Installation of insulation material; storage of flammable materials; and fire protection and electrical systems.

Manning requirements are also included. The provision creates a new category of able seamen known as "able seaman—fishing industry." This provision may be applicable after 9 months of service and may be used for manning on medium-size fishing vessels. This provision imposes standards for manning of vessels to assure that the crew is able to perform the duties of the vessel. Large vessels covered by this provision would have to meet the standards for able seaman now contained in law. In addition, the provision creates new categories for seamen to qualify based on the requirements for the various sizes of fishing vessels.

Mr. Speaker, in conclusion, I would only request the Members support this important piece of legislation.

Mr. YOUNG of Alaska asked why he, Mr. Speaker, will yield.

Mr. PRITCHARD, I yield to the gentleman from Alaska.

Mr. YOUNG of Alaska asked why he, Mrs. Speaker, will yield.

Mr. Speaker, I rise in support of H.R. 4997 and urge its adoption.

Among other things, this bill provides for the ratification and extension of the fisheries agreements which are very important to the continued operation of joint fishing ventures between U.S. fishermen and foreign partners. The current agreements will expire on July 1, and this bill will allow them to be extended. "Because the Congress is taking this step, it is our intent that the agreement be considered as re-extended for the period shown by Members on the other side of the aisle," I must be honest in saying that I am only accepting this bill reluctantly. We all share the full cost of the development of the fishing industry and I am concerned that this bill does not go far enough, in approaching that goal, I expect that we will have to rework some of the provisions in order to complete the effort we have started.

Mr. Speaker, I am including a section-by-section analysis of the amendments to title 46 of the United States Code which will serve as a guide to the interpretation and implementation of the bill. Again, I urge immediate passage.

SECTION-BY-SECTION OF AN AMENDMENT TO TITLE II OF TITLE 46, UNITED STATES CODE: ADDING TO FISH PROCESSING AND FISH TENDER VESSELS'S.

The first part sets forth the title as the "Commercial Fishing Industry Vessel Act." The second amends Title 46, United States Code, to ensure that certain inspection and manning requirements and exemptions and other provisions apply uniformly to all fish processing vessels and to provide for the transportation of cargo to remote communities in Alaska. Certain technical, conforming, and clarifying amendments are also added into various categories of existing and future vessels, and according to tonnage or crew size of various categories of fish processing vessels.

Clause (1) makes several amendments to Section 2101. It eliminates the title-wide definition of "fish processing vessel," "fish tender vessel," and "fishing vessel." These definitions have been carefully crafted so that "fish processing vessel" is required to include only those vessels on which extensive processing work is done to prepare fish or fish products for marketing and not vessels on which incidental or incidental to the fishing takes place as an important part of the fishing activity to preserve the quality of the fish. Further, these definitions are based on the Magnaflux Marine Conservation and Management Act (16 U.S.C. § 1803) and 1859). "Fish processing vessel" for purposes of Title 46, United States Code, does not include vessels under 100 gross tons. "A fishing vessel", "fish processing vessel", and "fish tender vessel" are also included in the scope of the provisions of the bill. Therefore, a vessel would not be entitled to an exemption if fishing vessels were incidental to its normal use, i.e., incidental to its normal use on a cruise or a fishing vessel.

Further, it amends the definition of "passenger" so that fishing personnel are not considered passengers when they are on board a fishing or fish processing vessel. This is a single exemption for the vessels mentioned above, and it is not applicable to the same vessels as those mentioned above. This bill also provides for the extension of Section 3007 by adding two additional categories of vessels subject to inspection. These categories are for fish processing vessels and fish tender vessels.

Clause (2) amends Section 3002. It provides for the availability of the vessels for inspection. "A fishing vessel", "fish processing vessel", and "fish tender vessel" are all subject to inspection. Therefore, a vessel would not be entitled to an exemption if fishing vessels were incidental to its normal use, i.e., incidental to its normal use on a cruise or a fishing vessel. Further, it amends the definition of "passenger" so that fishing personnel are not considered passengers when they are on board a fishing or fish processing vessel. This is a single exemption for the vessels mentioned above, and it is not applicable to the same vessels as those mentioned above. This bill also provides for the extension of Section 3007 by adding two additional categories of vessels subject to inspection. These categories are for fish processing vessels and fish tender vessels.

Clause (3) amends Section 3004. It provides for the availability of the vessels for inspection. "A fishing vessel", "fish processing vessel", and "fish tender vessel" are all subject to inspection. Therefore, a vessel would not be entitled to an exemption if fishing vessels were incidental to its normal use, i.e., incidental to its normal use on a cruise or a fishing vessel. Further, it amends the definition of "passenger" so that fishing personnel are not considered passengers when they are on board a fishing or fish processing vessel. This is a single exemption for the vessels mentioned above, and it is not applicable to the same vessels as those mentioned above. This bill also provides for the extension of Section 3007 by adding two additional categories of vessels subject to inspection. These categories are for fish processing vessels and fish tender vessels.

Clause (4) amends Section 3002. It provides for the availability of the vessels for inspection. "A fishing vessel", "fish processing vessel", and "fish tender vessel" are all subject to inspection. Therefore, a vessel would not be entitled to an exemption if fishing vessels were incidental to its normal use, i.e., incidental to its normal use on a cruise or a fishing vessel. Further, it amends the definition of "passenger" so that fishing personnel are not considered passengers when they are on board a fishing or fish processing vessel. This is a single exemption for the vessels mentioned above, and it is not applicable to the same vessels as those mentioned above. This bill also provides for the extension of Section 3007 by adding two additional categories of vessels subject to inspection. These categories are for fish processing vessels and fish tender vessels.
June 27, 1984

The presence of Israeli fishermen or fishing vessels in US territorial waters or processed by US fishermen and processors, will also be considered.

I trust that you will do the right thing to the extent you have raised.

Sincerely,

Edward E. Wolf, Jr.
Chairman
Federal Council for Ocean and Fisheries Affairs

Mr. Gorton, Mr. President, the Senate last Thursday passed legislation which tightens up our "fish and chips" allocation decisions. I will not repeat the remarks I made then, but I do wish to reemphasize their importance.

I should also like to note certain facts which would severely impact our US salmon industry and which would have a major impact on "fish and chips" allocation decisions. Taiwanese fishermen have been conducting an illegal fishery on US-origin salmon in the North Pacific, and then exporting the resource. To Japan via Korea, Hong Kong, and Singapore. The fishing activities violate both US international law. Needless to say, this is a matter of utmost concern to the Northwest fishing industry, the State Department and members of Congress. Congratulations to the General Fishing of salmon by Taiwan and its subsequent sale to Japan via Korea, or any other country for that matter, will have a detrimental effect on our fish stocks. The Federal Government must act to put an end to illegal fishing activity such as this. We must either get a review of our foreign fishing allocation, foreign nations, which fail to cooperate fully with the US, would face the likelihood of reduced allocations.

Mr. President, the Commercial Fishing Industry, Industry Act, which is also incorporated in the implementation of the Federal Government's program to provide support, framework for growth and development of the American fishing industry. Since the passage of the Magnuson Act, and Management Act in 1976, the Congress has worked steadily to help the industry and has provided significant assistance. However, the industry's performance has not been up to the mark. The fishing industry is a global market and operates directly with highly developed foreign fishing fleets and processing industries. Production of fish products in many cases is limited to the processing of fish caught in the US.

In order to be competitive and productive, major investments must be made in vessels, particularly in the US. Our challenge is to establish an open-ended regulatory scheme for the US industry to make these necessary investments, it must be able to work in a stable climate in which future costs will be reasonable and can be projected with confidence. Unfortunately, existing law is a complex maze of vessel requirements that has confused the industry and hindered development efforts. In reality, it is an ad hoc system that has no longer satisfactorily addressed the fishing industry's mode of operation.

This legislation—which is a compromise worked out over a number of months with the House, Merchant Marine and Fisheries Committee—will establish permanent requirements for fishing equipment and handling on vessels operating in the US fishing industry. The requirements provide a set of safety standards to protect the personal and to ensure safe operations. The requirements are also reasonable. In terms of cost and will provide a reasonable and stable base for making major development expenditures in the US fishing industry.

Although most of the provisions of these 'amendments' are clear and straightforward, some section-by-section comments are appropriate to the plain text.

Foreign fishing vessels are already allowed to fish in the US, particularly in Alaska during the peak salmon runs, to carry fish to processing plants and supplies to the active harvesting vessels. These could be shipped to the US and then shipped on the US vessels.

A processing vessel is difficult to define. The intent was to include vessels with extensive processing work being done and not fishing vessels on which incidental "processing" takes place as a necessary part of the fishing activity.

DEFINITION

A new chapter is added to the requirements for inshore vessels to provide for specific safety regulations which are tailored to the safety needs and unique vessel type of the fishing industry. The regulations require several types of equipment such as navigation equipment, life saving equipment, and so forth. The requirements are intended to be limited to fishing vessels in the fishing industry.