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Chairman — C. P. IDYLL, Chairman, Gulf and Caribbean Fisheries Institute, Miami, Florida

OPENING ADDRESS

The Coast Guard and Its Relation to the Fishing Industry

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THE UNITED STATES COAST GUARD is one of the oldest public service agencies of our nation, and the fishing industry is without a doubt one of our oldest customers. Therefore I welcome this opportunity to speak to you today, and I hope that it will assist us in a better understanding of the problems that develop in areas of mutual interest.

The Coast Guard is an organization that has many missions — but it is of interest to note that the fundamental principle underlying nearly all of these missions is that of the promotion of maritime safety.

The role which is best known is our Search and Rescue (SAR) mission. With vessels, boats, aircraft and a farflung communications network, we strive to assist those in peril on and over the sea. As one of our principal customers, the fishing industry is well aware of this facet of our operations. Indeed our SAR cases involving fishermen average about thirty-five a month in this District.

However, we believe quite strongly that prevention is better than cure, and it is to this end that we devote much of our effort. For example, the Coast Guard maintains the largest system of public aids to navigation in the world — we have over six thousand such aids in this District alone, ranging from multimillion dollar loran transmitting stations down to small buoys and single piling daymarks. This system is essentially preventative medicine and is probably the most difficult to assess in terms of statistics. With regard to our SAR activities we can place a dollar figure on the property saved and count the number of people we have helped. But we cannot say how many vessels or aircraft reached their destinations safely because of our aids to navigation. We do believe that the number is considerable and indeed as a reflection of this opinion, you would be interested in knowing that a third of our annual budget is devoted to aids to navigation.

We are constantly seeking means of improving our service to the mariner. As a service agency oriented to our customers, we seek and welcome your advice and suggestions. It is the user — the mariner —

who can tell us whether our product serves his purpose. Of course just as you have economic factors that affect your operations, so do we. Aids to navigation are expensive to establish and expensive to maintain. But within the funds allotted we try to give you the most for your dollar.

Loran, as you may know, is an electronic system of navigation which provides a vessel equipped with a loran receiver the ability to establish its position with a high degree of accuracy and without regard to weather conditions or visibility. The system is comprised of a number of high powered radio broadcasting stations transmitting a special type of signal. The system was developed during World War II for military purposes. There are extensive chains of this system in both the North Atlantic and the Pacific, and while all were established for military reasons, the signals are available to any aircraft or vessel having a receiver. Accordingly it has benefitted commercial aviation and maritime activities tremendously.

The Gulf has been an orphan in this regard. Three stations were established in the eastern Gulf to help fledgling aviators find their way back home, but that is the extent of it. We in the Eighth Coast Guard District have long been of the opinion that this method of navigation — available Gulfwide — would be of great benefit to the fishermen. Many people in the fishing industries have held this same opinion. We have succeeded in convincing everyone who needed to be convinced — and that is a lot of people — that there should be a loran system covering the whole Gulf. We needed help to do this and it is due to the diligent efforts of many of you that the concept of the first loran system for the commercial mariner and aviator has been accepted. It is my pleasure to inform you that the construction contracts for the three stations in the western Gulf were put out for bids last month. In about two years, we shall have the chain operational.

What does this mean to the fishing industry? Well, at the outset it will cost you some money. A good loran receiver will run about \$1800. It should not take very much time to recoup this expenditure in terms of reduced running time alone. Your captains will be able to locate their fishing grounds with ease and proceed to and from them with directness. We all know that the Gulf fisherman does not use celestial navigation. He runs by soundings, time underway, and a small and not always accurate magnetic compass. The result is a lot of lost motion.

If he should get in trouble and call for help, we frequently have a hard time finding him — because he doesn't know just where he is. It costs about \$150 an hour to operate one of our search plans, and we spend large sums of money looking for somebody who ought to know his position, but doesn't.

Our experience in the New England area is illustrative of the change that loran can bring. Before loran, the master of a distressed vessel would radio for help stating that he was, for example, fifteen hours east by south of West Point Upchuck. The Coast Guard would then have to guess how far the vessel would run in an hour, how far off his compass was, and where in the world West Point Upchuck might be — since

usually that would be a local name and not one that appeared on the charts. After loran the master would simply radio us the loran readings of his position, and the cutter or aircraft could make a beeline to the spot — and there he would be.

Therefore I urge all of you to give most serious consideration to taking advantage of this aid to navigation. It will save you time and money and it will save lives.

Another aspect of our maritime safety program lies in our inspection of certain categories of vessels and the licensing of certain mariners. A third of the officer personnel of this District are engaged in this mission. We approve the design of new vessels, see to it that proper construction methods are employed, and regularly inspect vessels in service to see that they are properly maintained. We examine and license officers of the merchant marine to assure a high standard of competence. As a means of preventative medicine we know that our system of inspection works and works well. The recent tragic fires on several cruise ships would not have occurred had these vessels met our inspection standard. Of course, as you know, many categories of vessels are not subject to inspection — including most fishing vessels. I am not here advocating the extension of inspection laws to the fishing industry. Frankly, I wish that there was no need for safety regulation by the government of any of our vessels. But I must point out to you that historically these requirements have been imposed when the various facets of the marine industry failed to regulate themselves. The Steamboat Inspection Bureau—one of our predecessor agencies — came into being because steamboats on the Mississippi River were blowing up with appalling regularity and great loss of life, due to defective boilers, lack of maintenance, and improper operating procedures.

Those who complain of over-regulation in the field of safety must look to the history of their operations to find the answer. In short, in the absence of adequate and proper self regulation, it is to be expected that sooner or later regulations will be provided.

Over the years the Coast Guard has maintained a number of fisheries patrols, and in all but one instance these patrols were for the enforcement of treaties and laws relating to conservation. The exception is the Campeche Patrol, which has been maintained by this District for the past sixteen years for the purpose of protecting and assisting the American fisherman. While I do not have the total figures available to me, I am sure that the number of cases of assistance rendered to shrimpers in the Gulf of Campeche by this patrol may perhaps run into thousands. The constant presence of our patrol vessels has contributed substantially to the reduction in the harassment experienced by the fishing fleet in the early years of the exploitation of this fishery.

Fisheries are, of course, closely interconnected with the field of oceanography, and the Coast Guard has long exhibited a keen interest in this science. We know that the world must look more and more to the oceans as a source of food, and oceanography is one of the sciences that must be employed in the discovery and effective utilization of this most important natural resource. You can expect to see the Coast Guard playing an ever increasing role in this field.

Let me proceed now to a particular topic in which I know you are all most vitally interested: The new Fisheries Zone statute — Public Law 89-658 which was approved on the 14th of October of 1966.

As one of the law enforcement agencies that will become involved with this statute, we are concerned with the many ramifications that even at this early time are apparent.

The new law establishes a fisheries zone contiguous to our territorial waters and extending seaward some 9 miles. Within this zone the provisions of the Territorial Waters Fishing Statute, enacted some 2 years ago — Public Law 88-308 — are made applicable, except that traditional fishing rights of a foreign state may be recognized by the United States.

The international implications of this new statute are a matter for the Department of State, and I am certain that the various representatives of the fishing interests and associations will make their views known to the Department in order to assist that agency in formulating its policies.

Among the problems that will arise is that of measuring the zone. The United States is signatory to the Convention on the Territorial Seas and the Contiguous Zone. This multiparty treaty has been in effect for over two years now, and it provides the ground rules. It lays down the principles as to the base line from which measurement is made and what special provisions apply with respect to bays and sounds and international boundary lines.

The concept of a fisheries zone beyond territorial waters is not new; many nations have already established such zones, and of varying widths. If one reads the Convention on the High Seas alone, the impression might be derived that there is a conflict between the concept of freedom of fishing on the high seas and that of this new Fisheries Zone. However, the High Seas Convention was drafted at the same time as the Convention on Fisheries and Conservation of the Living Resources of the High Seas. The United States is signatory thereto. This Convention provided that a coastal nation has a special interest in the maintenance of the living resources in any area of the high seas adjacent to its territorial waters and may take protective measures in these areas. Thus the United States has simply acted in conformity with its previously announced position.

I imagine most of you are familiar with the fact that the President of Mexico has proposed an amendment to their law which will in effect establish a fisheries zone identical in breadth to that of the United States. Again, the matters that will arise as a result of this action are for the Department of State to handle.

With regard to internal administration, there are several agencies in addition to the Coast Guard involved, and guidelines can be promulgated only after interagency consultation. As you may know, under the provisions of the Territorial Waters Fishing Statute, the Secretary of the Interior can designate state officers and employees to carry out enforcement activities under the law. When so acting these state officials function as federal law enforcement agents and would take their cases to the federal courts.

Since the new Fisheries Zone law incorporates the Territorial Waters Fishing Statute, it is entirely possible that the Secretary of the Interior may take the same action in this 9-mile zone. But again, it would appear that any designated state officials would be enforcing the federal law and any cases arising would be tried in the federal courts.

I would venture the opinion that Section 4 of the new law, which states that nothing in the act shall be construed as extending the jurisdiction of the states to the natural resources beneath and in the waters within the fisheries zone, was placed in the law to prevent a reopening of the so-called Tidelands dispute.

Beyond this I feel it premature to comment. However, I am very much gratified by the fact that we do have a forum in which this and all of our other problems of mutual concern may be aired. I refer to the informal advisory panel to the Commander, Eighth Coast Guard District, chaired by Mr. Harry I. McGinnis.

I stated earlier that the Coast Guard is a service organization oriented towards its customers. A customer has to have a place to bring his suggestions, complaints and express his opinions. The Coast Guard has such a place, or forum, called the Merchant Marine Council. This Council, composed of a number of senior officers of the service, holds public hearings on a number of topics in order to formulate recommendations to be made to the Commandant. However, in order to do the best job possible, particularly in the more technical areas, we have established various advisory panels composed of experts from industry. It is through the use of these panels that we obtain advice and assistance from our customers in a most useful form. They can get the word to us and we can get the word to them. These advisory panels are authorized under an Executive Order of the President. Historically most of these panels started as informal groups and when their value was established they were constituted into formal adjuncts to the Merchant Marine Council.

Signally missing from the roster of these advisory panels is one representing the fishing industry. We have an informal panel in existence here in the Gulf and it is my sincere hope that in the not too distant future the fishing industry on a national basis can sponsor the establishment of a formal Fisheries Advisory Panel to the Coast Guard. It will be of inestimable benefit to the fisheries industry as it will be to the Coast Guard. For example one function of such a panel which may prove to have significant value would be in the encouragement and assistance it could render to the industry with respect to self-regulation such as educational programs for navigation, seamanship, and engine maintenance. The Coast Guard has always favored the self-regulatory approach toward the solution of problems, and the concept of an advisory panel has been a most useful means of promoting this approach. But the initiative, the desire to have this panel, must spring from the fishing industry. The forum is there. It is up to you to make use of it.

I have only touched on a few topics, and as we all know there are many more that involve us. A new Department of Transportation has just been authorized by law, and the Coast Guard will be a part of this. This administrative change will add to the duties of the Coast

Guard and will in time enable us to better serve our customers. It will not diminish but will in fact increase the symbiotic relationship existing between the American fisherman and the Coast Guard, particularly as we delve deeper into the field of oceanography. As the fishing industry undergoes a resurgence in technology and moves into new areas of endeavor, we shall do all that we can to assist.

It may even be that in time we shall learn of a way to keep the net out of the screw!
