from engaging in exploration or commercial recovery which conflicts with that authorized under any such license or permit";

(17) Section 310 is amended by striking out "September 30, 1984" and inserting in lieu thereof "September 30, 1987".

(c) **AMENDMENTS TO TAX AND TRUST FUND PROVISIONS.**—(1) Section 401 of the Deep Seabed Hard Mineral Removal Tax Act of 1979 is amended to read as follows:

"SEC. 401. SHORT TITLE.

"This title may be cited as the "Deep Seabed Mineral Removal Tax Act of 1979".

(2) Any reference to the Deep Seabed Hard Mineral Removal Tax Act of 1979 shall be deemed to refer to the Deep Seabed Hard Mineral Removal Tax Act of 1979.

(3) Subsection (b) of section 4496 of the Internal Revenue Code of 1954 is amended to read as follows:

"(b) **MINERAL RESOURCE.**—For purposes of this subchapter, the term "mineral resource" includes oil, gas, sulphur, geopressured-geothermal and associated resources, and all other minerals which are authorized by an Act of Congress to be produced from "public lands" as defined in section 103 of the Federal Land Policy and Management Act of 1976."

(4) Section 4496(d) of the Internal Revenue Code of 1954 is amended to read as follows:

"(d) **CONTINENTAL SHELF.**—For purposes of this subchapter, the term "Continental Shelf" has the same meaning that is given to such term in section 2(a) of the Outer Continental Shelf Lands Act (43 U.S.C. 1331(a))."

(5) Section 4497(b) of the Internal Revenue Code of 1954 is amended to read as follows:

"(b) **COMMERCIAL RECOVERABILITY.**—The Secretary may by regulation prescribe for each metal or mineral quantities or percentage below which the metal or mineral shall be treated as not commercially recoverable."

(6) Section 4498 of the Internal Revenue Code of 1954 is repealed.

(7) Subchapter F of chapter 39 of the Internal Revenue Code of 1954 is amended by striking out "hard mineral resource" each place it appears and inserting in lieu thereof "mineral resource" and by striking out "Hard" in the table of subchapters for such subchapter.

(8) The table of subchapters for subchapter F of chapter 39 of the Internal Revenue Code of 1954 is amended by striking out the item relating to section 4498.

(9) Section 403 of the Deep Seabed Hard Mineral Removal Tax Act of 1979 is amended by striking out subsections (d), (e), and (f) and inserting in lieu thereof the following:

"(d) **EXPENDITURES FROM TRUST FUNDS.**—Amounts in the Trust Fund shall be available, as provided by appropriations Acts, for any purpose authorized by section 109 or 114 of this Act. Nothing in this subsection shall be deemed to authorize any program or other activity not otherwise authorized by law."

SEN. SEC. MEMORANDUM OF UNDERSTANDING.

Not later than one year after the date of enactment of this Act, the Secretary of the Interior and the Secretary of Commerce shall issue a memorandum of understanding setting forth the manner in which activities on the outer Continental Shelf (as defined in the Outer Continental Shelf Lands Act) and the deep seabed (as defined in the Deep Seabed Mineral Resources Act) will be regulated in those cases in which the logical mining unit for which and application is made for a license or permit under title I of the Deep Seabed Mineral Resources Act is located both on the outer Continental Shelf and on the deep seabed.

TITLE III.—FISHERY CONSERVATION AND MANAGEMENT.

SEC. 101. AMENDMENTS RELATING TO FISHERY CONSERVATION AND MANAGEMENT.

The Act entitled "An Act to provide for the conservation and management of the fisheries, and for other purposes", approved April 13, 1978 (16 U.S.C. 1801 et seq.), herein

called "The Management Act," is amended as follows:

(1) Section 2(D)(1) is amended by striking out subparagraph (A) and inserting in lieu thereof the following: "(A) an exclusive economic zone within which the United States maintains exclusive rights over all fish, except highly migratory species, and";

(2) Section 2(c) is amended by striking out paragraph (1), by redesignating paragraphs (2), (3), (4), and (5) as paragraphs (1), (2), (3), and (4), respectively, and by amending paragraph (4) (as so redesignated) to read as follows:

"(4) to support and encourage active efforts by the United States to negotiate widely accepted international agreements that provide for effective conservation and management of fishery resources, including highly migratory species."

(3) Section 2(3) is amended to read as follows:

"(3) The term "Continental Shelf" has the same meaning that is given to such term in section 2(a) of the Outer Continental Shelf Lands Act (43 U.S.C. 1331(a))."

(4) Section 3 is amended by striking out paragraph (6); by redesignating paragraphs (6) and (7) as paragraphs (7) and (8), respectively; and by inserting immediately after paragraph (5) the following new paragraph:

"(6) The term "exclusive economic zone" means the exclusive economic zone established by section 101 of the Exclusive Economic Zone Implementation Act."

(5) Section 101, and the entry relating to that section in the table of contents, are repealed.

(6) Section 102 is amended to read as follows:

"SEC. 102. UNITED STATES SOVEREIGN RIGHTS TO FISH AND FISHERY MANAGEMENT AUTHORITY.

"(a) **IN THE EXCLUSIVE ECONOMIC ZONE.**—Except as provided in section 103, the United States shall exercise sovereign rights and exclusive fishery management authority, in the manner provided for in this Act, over all fish, and all Continental Shelf fishery resources, within the exclusive economic zone.

"(b) **BEYOND THE EXCLUSIVE ECONOMIC ZONE.**—The United States shall exercise exclusive fishery management authority, in the manner provided for in this Act, over the following:

"(1) All anadromous species throughout the migratory range of each such species beyond the exclusive economic zone; except that such management authority shall not extend to such species during the time they are found within any foreign nation's territorial sea or exclusive economic zone (or the equivalent), to the extent that such sea or zone is recognized by the United States.

"(2) All Continental Shelf fishery resources beyond the exclusive economic zone."

(7) Section 103 is amended to read as follows:

"SEC. 103. EXCLUSION FOR HIGHLY MIGRATORY SPECIES.

"The sovereign rights and exclusive fishery management authority asserted by the United States under section 102 over the fish shall not include, nor be construed to extend to, highly migratory species of fish."

(8) Section 201(d)(4) is amended by striking out "shall allocate" and insert in lieu thereof "may allocate".

(9) Section 202(d) is amended by inserting "in accordance with equitable principles," immediately after "establish".

(10) The Act (including the table of contents) is further amended by striking out "fishery conservation zone" each place it

appears therein and inserting in lieu thereof "exclusive economic zone".

(11) Section 201 (h) and (i) is renumbered as (l) and (j) and a new section (h) is added:

"(h) Unless the Secretary of Commerce demonstrates that a deviation in harvest levels will benefit the United States fish industry, no foreign fishing allocation shall be permitted in any fishery within the exclusive economic zone except that—

(1) during the 1984 harvesting season, an amount equal to 85 percent of the total allowable level of foreign fishing determined under such section 201 for the 1983 harvesting season (hereinafter referred to as the "1983 TALFF") for such fishery;

(2) during the 1985 harvesting season, an amount equal to 70 percent of the 1983 TALFF for such fishery;

(3) during the 1986 harvesting season, an amount equal to 45 percent of the 1983 TALFF for such fishery;

(4) during the 1987 harvesting season, an amount equal to 20 percent of the 1983 TALFF for such fishery; and

(5) no foreign fishing shall be permitted in the exclusive economic zone after the close of the 1987 harvesting season."

By Mr. BENTSEN:

S. 751. A bill entitled the Federal Regulation Reduction Act of 1983; to the Committee on Governmental Affairs.

FEDERAL REGULATION REDUCTION ACT OF 1983

Mr. BENTSEN. Mr. President, I am introducing legislation today to place farmers, small business, and ranchers in a priority position to receive relief from Federal regulations. We have seen good progress over the past several years in the reduction of many types of burdens which Federal regulations impose on the private sector. Yet, the pace has still been far too dilatory for my taste.

Congress enacted two bills in 1980 which are benchmarks in efforts to reverse the historic tide toward more and more Government redtape on the private sector. The first bill, the Paperwork Reduction Act, provided the executive branch with the means to slash through the web of paperwork and data solicitation surrounding private enterprise.

The second bill, the Regulatory Flexibility Act, established the principal that Federal rules and regulations for small business must be less complex than ones for larger firms. In effect, Congress decided to two-tier Federal efforts to reduce the burden of its rules and redtape on the private sector. This principal is a sound one: Small business has fewer cash reserves, smaller profit margins, and less ability than larger firms to pass regulatory costs on to its customers. As a result, they and other like-situated sectors of our economy should not be forced to deal with the mass of forms and redtape which tie up platoons if not brigades of attorneys and accountants in our larger corporations. Small business, farmers, and ranchers cannot afford to hire those specialists required to completely comply with Government regulations, and the Federal Government should acknowledge that

Report on Fishery Issues

3



ted stevens

United States Senate, Washington, D.C., 20510

(202) 224-3004

united states senator for alaska

March, 1983

Fund would benefit shore-based fish processors

Alaska shore-based fish processors would benefit under legislation proposed early in the 98th Congress by Senator Stevens.

The legislation would extend the concept of the Capital Construction Fund (CCF), which now allows fishing vessels and floating processors to defer payment of federal taxes on income deposited in special accounts in order to channel those funds for capital investment into new vessels.

Onshore processors would be able to use the program for the rebuilding and expansion of their facilities.

The fund currently has \$120 million in deposits. Since its inception 10 years ago, \$480 million has been deposited to CCF accounts. Of that, \$360 million has been returned to the fishing fleet as equity investment.

Extending the CCF to the processing and distribution side of fishing would stimulate balanced growth within the industry and advance the full domestic development of our fishery resources, Stevens said.

The permanent benefits from the extension of the fund would be felt by all Americans, he added, because we would gain new jobs, growth in the Gross National Product, and a reduced trade deficit.

To illustrate, full domestic development of only eight major fisheries resources in the 200-mile Fisheries Conservation Zone can

produce these effects by 1990:

- Immediately create 2,000 jobs, with estimates of 43,000 jobs to be permanently created.
- Increase vessel revenues by \$782 million annually.
- Increase domestic fisheries landings by 2.5 million metric tons per year.
- Add \$1.2 billion annually to the Gross National Product.
- Reduce our trade deficit

by \$1.7 billion each year. Fisheries are the number-three item in the U.S. trade deficit account - \$3 billion in 1982.

"The Capital Construction Fund has radically changed the domestic fishing fleet," Stevens said, "but harvesting is only part of the total fishing picture.

"Harvesting capacity has outstripped processing capability of present shoreside facilities, continued on page 2

Draft proposal requires improvement

The governments of the U.S. and Canada are negotiating to establish a comprehensive West Coast salmon management regime, and have drafted a proposal for an agreement between the two countries.

The current draft proposal for the U.S.-Canada salmon agreement requires improvement to be acceptable to Alaskans, Senator Stevens said. He has advised the State Department that Alaskans have serious problems with the proposal and that changes are needed before it is submitted as an agreement.

He will continue to explore alternatives and improvements to the proposal, he added.

The State Department is currently reviewing the document and is aware that Alaskans find the proposed agreement unacceptable in

its present form, the Senator said.

At Stevens' request, the Deputy Assistant Secretary for Oceans and Fisheries Affairs from the State Department, Ted Kronmiller, came to Alaska in February to discuss the proposal with fishermen.

"Alaskans should continue to discuss the options available in the negotiations between the U.S. and Canada," Senator Stevens said. "I believe an agreement concerning a resource as important as our salmon fishery is in everyone's best interest. The rights to salmon fishing off our shores must be protected."

Governor Sheffield and state officials have indicated they will continue to work with fishermen, the Congressional delegation, and with the State Department toward that goal, he added.

Study to explore application of farm programs to fishing

A Library of Congress study that could have a positive effect on Alaska's fishing industry has been ordered by Senator Stevens.

The study would examine the use of agricultural support programs and their possible application to the fishing industry.

"Agriculture and fishing are related," the senator said, "as food resources dependent on the weather, with variable - and not predictable - annual harvests.

"The law of supply and demand applies as much to the fisherman as it does to the farmer. Since the 1920s, the federal government has created a series of programs which have successfully bolstered agriculture. This report should show how the fishing industry could benefit under similar types of programs."

Methods used in the government agriculture programs include price and income stabilization, supply controls and export promotion.

The report will address a number of factors, including:

- An analysis of basic agricultural programs.
- A review of the needs of the U.S. fishing industry, particularly in areas of increasing our ability to enter overseas markets, and increasing domestic processing capabilities.
- An identification of which agriculture programs can be utilized in the fishing industry.
- What changes in law would be required.
- What trends can be expected in future agriculture promotion and their possible adaptation to the U.S. fishing industry.

Export emphasis will be strong in the 98th Congress, Senator Stevens said. "The fishing industry is at a critical stage in its development, and is in a position similar to the farming industry 50 years ago. The results of this report may prove to be the basis for important benefits to fishermen in Alaska and the rest of the nation."

CCF would aid shore based processors

continued from page 1

causing tremendous productivity problems."

The U.S. imports about half of the fish the nation consumes, even though it enjoys 15 to 20 percent of the world fishery resources. The need exists for substantial improvements and innovation in fisheries processing, unloading and distribution facilities over the next 10 years, he noted.

"This program does not require the direct appropriation of funds," he said. "Instead, it offers to the members of the fishing industry an incentive to invest their income into the undercapitalized sector within the industry.

The Fund has a positive revenue impact, he said, in that taxes are not lost, but only deferred until the capital investment is made.

Council examines halibut proposal

Senator Stevens has received a large volume of mail on a halibut moratorium proposed by the North Pacific Fishery Management Council, which has made no final determination on the issue.

The Council is investigating the possibility of establishing a limited entry system for the northern Pacific halibut fishery but there has been no determination on whether such a system should be adopted or what form it might take.

The Council's proposal would allow every current participant in the northern Pacific halibut fishery to continue to participate in that current capacity, but would limit new entries into the fishery during the moratorium period.

The proposal calls for May 1 as the beginning of the moratorium period.

Comments on the proposal, which is detailed in the Feb. 3 Federal Register, pages 4861 to 4863, were to be received before March 21, addressed to Jim Branson, Executive Director, North Pacific Fishery Management Council, PO Box 3136 DT, Anchorage, Alaska 99510.

"Comments will influence the outcome of this proposal," Senator Stevens said. "Comments could lead to withdrawal of the proposed rule, or adoption of final rules that differ from the proposal." Public hearings have also been scheduled on the issue, he noted.

Japan reduces tariffs on Alaska fish roe

Tariffs imposed by Japan on a number of U.S. products, including fish roe harvested and processed by Alaskans, have been reduced or eliminated, the Japanese government advised Senator Stevens in late January.

The reductions include 20 percent on herring roe and 22 percent on other fish roe. They will be effective April 1, after approval by the parliamentary arm of the Japanese government, the Diet.

After low harvests in the 1960s, the Alaska herring harvest in 1982 was the largest since statehood - 88.7 million pounds for sac roe and 7.2 million pounds for food and bait, according to the Alaska Department of Fish and Game. (See chart).

The tariff reductions were negotiated last October by a special team from the National Marine Fishery Service, which included two Alaskans: Elmer Rasmuson, chairman of the International North Pacific Fisheries Commission, and a representative from Senator Stevens' office.

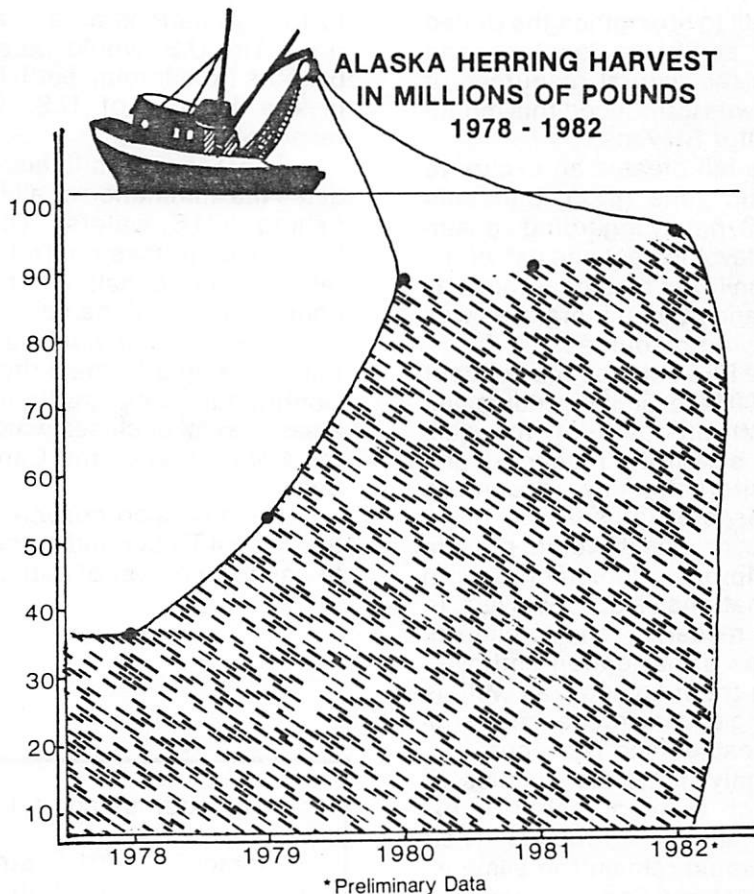
"The decision is an important step toward expanding the market for Alaska products in Japan," Stevens said. "The tariff reduction will help make Alaska herring roe and other fish roe more competitive with Japanese products."

The decision to reduce the tariffs was made to promote the U.S.-Japanese trade relationship despite strong resistance from

Japanese interest groups, the Japanese Ambassador to the U.S. told Senator Stevens.

"The reductions are beneficial to the Alaska commercial fleet," Stevens said. "We will continue to maintain close contact with the Ambassador's office to work toward future reductions on other fish products."

Following a request from fishermen in the Homer area, Stevens requested reductions in salt-fish tariffs, in particular for salted salmon. A negotiating team from the Department of Commerce raised this issue in late February, and an answer from the Japanese government is expected in early April.



Rule eliminates conflicting Tanner crab regulations

An emergency regulation early in February eliminated a conflict between state and federal regulations, just before the beginning of the Tanner crab season.

Requests from Senator Stevens and other Alaskans seeking to bring federal regulations into conformity with Alaska's regulations brought action from the National Marine Fishery Service.

Under the changes, Tanner crab pots cannot be stored on fishing grounds where the commercial Tanner crab season is about to begin. Previous federal regulations allowed storage of Tanner pots 72 hours before the season's opening.

The areas principally affected are the Kodiak, Chignik and South Peninsula districts, where the season opening date is Feb. 10, and the Bering Sea

and Eastern Aleutian districts, where the season opens Feb. 15.

Support for the change came from the majority of fishing groups in Alaska, Stevens noted, and from Jeff Stephan, manager of the United Fishermen's Marketing Association.

"We have worked long and hard to coordinate state and federal management of the crab fishery in Alaska," Stevens said. "It is essential that joint management proceed under the same rules."

"This action will allow all fleet members and, in particular, small vessels, an equal opportunity to participate in the Tanner crab harvest. Violations of the regulations will be more easily enforced now that this conflict has been eliminated," he added.

Measure would create exclusive economic zone

A bill to strengthen the United States' ability to explore and manage the natural resources of the sea was introduced this month by Senator Stevens.

The bill creates an exclusive economic zone (EEZ), and sets forth U.S. policy regarding conservation, development and use of the sea's non-living resources, such as metals and other minerals, as well as its living resources.

The EEZ extends the concept of the 200-Mile Limit by addressing the total products of the sea, marine scientific research, and other internationally recognized lawful uses of the sea.

The proposal would provide for reciprocal agreements with other nations also involved in marine research, and preserves freedoms of navigation and overflight in the high seas, as well as the laying and maintenance of submarine cables and pipelines.

Highly migratory species of fish, such as tuna, would be exempted in the proposal. Their status would remain the same as in the Fishery Conservation and Management Act.

The measure would clarify the FCMA in regard to fishery resources within the EEZ, which must be utilized first for the benefit of the U.S. fishing industry. Surplus fish would not be granted

to foreign nations as a matter of right. The U.S. would obtain full benefits from foreign participation in the harvest of U.S. fishery resources.

The Stevens bill also mandates the elimination of all foreign fishing in U.S. waters. "The time has arrived to take control of this resource on behalf of the U.S. fishing industry," he said.

The proposal would also define in a single formula the Outer Continental Shelf, particularly in areas of semi-enclosed waters like the Bering Sea or the Caribbean Sea.

It would also convert the International Trust Fund to revenues to pay for the cost of carrying out

environmental studies and other monitoring activities required in the Act.

"This legislation sets a course about future U.S. oceans' policy," Senator Stevens said. "We must continue to work with the Administration in reviewing and analyzing what steps would best state the nation's policies and objectives for the seas.

"The time is here to explore and clarify the measures necessary for the future development of the oceans' vast resources."

A similar measure was introduced in the House by Representative John Breaux, and co-sponsored by Representative Edwin Forsythe, Jr.

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Nome	Box 608, 99762	443-2842
Kenai	Box 3030, 99611	283-5808
Ketchikan	Federal Bldg., Rm. 501, 99901	225-6880
Kodiak	P.O. Box 177, 99615	486-5407

UNITED STATES SENATE

WASHINGTON, D.C. 20510



U.S.S

Report on Fishery Issues

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U.S. House of Representatives

Committee on

MAR 21 1983

Merchant Marine and Fisheries

Room 1334, Longworth House Office Building
Washington, D.C. 20515

February 22, 1983

ROUTE TO	INITIAL
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Staff Asst. 1	
Staff Asst. 2	
Staff Asst. 3	
Economic	
Sec./Exec.	
Sec./Typist	

Honorable George Bush
Vice President of the
United States
The White House
Washington, D. C. 20500

Dear Mr. Vice President:

As Members of Congress with a long-standing interest in promoting the effective utilization of U.S. fishery resources, we have devoted much of our effort in Congress to the development of sound policies to promote the U.S. fishing industry. As part of that effort, we have supported amendments to the Fishery Conservation and Management Act (FCMA) that link foreign access to the surplus fishery resources of the United States fishery conservation zone to measures undertaken by such foreign nations to foster the full development of our domestic fishing industry. One of these so-called "fish and chips" criteria of special significance is the willingness of foreign nations to engage in joint fishing ventures.

Recently, you were contacted regarding the issue of U.S.-Soviet fishery relations. In that letter, it was noted that the Soviet Union sponsored the first, and one of the most successful, joint fishing ventures undertaken pursuant to U.S. fish and chips policies.

Since the inception of this joint venture, approximately 50 United States harvesting vessels have been involved in over-the-side sales to the Soviet sponsored processing vessel. Over \$75 million dollars have been received by the owners of these vessels, sales that would have been foregone without the presence of the Soviet processing vessel.

It has also been noted that this joint venture would be even more successful, providing additional benefits to U.S.

fishermen, if it were allowed a small directed fishing effort to sustain its operations during that period of time when U.S. fishermen are unable to produce a sufficient quantity of fish to maintain a full level of production. The generally favorable violation record of the Soviet Union, when its vessels were previously allowed such a directed harvest, speaks in favor of allowing a new directed fishing effort, where appropriate.

We believe that the benefits that can be derived by U.S. fishermen through the consistent and full application of fish and chips policies to all nations interested in participating in the harvest of excess U.S. fishery resources calls for:

1. The immediate re-negotiation of the U.S.-Soviet Governing International Fishery Agreement (GIFA) in a manner consistent with fish and chips and the negotiation of access by U.S. fishermen to surplus resources of the Soviet fishery zone; and

2. Positive consideration for an expansion of U.S.-Soviet joint fishing ventures. Consideration should also be given to a direct allocation of surplus fishing resources where such an allocation would ensure the long-term viability and competitiveness of such joint ventures. We believe that this action is fully consistent with the "cash for food" approach taken by the U.S. in lifting the Soviet grain embargo.

Again, we would like to add our support to the comments you have already received and urge you to take the necessary actions which will lead to the effective utilization of our bountiful fishery resources for the maximum benefit of our domestic fishermen and economy.

With kind regards,

Sincerely,


EDWIN B. FORSYTHE, M.C.


JOHN B. BREAU, M.C.


JOEL PRITCHARD, M.C.


GERRY STUDDS, M.C.


DON YOUNG, M.C.


DON BONKER, M.C.

Douglas H. Bosco

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WEBB FRANKLIN, MISS.

U.S. House of Representatives
Committee on
Merchant Marine and Fisheries
Room 1334, Longworth House Office Building
Washington, D.C. 20515

February 22, 1983

Honorable George Shultz
Secretary
Department of State
Washington, D. C. 20520

Dear Mr. Secretary:

As Members of Congress with a long-standing interest in promoting the effective utilization of U.S. fishery resources, we have devoted much of our effort in Congress to the development of sound policies to promote the U.S. fishing industry. As part of that effort, we have supported amendments to the Fishery Conservation and Management Act (FCMA) that link foreign access to the surplus fishery resources of the United States fishery conservation zone to measures undertaken by such foreign nations to foster the full development of our domestic fishing industry. One of these so-called "fish and chips" criteria of special significance is the willingness of foreign nations to engage in joint fishing ventures.

Recently, you were contacted regarding the issue of U.S.-Soviet fishery relations. In that letter, it was noted that the Soviet Union sponsored the first, and one of the most successful, joint fishing ventures undertaken pursuant to U.S. fish and chips policies.

Since the inception of this joint venture, approximately 50 United States harvesting vessels have been involved in over-the-side sales to the Soviet sponsored processing vessel. Over \$75 million dollars have been received by the owners of these vessels, sales that would have been foregone without the presence of the Soviet processing vessel.

It has also been noted that this joint venture would be even more successful, providing additional benefits to U.S.

fishermen, if it were allowed a small directed fishing effort to sustain its operations during that period of time when U.S. fishermen are unable to produce a sufficient quantity of fish to maintain a full level of production. The generally favorable violation record of the Soviet Union, when its vessels were previously allowed such a directed harvest, speaks in favor of allowing a new directed fishing effort, where appropriate.

We believe that the benefits that can be derived by U.S. fishermen through the consistent and full application of fish and chips policies to all nations interested in participating in the harvest of excess U.S. fishery resources calls for:

1. The immediate re-negotiation of the U.S.-Soviet Governing International Fishery Agreement (GIFA) in a manner consistent with fish and chips and the negotiation of access by U.S. fishermen to surplus resources of the Soviet fishery zone; and


2. Positive consideration for an expansion of U.S.-Soviet joint fishing ventures. Consideration should also be given to a direct allocation of surplus fishing resources where such an allocation would ensure the long-term viability and competitiveness of such joint ventures. We believe that this action is fully consistent with the "cash for food" approach taken by the U.S. in lifting the Soviet grain embargo.

Again, we would like to add our support to the comments you have already received and urge you to take the necessary actions which will lead to the effective utilization of our bountiful fishery resources for the maximum benefit of our domestic fishermen and economy.

With kind regards,

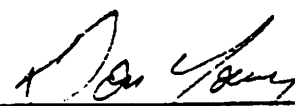
Sincerely,


EDWIN B. FORSYTHE, M.C.


JOHN B. BREAUX, M.C.


JOEL PRITCHARD, M.C.


GERRY E. STUDDS, M.C.


DON YOUNG, M.C.


DON BONKER, M.C.

Douglas H. Bosco
DOUGLAS H. BOSCO, M.C.

Ted Stevens
TED STEVENS, U.S.S.

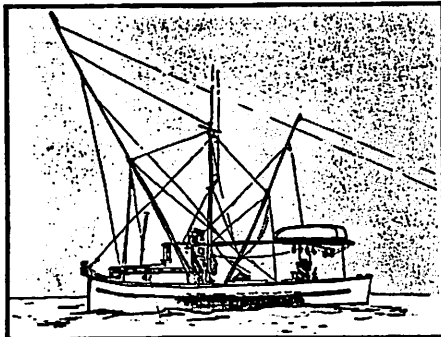
Slade Gorton
SLADE GORTON, U.S.S.

Walter B. Jones
WALTER B. JONES, M.C.

William Carney
WILLIAM CARNEY, M.C.

Bob Packwood
BOB PACKWOOD, U.S.S.

JAN 20 1983
INITIAL



Alaska Trollers Association

REPRESENTING ALASKA POWER TROLLERS

205 North Franklin Street
Juneau, Alaska 99801
(907) 586-9400

ACTION	ROUTE TO	INITIAL
	Exec. Dir.	
	Deputy Dir.	J
	ACT. DIR.	J
January 17, 1983		

Mr. Jim Branson, Executive Director
North Pacific Fishery Management Council
Box 3136DT
Anchorage, Alaska 99510

Dear Jim:

I have just learned that the Pacific Fishing Management Council took some action on funding the Alaska troll advisory position on the Salmon Subpanel. Apparently, they agreed to reestablish the position if the North Pacific Council, likewise, establishes a position for a Southern troller on our Advisory Panel.

With the plethora of Southern interest represented on the North Pacific Council and all its panels, this request appears to be merely a way of delaying any action. However, should the North Pacific Council consider another AP position, I recommend that we look further South than Washington and Oregon. In California, we have a prosperous troll industry with a positive outlook towards mixed stock harvests. An appointee from that area would satisfy the Pacific Council's request while at the same time offering a different outlook from that espoused by the already heavily represented Washington and Oregon interest.

The Alaska Trollers Association would like to forward the names of Zeke Grader, Kick Hubbard or Roger Thomas as potential AP members, if such a position is considered. Should you desire, a resume' can be provided for any of those individuals.

Sincerely,

Edward J. Wojek
EDWARD J. WOJECK
Executive Director

cc: Mr. Clem Tillion
Mr. Don Collingsworth
Mr. James Campbell
Mr. Keith Specking

COPY FOR YOUR
INFORMATION

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Dr. Samuel J. Harbo, Jr. Vice-Chairman P.O. Box 80522 Fairbanks, Alaska 99708-0522	452-7815 (home) 474-7085 (work)	1/31/85
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