

HOUSE JOINT RESOLUTION NO. 75
IN THE LEGISLATURE OF THE STATE OF ALASKA
SEVENTEENTH LEGISLATURE - SECOND SESSION

BY REPRESENTATIVES DAVIDSON, Jacko, Gruenberg, Ellis, Finkelstein, Hudson

Introduced: 2/18/92

Referred: Labor & Commerce

A RESOLUTION

1 Relating to employment for Alaskan longshoremen.

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

3 WHEREAS longshoremen are an integral part of the state economy; and

4 WHEREAS foreign-owned vessels stopping in the state have often used foreign crews instead
5 of Alaska crews to load and unload products in the state; and

6 WHEREAS, in 1990, American longshoremen's unions were instrumental in persuading the
7 Congress to amend the federal Immigration Act to forbid foreign crew members from performing
8 longshore work in American waters and ports; and

9 WHEREAS, in developing regulations to implement the amended Act, the Department of State
10 and the federal Department of Labor interpreted exceptions in the Act broadly, thereby permitting foreign
11 vessels to continue to employ foreign crew members to perform the work of American longshoremen;
12 and

13 WHEREAS, on January 14, 1992, the Department of State added Japan to a list of foreign
14 countries that are prohibited from using foreign crew members to perform longshoremen's work in
15 American waters because American workers are not permitted to work in Japanese waters; and

16 WHEREAS certain companies are attempting to avoid complying with the new federal law by
17 filing for exemptions or waivers, citing the lack of an adequate workforce in the state and the "prevailing

1 practice" exception and also by transferring products in unpopulated coastal areas using foreign crew
2 members rather than American longshoremen; and

3 **WHEREAS** there is an adequate and willing labor force in the state to fill these jobs and provide
4 the needed longshoring work;

5 **BE IT RESOLVED** that the Alaska State Legislature respectfully requests the United States
6 Immigration and Naturalization Service to strictly enforce the new Immigration Act; and be it

7 **FURTHER RESOLVED** that the Alaska State Legislature respectfully requests the federal
8 Department of Labor to immediately review the exemptions from the Immigration Act of 1990 that were
9 granted in the ports of Akutan, St. Paul, and Chignik; and be it

10 **FURTHER RESOLVED** that the Alaska State Legislature respectfully requests the Department
11 of State and the federal Department of Labor to interpret the Immigration Act of 1990 so as to afford
12 the maximum protection for the American workforce by restricting the ability of foreign vessels to
13 employ foreign crews to do the work of American longshoremen.

14 **COPIES** of this resolution shall be sent to the Honorable James A. Baker, III, Secretary of State;
15 the Honorable Lynn Martin, Secretary of Labor; Gene McNary, Commissioner of the Immigration and
16 Naturalization Service; and to the Honorable Ted Stevens and the Honorable Frank Murkowski, U.S.
17 Senators, and the Honorable Don Young, U.S. Representative, members of the Alaska delegation in
18 Congress.