

103^D CONGRESS
2^D SESSION

H. R. 4335

To authorize certain United States-flag fishing and fish processing vessels to be chartered or sold to foreign citizens and transferred to foreign registry without approval by the Secretary of Transportation, and to establish limitations on the authority of those vessels to thereafter operate in the fisheries and coastwise trade of the United States.

IN THE HOUSE OF REPRESENTATIVES

MAY 3, 1994

Mr. YOUNG of Alaska (for himself, Mrs. UNSOELD, and Mr. DICKS) introduced the following bill; which was referred to the Committee on Merchant Marine and Fisheries

A BILL

To authorize certain United States-flag fishing and fish processing vessels to be chartered or sold to foreign citizens and transferred to foreign registry without approval by the Secretary of Transportation, and to establish limitations on the authority of those vessels to thereafter operate in the fisheries and coastwise trade of the United States.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. APPROVAL NOT REQUIRED TO SELL OR CHAR-**
2 **TER CERTAIN FISHING AND FISH PROCESS-**
3 **ING VESSELS TO FOREIGN CITIZENS AND**
4 **TRANSFER THE VESSELS TO FOREIGN REG-**
5 **ISTRY.**

6 (a) APPROVAL NOT REQUIRED.—

7 (1) IN GENERAL.—Section 9 (c) and (d) of the
8 Shipping Act, 1916 (46 App. U.S.C. 808(c), (d)) do
9 not apply to the vessels listed in subsection (b).

10 (2) TERMINATION OF APPLICATION.—Para-
11 graph (1) does not apply to a vessel after any date
12 on which the vessel has been—

13 (A) sold, mortgaged, leased, chartered, de-
14 livered, or in any manner transferred, after the
15 date of the enactment of this Act, to a person
16 that is not a citizen of the United States; and

17 (B) thereafter documented under the laws
18 of the United States.

19 (b) VESSELS DESCRIBED.—The vessels referred to in
20 subsection (a) are the following:

21 (1) M/V ALL ALASKAN (United States offi-
22 cial number 248773).

23 (2) F/V JUNO (United States official number
24 260614).

25 (3) F/V ALASKA TRADER (United States of-
26 ficial number 567664).

1 (4) F/V OCEAN TEMPEST (United States of-
2 ficial number 509743).

3 (5) F/V SHELIKOF (United States official
4 number 597967).

5 (6) F/V SEA PRODUCER (United States offi-
6 cial number 284437).

7 (7) F/V MAGNUM (United States official num-
8 ber 529675).

9 (8) F/V OCEANIC (United States official num-
10 ber 500320).

11 (9) F/V ANITA J (United States official num-
12 ber 560532).

13 (10) F/V SOURDOUGH (United States official
14 number 597229).

15 (11) F/V RONDYS (United States official
16 number 291085).

17 (c) REENTRY INTO UNITED STATES FISHERIES AND
18 COASTWISE TRADE.—

19 (1) REACQUISITION OF RIGHT TO ENGAGE IN
20 COASTWISE TRADE.—Notwithstanding the first pro-
21 viso of section 27 of the Merchant Marine Act, 1920
22 (46 App. U.S.C. 883), a vessel described in sub-
23 section (b) shall not be prohibited from acquiring
24 the right to engage in the coastwise trade by reason
25 of being placed under foreign registry.

1 (2) LIMITATIONS ON SUBSEQUENT OPERATION
2 IN FISHERIES AND COASTWISE TRADE.—In addition
3 to other limitations and requirements applicable to
4 operation in the fisheries or coastwise trade, that op-
5 eration by a vessel described in subsection (b) which
6 has been sold to a person that is not a citizen of the
7 United States or placed under foreign registry is
8 subject to the following limitations:

9 (A) Subject to subparagraph (B), the ves-
10 sel may only engage in fisheries or coastwise
11 trade in which it was eligible to engage before
12 the vessel was placed under foreign registry.

13 (B) The vessel may not engage in any op-
14 eration other than—

15 (i) fishing,

16 (ii) fish processing, and

17 (iii) the transportation of fish, fish
18 products, or materials directly related to
19 fishing or the preparation of fish, to or
20 from a fishing vessel, fish processing ves-
21 sel, fish tender vessel, or fish processing
22 facility.

23 (C) All drydocking, conversion, repair (ex-
24 cept routine maintenance or emergency repair),
25 or rebuilding of the vessel after the date on

1 which the vessel is placed under foreign registry
2 shall be performed in shipyards located in the
3 United States.

4 (3) EXPIRATION OF AUTHORITY TO REEN-
5 TER.—Paragraph (1) does not apply to a vessel
6 after the date that is 10 years after the date of the
7 enactment of this Act.

8 (e) RELATIONSHIP TO OTHER LAW.—Nothing in this
9 section shall be considered to amend, supercede, or other-
10 wise affect—

11 (1) the Magnuson Fishery Conservation and
12 Management Act (16 U.S.C. 1801 et seq.);

13 (2) fishery management plans (including
14 amendments thereto) in effect under that Act; or

15 (3) regulations promulgated pursuant to that
16 Act.

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