

MEMORANDUM

TO: Council, AP and SSC Members

FROM: Clarence G. Pautzke
Executive Director



DATE: September 19, 1991

SUBJECT: International Fisheries

ACTION REQUIRED

- (a) Status report on international fisheries activities.
- (b) Consider restrictions on U.S. operations related to fisheries in the Donut.

BACKGROUND

Several members of the Council family attended a meeting in Ottawa last week on a new international high seas salmon convention and will be able to give the Council a status report.

Item C-5(a) is a letter from Senator Stevens suggesting that the Council could take action to prohibit any vessel or processing facility from participating in any fishery under the Council's jurisdiction if such vessel or processing facility is related to operations in the Donut. This would be a measure intended to discourage foreign fishing in the Donut area and large-scale driftnet fishing beyond the EEZ. NOAA GC has been requested to comment at the Council meeting on this issue.

ROBERT C. BYRD, WEST VIRGINIA, CHAIRMAN

DANIEL K. INOUE, HAWAII
ERNEST F. HOLLINGS, SOUTH CAROLINA
J. BENNETT JOHNSTON, LOUISIANA
QUENTIN N. BURDICK, NORTH DAKOTA
PATRICK J. LEAHY, VERMONT
JIM SASSER, TENNESSEE
DENNIS D'CONCINI, ARIZONA
JALE BUMPERS, ARKANSAS
FRANK R. LAUTENBERG, NEW JERSEY
TOM HARKIN, IOWA
BARBARA A. MIKULSKI, MARYLAND
HARRY REID, NEVADA
BROCK ADAMS, WASHINGTON
WYCHE FOWLER, JR., GEORGIA
J. ROBERT KERREY, NEBRASKA

MARK O. MATFIELD, OREGON
TED STEVENS, ALASKA
JAKE GARN, UTAH
THAD COCHRAN, MISSISSIPPI
ROBERT W. KASTEN, JR., WISCONSIN
ALFONSE M. D'AMATO, NEW YORK
WARREN RUDMAN, NEW HAMPSHIRE
ARLEN SPECTER, PENNSYLVANIA
PETE V. DOMENICI, NEW MEXICO
DON NICKLES, OKLAHOMA
PHIL GRAMM, TEXAS
CHRISTOPHER S. BOND, MISSOURI
SLADE GORTON, WASHINGTON

United States Senate

COMMITTEE ON APPROPRIATIONS
WASHINGTON, DC 20510-8025

JAMES H. ENGLISH, STAFF DIRECTOR
J. KEITH KENNEDY, MINORITY STAFF DIRECTOR

JUN 26 1990

June 20, 1990

Richard B. Lauber
Chairman
North Pacific Fishery Management Council
P.O. Box 103136
Anchorage, AK 99510

Dear Rick:

The North Pacific Fishery Management Council is well aware of the difficulties the United States has encountered in our efforts to end high seas fishing practices that adversely impact our fishery resources. The unregulated fishing and pirate raids in our waters by vessels operating in the international waters of the Bering Sea -- the Doughnut -- have long been of particular concern to the Council. In fact, you and others on the Council are advisors to the U.S. government in our negotiations with other nations to halt these practices.

Over three years ago I introduced S.Res. 396, a resolution unanimously approved by the Senate, which called on the State Department to negotiate an immediate moratorium on fishing in the Doughnut. I am sad to say that such a moratorium is not yet in place. Instead, the U.S. will be meeting with five other nations in Tokyo next month to discuss limiting fishing in the Doughnut to the 1988 level. To me, and I know that you and others share this sentiment, a limit to the 1988 levels does not go far enough. Stronger action is needed.

The Council could take such action by prohibiting any vessel or processing facility from participating in any fishery under the Council's jurisdiction if such vessel or processing facility is owned or chartered, in whole or in part, by any corporation, partnership, or person that also owns or charters, in whole or in part, a vessel that fishes in the Doughnut at any time during the year. There is simply no reason for the Council to grant the privilege of participating in a U.S. fishery to persons, partnerships, or corporations that also participate in actions which undermine the conservation and management of our fisheries.

Richard B. Lauber
June 20, 1991
Page Two

This same prohibition could also be applied to vessels or processing facilities operated by corporations, partnerships, or persons that also own or charter vessels that engage in large-scale driftnet fishing beyond the exclusive economic zone of any nation. The United Nations General Assembly has passed resolutions calling for a moratorium on such large-scale driftnet fishing after June 30, 1992, and it is U.S. policy that there should be a permanent ban. Expansion of the cross-ownership prohibition on Doughnut fishing to include large-scale driftnet fishing would further strengthen the U.S. efforts to bring an end to these curtains of death.

In 1976 Senator Magnuson and I convinced Congress to pass the Magnuson Fishery Conservation and Management Act to protect our fisheries from being devastated by foreign fishermen. That Act created the Council system and gave them the authority to propose further measures to protect the fisheries. The Act also made clear that fishing in U.S. waters is a privilege, not a right. Some people are abusing that privilege by fishing in our zone at the same time that their foreign-controlled parent corporations operate vessels fishing outside the zone, either in the Doughnut or using large-scale driftnets. I believe that the prohibition I have suggested could be adopted by the Council as a means of ending this abuse and reducing these threats to our fisheries.

I hope that the Council can address this issue at their meeting next week.

With best wishes,

Cordially,



TED STEVENS

U.S., Soviet Union set fishing borders

The U.S. Senate on Monday ratified a maritime boundary treaty with the Soviet Union that will help end Bering Sea fishing-zone disputes between the two nations, according to Sen. Ted Stevens, R-Alaska.

In the treaty, the Soviets cede control of 3,850 square miles of the Bering Sea to the United States. The treaty also calls for the United States to cede control of a smaller 300-square-mile zone to the Soviets, Stevens said.

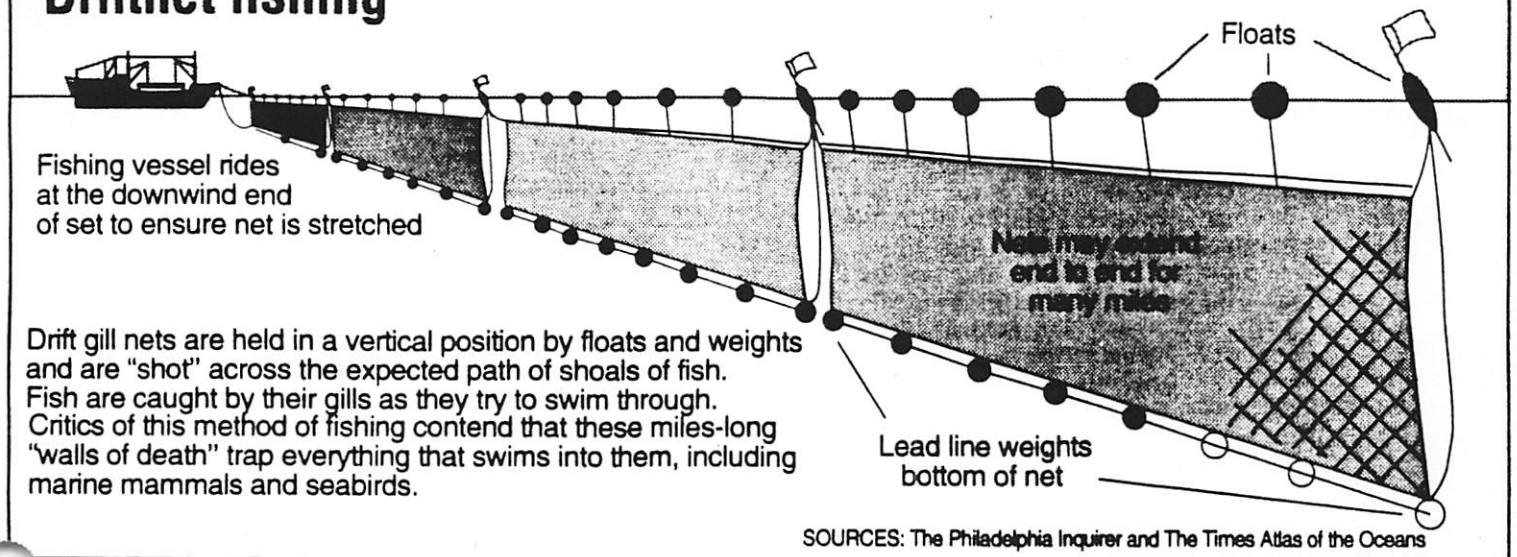
In the past, U.S. fishing boats have been chased or seized by Soviet patrol boats in disputed waters. And Soviet fishing boats have been pursued by the U.S. Coast Guard in disputed areas.

The Bering Sea is one of the world's richest fisheries, and is fished by both U.S. and Soviet fleets. Both nations claim control of 200-mile zones stretching into the Bering Sea from Alaska and the Soviet Far East.

Part of the Bering Sea is not claimed by either nation, and fishing within that zone is not regulated.

Anchorage Daily News - Sept. 17, 1991

Driftnet fishing



Knight-Ridder/Tribune News

U.S. bans import of driftnetted fish

By SCOTT SONNER

The Associated Press

WASHINGTON — The Bush administration Wednesday adopted regulations that by next summer will ban U.S. imports of all fish caught in driftnets or products made from such fish.

The ban goes into effect immediately for fish caught with driftnets in the South Pacific Ocean.

And after July 12, fish harvested with driftnets anywhere on the international high seas will not be allowed for sale in the United States, the National Oceanic and Atmospheric Administration said.

Driftnetting nations that export seafood to the United States will be required to provide documents certifying that the products were not taken with the nets, NOAA said.

Under the new regulations, France will be added to a list of driftnetting

nations. The list already names Japan, Taiwan, and North and South Korea.

The rules also define driftnets as any floating gillnet longer than 2.5 kilometers, about 1.5 miles.

Some driftnets stretch as long as 30 miles and kill virtually all marine life in their paths.

The National Marine Fisheries Service reported that in 1990, just 10 percent of Japan's driftnet fleet killed 1,758 whales and dolphins, 253,288 tuna, 81,956 blue sharks, 30,464 sea birds and more than 3 million other non-target fish, including some salmon tagged by hatcheries in the Columbia River basin.

The Taiwanese government, under threat of U.S. trade sanctions, announced last month it will end the use of driftnets in international waters by July 1.

Sen. Bob Packwood, R-Ore., has

introduced legislation that eventually would mandate trade sanctions against all countries that continue to use the "curtains of death."

A United Nations resolution calling for an end to driftnets worldwide is to go into effect on June 30, but critics say it contains loopholes.

NOAA, a part of the Commerce Department, was required to adopt the new regulations under legislation Bush signed into law last year.

Rep. Jolene Unsoeld, D-Wash., was one of the sponsors of an amendment in the bill that requires countries to promise their fish exports were not caught with driftnets.

"This is a little dependent on the reporting nation's being on their honor," Doug Levy, Unsoeld's press secretary, said Wednesday. "But it's another attempt to pound home the message that we will not tolerate driftnets."