

STATE OF ALASKA THE LEGISLATURE

1992

Source
CSHJR 75(L&C)

Legislative
Resolve No.
70



Relating to employment for Alaskan longshoremen.

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

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

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

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

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

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

WHEREAS certain companies are attempting to avoid complying with the new federal law by filing for exemptions or waivers, citing the "prevailing practice" exception and also by transferring products in unpopulated coastal areas using foreign crew members rather than American longshoremen; and

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

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

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

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

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