

Introduced: 4/7/77  
Referred: Resources

1 IN THE HOUSE

BY ANDERSON

2 HOUSE JOINT RESOLUTION NO. 39

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TENTH LEGISLATURE - FIRST SESSION

5 Urging the Secretary of State, in Law of  
6 the Sea Conferences and Convention re-  
7 negotiations to recognize no historic  
8 foreign interests in Alaska's salmon.

9 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF ALASKA:

10 WHEREAS, since 1952, Japan's high seas salmon fisheries have intercepted  
11 more than 53 million red, king and chum salmon which originated in the waters  
12 of Western Alaska, resulting in a severe adverse impact upon the resources,  
13 economy, and fishermen of the region; and

14 WHEREAS the United States, in the Fishery Conservation and Management  
15 Act of 1976 (P.L. 94-265), effective March 1, 1977, has asserted exclusive  
16 management authority over U. S. salmon within a 200-mile fishery zone off our  
17 coasts and beyond except when these salmon migrate through the fisheries zone  
18 of another nation; and

19 WHEREAS the U. S. State Department, in order to conform existing treaties  
20 with the purposes, policy and provisions of P.L. 94-265, has given notice to  
21 Canada and Japan that it will within one year either renegotiate or withdraw  
22 from the International Convention for the High Seas Fisheries of the North  
23 Pacific Ocean (INPFC), a treaty under which it has not been possible to pre-  
24 vent Japan from taking salmon of Western Alaskan origin on the high seas; and

25 WHEREAS under the treaty Japan's intercepting fishery on these stocks  
26 has been subject to the location of provisional lines in the North Pacific  
27 Ocean and in the Bering Sea, and consequently has the status of a  
28 "provisional" rather than an historic fishery; and

29 WHEREAS by enacting P.L. 94-265, the United States extinguished all

1 foreign claims to fishing rights within the U. S. fishery zone based upon  
2 traditional or historic practice; and

3 WHEREAS the U. S. State Department, as a participant in a series of Law  
4 of the Sea Conferences, has been sponsor for the adoption of Article 55 of  
5 the Single Negotiating Text, an Article which would vest in Japan, on grounds  
6 of historicity, the right to continue to intercept salmon of Western Alaskan  
7 origin within the 200-mile U. S. exclusive fishery zone and in the waters of  
8 the high seas beyond that zone; and

9 WHEREAS continued U. S. sponsorship of Article 55 in its present form in  
10 the soon-to-convene Fourth U. N. Conference on the Law of the Sea, by pre-  
11 conceding to Japan an historic interest in the salmon of Western Alaska,  
12 would foreclose consideration by that body of the interests of the United  
13 States in its salmon resources as expressed by the Alaska Law of the Sea  
14 Commission and would prejudice the renegotiation of the Convention against  
15 those interests;

16 BE IT RESOLVED that the Alaska State Legislature, supporting the  
17 Fishery Conservation and Management Act of 1976 (P.L. 94-265), recognizes no  
18 historic foreign interest in the salmon of Alaska, and urges the U. S. State  
19 Department to adopt and maintain this position in the Fourth U. N. Conference  
20 on the Law of the Sea and in the renegotiation of the Convention for the  
21 High Seas Fisheries of the North Pacific Ocean and not to sponsor the adoption  
22 of Article 55 of the Single Negotiating Text in its present form.

23 COPIES of this resolution shall be sent to the Honorable Jimmy Carter,  
24 President of the United States; the Honorable Cyrus Vance, Secretary of the  
25 Department of State; the Honorable Juanita Kreps, Secretary of the Department  
26 of Commerce; the Honorable Ted Stevens and the Honorable Mike Gravel, U. S.  
27 Senators, the Honorable Don Young, U. S. Representative, members of the  
28 Alaska delegation in Congress; and to the North Pacific Fishery Management  
29 Council.