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WITHDRAWAL SHEET

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Withdrawer

JET 4/15/2005

File Folder MATLOCK CHRON JUNE 1986 (5/6)

FOIA

F06-114/4

Box Number 16

YARHI-MILO

1612

ID	Doc Type	Document Description	No of Pages	Doc Date	Restrictions
8357	MEMO	POINDEXTER TO PRESIDENT REAGAN RE SEN KENNEDY <i>R 12/12/2012 M394/1</i>	1	6/23/1986	B1
8358	MEMO	MATLOCK TO POINDEXTER RE SOVIET MESSAGE TO SEN. KENNEDY: PRESIDENT PLAYING POLITICS, BUT SUMMIT IS ON <i>R 3/20/2013 F2006-114/4</i>	5	6/20/1986	B1

Freedom of Information Act - [5 U.S.C. 552(b)]

- B-1 National security classified information [(b)(1) of the FOIA]
- B-2 Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
- B-3 Release would violate a Federal statute [(b)(3) of the FOIA]
- B-4 Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]
- B-6 Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]
- B-7 Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
- B-8 Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
- B-9 Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

C. Closed in accordance with restrictions contained in donor's deed of gift.

THE WHITE HOUSE
WASHINGTON

Chron - June 86
EYES
ONLY

Jack Matlock
Eyes Only

PRESERVATION COPY

UNCLASSIFIED UPON REMOVAL
OF CLASSIFIED

CAS 6/21/02

THE WHITE HOUSE
WASHINGTON

John - John's makes
me even more certain
we should show them we
want to fair down an
agreement. 9/23
RR

8357

Mr. President,

Larry Horowitz is on
Ted Kennedy's staff and
has made several trips
to talk with Soviets. Ted
always has him debrief
us.
John

PRESERVATION COPY

DECLASSIFIED

NLRR M394 # 8357

BY KML NARA DATE 12/12/12

~~Return to~~ 3
Jack Matlock in
~~Eyes only~~ envelope.
D

UNCLASSIFIED UPON REMOVAL
OF CLASSIFIED ENCLOSURE(S)

CAS 4/21/02

NATIONAL SECURITY COUNCIL
WASHINGTON, D.C. 20506

~~SECRET/SENSITIVE/EYES ONLY~~

June 20, 1986

RR

INFORMATION

MEMORANDUM FOR JOHN M. POINDEXTER *JM*

FROM: JACK MATLOCK *JM*

SUBJECT: Soviet Backchannel Message to Sen. Kennedy:
President Playing Politics, but Summit is On

I met Larry Horowitz at noon today, and he briefed me on his meetings with his Soviet interlocutor, Pavlov, earlier this week. He asked that I inform only you, Secretary Shultz -- and, of course, the President.

Background:

The Soviets proposed and indeed insisted on the meeting. They invited Horowitz to come to Moscow, and when he said he couldn't (he is moving to California this weekend), they proposed another site and settled for Paris, since Horowitz was planning to be in London over the weekend. The meetings with Pavlov took place in Paris between Monday evening and Wednesday morning this week.

At first, Pavlov read from a prepared text, which he stressed comprised his "official instructions." His "instructions" were typed in Russian, and Pavlov translated as he went along. Horowitz took notes and read them to me from his notes. The following is a close to verbatim version of Horowitz's account.

The "Message" to Kennedy:

The situation in U.S.-Soviet relations has deteriorated, but its essence is clear to the Soviet leadership. It has become more complicated. What appears in public is like the tip of an iceberg. One sees only propaganda, but much is invisible below the surface.

President Reagan has shown a greatly increased interest in a Summit meeting this year. This is part of his political strategy for 1986 and 1988. He wants to keep the Republicans in control of the Senate and of the White House. It is rare that we can see through American political manipulations so clearly, and we can only be amazed that the Administration is so obvious in its tactics. Reagan has no interest in arms control questions as such and is thinking only of politics. We realize that whatever

~~SECRET/SENSITIVE/EYES ONLY~~

DECLASSIFIED

NLRR F06-114/4 #8358
BY RW NARA DATE 3/20/13

we do has a bearing on politics in the United States. We regret this, but cannot avoid it, for it is a fact of life.

In official communications and in private messages, the Administration has been planning for the development of U.S.-Soviet relations to include a visit by Reagan to the USSR late in 1987 or even in 1988. In preparing to schedule the summit meetings in the United States and the USSR, he seems prepared to reach more practical agreements than any previous American President. We believe he in fact wants agreements.

On nuclear testing, the President is ready to ratify the 1974 and 1976 treaties -- if there is improved verification of testing. Not a treaty, but an understanding on the process. Communications from the Administration have offered a statement on testing at the Summit, along these lines. Then our experts would meet to discuss their proposals for "rules of the road," but they would listen to our views. Note: these proposals are for discussions, promises for progress in the future, but not a concrete agreement.

On medium-range missiles, Shultz told Dobrynin that it was the "best prospect" for an understanding at the Summit. The President took Dobrynin aside at the end of their conversation in April and said it could be done, but it must be on a global basis. Our position on this is well known.

On space strike weapons, both Reagan and Shultz, at different times, as well as other officials, have raised with us proposals for cooperation. They suggest we do this by discussing methods and means to prevent a first-strike capability and the stationing of offensive weapons in space. This is just a way to avoid discussing the ABM Treaty. The Administration wants verbiage promising not to deploy weapons in space, but a free hand to pursue its research. We believe they want to develop a nationwide territorial ABM capability. This is unacceptable. They will never get anywhere with this approach.

On strategic weapons, the President expressed a willingness to reduce by 50%. But for the 1986 summit he wants only to pave the road for signing the agreement when the President visits Moscow -- in late 1987 or 1988. That is, he wants good feelings and the appearance of progress this year, but no agreement until the eve of his departure from office.

Regarding other matters, the President's people have made clear that they would like progress on a chemical weapons ban and are prepared to negotiate agreements on Afghanistan and a range of bilateral matters. We now believe that there is a real possibility of progress in Vienna and on taking some confidence-building measures.

We think there are possibilities in all five of these areas. The President and Shultz have persistently pushed the idea that in 1986 we need agreements on the key elements, but no agreements need be finished. These can be ready for signature in Moscow in 1987 and ratified by the Senate, maybe just before the 1988 election. As Shultz put it, "We need to identify elements now to have agreements ready next year." When Dobrynin had his final meeting with the President, the President said, "What would you think about identifying the elements of an INF agreement at the 1986 Summit? If we could, we would have almost a year to build an agreement and sign it in 1987."

Therefore, we believe that the President is proposing a two-stage process. It is a cynical and politically motivated attitude. Preliminary agreements in 1986 and complete agreements in 1987. American officials make it very clear. For example, Matlock told one of our people that we need to settle on the types of weapons to be covered and the numbers, and to talk in precise terms. These are just words. They have nothing practical in mind, just words. [Horowitz commented that he thought the words attributed to me demonstrated the opposite of what the Soviets were trying to prove. I agreed, and explained that I was merely pressing them to get down to business in Geneva.]

What is President Reagan's intention? First, to avoid agreements in 1986. Second, to pave the way for a Summit in 1987 or 1988. Third, all this is politically motivated. The White House would be satisfied with smiles when Gorbachev comes to the U.S., and a document of words but no substance. Things like rules of behavior and mutual understandings. That is worthless.

We are deeply concerned that international affairs are now so deeply tied to Republican Party politics. We can see that the President needs to employ harsh rhetoric to placate his right wing. We also know why he announced the decision on SALT-II the way he did. It was to play to the right wing. We do not take it seriously because it has no practical significance.

END OF "MESSAGE"

Other Matters:

In addition to his "official message," Pavlov made a number of comments on other questions, some of which he represented as only his personal view. The ones Horowitz mentioned to me are the following:

Summitry: Shultz and Shevardnadze will meet, Pavlov said. (He did not say when.) The Summit will be held in the U.S. this year. (When Horowitz asked whether this was Pavlov's opinion, the latter said, "It is fact, not opinion.") And, finally,

Pavlov repeated that it was the Soviet assessment that agreements would be reached with the President before the end of his term.

Human Rights: The Soviets are releasing 10 more families, as the "second wave" of visas promised Kennedy. One of the persons included, a physicist named Azernoy, could have more than routine significance since he worked in Sakharov's laboratory and is the first scientist who worked with Sakharov who has been permitted to leave. Pavlov said that this might set a "useful" precedent for dealing with Sakharov, but that he had "no word" whether anything would be done to alleviate Sakharov's status. (He observed that Sakharov's Moscow home "was being maintained" so the practical possibility exists for him to return there, but that he was unaware of any decision to allow this to happen.)

American Politics: The Kremlin, Pavlov said, had reached the conclusion that the Democrats could not gain control of the Senate in 1986 or 1988, and could not win the Presidency in 1988, therefore they would have to deal with the Republicans. (Pavlov claimed that he personally did not agree with this analysis, but stated that it was the Kremlin assessment.)

Pavlov added that, of the potential Republican candidates in 1988, they liked Bush the most and Laxalt the least. He explained that they knew Bush and thought they could deal with him. But they considered Laxalt an ideologue who would be most difficult. They thought they might have the best chances of all with Dole, he continued, since they "liked his approach," but felt that he didn't have a chance. After reviewing these names Pavlov observed that of course they would prefer to deal with any Democrat rather than a Republican, but they just didn't see this as a real possibility and assumed that they would be dealing with Republicans beyond 1988.

Soviet Bureaucracy: Pavlov is a close friend of Gorbachev's foreign affairs assistant Chernyayev. When Horowitz asked him what had happened to Zagladin (also a friend), Pavlov claimed that Zagladin is still in charge of "parliamentary contacts" in the Central Committee, including with the U.S., and stated that Dobrynin does not have the field totally to himself. He stated that his meeting with Horowitz had been approved personally by Gorbachev, that his written "instructions" had been approved personally by Shevardnadze, and that Bessmertnykh had participated in the drafting.

Matlock Comment: The chutzpah in the Soviet effort to play both sides of the street on the American political scene is rather breathtaking. Not surprising, but it is so blatant that it is more likely to backfire than to achieve whatever purpose they have in mind. (They probably assume that Kennedy is their pipeline into the entire Democratic Party -- which would be typical of the sort of assumptions they make. Actually, I doubt

that he tells any of his colleagues about this in any concrete fashion.)

Horowitz started our conversation by observing that he had "good news" for us. "They're telling us they plan to deal with the President," he added. I think that is exactly right. They have concluded that they have no real alternative but to deal, and are attempting to give the Democrats "fair warning" not to expect "assistance" in the form of stonewalling agreements and such to "help" them in coming election campaigns. I don't know whether they really believe all the claptrap about the President's political motivations -- they possibly may -- but the analysis they offered was obviously tailored for Kennedy's ear. Even if they believe it, it may not be too damaging, unless they assume that political motivations will make the President "soft" in the end game. If they should make that mistake, they will probably find they are wrong too late to do much about it.

It occurs to me that, in this caper, the Soviets may have been too clever by half. If the message they were peddling gets out to the Democrats, it could be most helpful, since the only logical conclusion to draw from it is that it is most dangerous to make a campaign issue out of the President's alleged inability to deal with the Soviets. By the Soviets' own admission, he is dealing effectively, and is likely to have something to show for it before the votes are cast in November, 1988. On the interim restraint decision, the implication seems pretty clear: "Save your breath; it isn't going to make any difference!"

Horowitz's Plans

Larry is moving to California this weekend, to take up a job with an investment banker. (Says a couple of years there should take care of his kids' education!) However, he will continue to be Kennedy's contact with the Soviets. (They like to deal with people they know.) He offered to be of service to us if we have anything for him to do, and said he would keep us informed if there are any further substantive contacts. He repeated again that he is not sure his Soviet contacts know that he passes this on to us, so that we should not play any back to Soviet officials.

NATIONAL SECURITY COUNCIL
 WASHINGTON, D.C. 20506

June 24, 1986

ACTION

MEMORANDUM FOR JOHN M. POINDEXTER

FROM:

JACK F. MATLOCK *JFM*

SUBJECT:

Transmission to Congress of an Exchange of
 Notes Extending the Governing International
 Fishery Agreement (GIFA) with the USSR

Attached at Tab I is a memorandum for the President, through the Executive Clerk, recommending extension of the GIFA between the United States and the USSR, and forwarding letters to Congress allowing the two countries to continue their fisheries relations for one year when the current extension expires on December 31, 1986.

In anticipation of Congress adjourning in early October and in order to provide the requisite 60 days of continuous session of Congress under the Magnuson Fishery Conservation and Management Act (MFCMA), this transmission should be forwarded as soon as possible.

Concur: *XP* Danzansky, Lenczowski, Pugliaresi, *SB* Sable, Sestanovich

RECOMMENDATION

That you sign the memorandum for the President, through the Executive Clerk, at Tab I.

Approve _____

Disapprove _____

Attachments

Tab I Memo for Pres via ExecClerk
 Tab A Ltr to House
 Tab B Ltr to Senate
 Tab C State's memo of 6/23/86

THE WHITE HOUSE

WASHINGTON

4810

ACTION

MEMORANDUM FOR THE PRESIDENT

THROUGH THE EXECUTIVE CLERK

FROM: JOHN M. POINDEXTER

SUBJECT: Transmission to Congress of an Exchange of
Notes Extending the Governing International
Fishery Agreement (GIFA) with the USSR

Issue

That you sign the attached letters to Congress extending the GIFA between the United States and the USSR to December 31, 1987.

Facts

This GIFA is one of a series negotiated since the passage of the Magnuson Fishery Conservation and Management Act (MFCMA) effective March 1, 1977, extending US jurisdiction over fisheries to 200 nautical miles. The agreement is in accordance with US legislation and sets out the principles and terms that will govern fishing by vessels and nationals of the USSR.

Discussion

Joint venture purchases by the USSR totaled approximately \$26.9 million in 1985, and are expected to total approximately \$32.5 million in 1986. If the existing GIFA is allowed to lapse, this activity will cease, causing significant financial hardship to the US fishing industry.

Recommendation

OK

No

That you sign the letters to Congress at
Tabs A and B.

Attachments:

Tab A Ltr to House
Tab B Ltr to Senate
Tab C State Incoming

Prepared by:
Jack F. Matlock

NATIONAL SECURITY COUNCIL

EXECUTIVE SECRETARIAT STAFFING DOCUMENT

TIME STAMP

86 JUN 24 11 25

SYSTEM LOG NUMBER: 4810

ACTION OFFICER: _____ DUE: 27 JUN

Prepare Memo For President

Prepare Memo For Poindexter / Fortier

Prepare Memo _____

Prepare Memo McDaniel to Chew

Prepare Memo McDaniel to Elliott to _____

CONCURRENCES/COMMENTS* PHONE* to action officer at ext. 5112

- | FYI | FYI | FYI |
|-----------------------------------------------|------------------------------------------------|-------------------------------------------------|
| <input type="checkbox"/> Brooks | <input type="checkbox"/> Laux | <input type="checkbox"/> Ross |
| <input type="checkbox"/> Burghardt | <input checked="" type="checkbox"/> Lenczowski | <input checked="" type="checkbox"/> Soble |
| <input type="checkbox"/> Cannistraro | <input type="checkbox"/> Levine | <input type="checkbox"/> Sachs |
| <input type="checkbox"/> Childress | <input type="checkbox"/> Linhard | <input checked="" type="checkbox"/> Sestanovich |
| <input type="checkbox"/> Cobb | <input type="checkbox"/> Mahley | <input type="checkbox"/> Small |
| <input checked="" type="checkbox"/> Danzansky | <input type="checkbox"/> Major | <input type="checkbox"/> Sommer |
| <input type="checkbox"/> deGraffenreid | <input type="checkbox"/> Mandel | <input type="checkbox"/> Soos |
| <input type="checkbox"/> Djerejian | <input type="checkbox"/> Matlock | <input type="checkbox"/> Stark |
| <input type="checkbox"/> Debriansky | <input type="checkbox"/> May | <input type="checkbox"/> Steiner |
| <input type="checkbox"/> Donley | <input type="checkbox"/> North | <input type="checkbox"/> St Martin |
| <input type="checkbox"/> Douglass | <input type="checkbox"/> Perry | <input type="checkbox"/> Tahir-Kheli |
| <input type="checkbox"/> Farrar | <input type="checkbox"/> Platt | <input type="checkbox"/> Teicher |
| <input type="checkbox"/> Grimes | <input checked="" type="checkbox"/> Pugliaresi | <input type="checkbox"/> Thompson |
| <input type="checkbox"/> Hanley | <input type="checkbox"/> Raymond | <input type="checkbox"/> Tillman |
| <input type="checkbox"/> Kelly | <input type="checkbox"/> Reger | <input type="checkbox"/> _____ |
| <input type="checkbox"/> Kraemer | <input type="checkbox"/> Ringdahl | <input type="checkbox"/> _____ |

INFORMATION McDaniel Pearson Secretariat

Rodman _____ _____

Poindexter (advance) Fortier (advance)

COMMENTS

Return to Secretariat

TO THE CONGRESS OF THE UNITED STATES:

In accordance with the Magnuson Fishery Conservation and Management Act of 1976 (Public Law 94-265; U.S.C. 1801 et. seq.) (MFCMA), I transmit herewith an exchange of notes extending the Governing International Fishery Agreement between the Government of the United States of America and the Government of the Union of Soviet Socialist Republics, signed at Washington on November 26, 1976, for the period of one year from December 31, 1986 until December 31, 1987.

This agreement is one of a series negotiated in accordance with the MFCMA. We have not sought to renegotiate the agreement for a number of reasons, and it has been extended for periods of one year to eighteen months since July 1982. The extension of this Agreement will permit U.S. fishermen to continue cooperative fisheries arrangements with Soviet fishermen. Unless the Agreement is extended these operations will cease, causing significant financial hardship to U.S. fishermen.

I recommend that the Congress give favorable consideration to this extension at an early date.

THE WHITE HOUSE,

13

DEPARTMENT OF STATE
DIVISION OF LANGUAGE SERVICES

(TRANSLATION)

LS NO. 119823
AO/BL
Russian

No. 48

In reference to the Department of State's note dated May 16, 1986, the Embassy of the Union of Soviet Socialist Republics is authorized to announce the consent of the Government of the U.S.S.R. to the proposal of the American side to extend to December 31, 1987, the Agreement Between the Government of the Union of Soviet Socialist Republics and the Government of the United States of America Concerning Fisheries Off the Coasts of the United States of America, which was signed on November 26, 1976, as subsequently amended, the term of which expires on December 31, 1986.

The U.S.S.R. Embassy acknowledges that the aforesaid note of the U.S. Department of State and this reply thereto shall constitute agreement between the two Governments on this issue.

June 17, 1986, Washington, D.C.

The Department of State of the
United States of America
Washington, D.C.

Б 48

Посольство Союза Советских Социалистических Республик, ссылаясь на ноту Государственного департамента от 16 мая 1986 года, уполномочено заявить о согласии Правительства СССР с предложением американской стороны продлить до 31 декабря 1987 года Соглашение между Правительством Союза Советских Социалистических Республик и Правительством Соединенных Штатов Америки о рыболовстве у побережья Соединенных Штатов Америки, которое было подписано 26 ноября 1976 года, с изменениями, внесенными впоследствии, и срок действия которого истекает 31 декабря 1986 года.

Посольство СССР подтверждает, что указанная нота Государственного департамента США и настоящий ответ на нее составляют договоренность между Правительствами по этому вопросу.

"14" июня 1986 года, г. Вашингтон

ГОСУДАРСТВЕННЫЙ ДЕПАРТАМЕНТ
СОЕДИНЕННЫХ ШТАТОВ АМЕРИКИ

г. Вашингтон

15

The Department of State wishes to draw to the attention of the Embassy of the Union of the Soviet Socialist Republics the Agreement between the Government of the United States of America and the Government of the Union of Soviet Socialist Republics Concerning Fisheries Off the Coasts of the United States, signed November 26, 1976, as amended and due to expire on December 31, 1986.

The Government of the United States proposes that this Agreement be extended until December 31, 1987.

If the Government of the Union of Soviet Socialist Republics agrees to such an extension, it is proposed that this note and the Embassy's reply thereto shall constitute an agreement between the two Governments, which shall enter into force following written confirmation of the completion of internal procedures of both Governments.

Department of State,

Washington, May 16, 1986

A

DEPARTMENT OF STATE
DIVISION OF LANGUAGE SERVICES

(TRANSLATION)

LS NO. 117482
LB/AO
Russian

N
No. 68

The Embassy of the Union of Soviet Socialist Republics, referring to the Department of State's note, dated July 29, 1985, is authorized to state that the U.S.S.R. Government agrees with the U.S. side's proposal to extend to December 31, 1986, the Agreement between the Government of the Union of Soviet Socialist Republics and the Government of the United States of America concerning Fisheries Off the Coasts of the United States of America, which was signed on November 26, 1976, with subsequent amendments, and whose term expires on December 31, 1985.

The U.S.S.R. Embassy confirms that the aforesaid note of the U.S. Department of State and this reply thereto constitute agreement between the two Governments on this issue.

September 2, 1985, Washington, D.C.

Department of State
United States of America
Washington, D.C.

The Department of State wishes to draw to the attention of the Embassy of the Union of Soviet Socialist Republics the Agreement Between the Government of the United States of America and the Government of the Union of Soviet Socialist Republics Concerning Fisheries Off the Coasts of the United States, signed November 26, 1976, as amended, and due to expire on December 31, 1985.

The Government of the United States proposes that this Agreement be extended until December 31, 1986.

If the Government of the Union of Soviet Socialist Republics agrees to such an extension, it is proposed that this note and the Embassy's reply thereto shall constitute an agreement between the two Governments, which shall enter into force following written notification of the completion of internal procedures of both Governments.

Department of State,
 Washington, July 29, 1985

DEPARTMENT OF STATE
DIVISION OF LANGUAGE SERVICES

18

(TRANSLATION)

LS NO. 112576

LB/AO

Russian

No. 14

The Embassy of the Union of Soviet Socialist Republics, referring to the Department of State's note of February 28, 1984, is authorized to state that the U.S.S.R. government agrees with the American side's proposal to extend to December 31, 1985, the Agreement between the Government of the Union of Soviet Socialist Republics and the Government of the United States of America Concerning Fisheries Off the Coasts of the United States of America, which was signed on November 26, 1976, with subsequent amendments, and which expires on July 1, 1984.

The U.S.S.R. Embassy confirms that the aforesaid note from the U.S. Department of State and this reply thereto shall constitute an agreement between the two Governments on this issue.

April 11, 1984, Washington, D.C.

Department of State
United States of America
Washington, D.C.

19
The Department of State wishes to draw to the attention of the Embassy of the Union of Soviet Socialist Republics the Agreement Between the Government of the United States of America and the Government of the Union of Soviet Socialist Republics Concerning Fisheries Off the Coasts of the United States, signed November 26, 1976, as amended, and due to expire on July 1, 1984.

The Government of the United States proposes that this Agreement be extended until December 31, 1985.

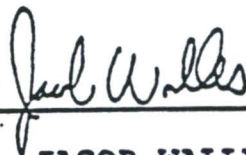
If the Government of the Union of Soviet Socialist Republics agrees to such an extension, it is proposed that this note and the Embassy's reply thereto shall constitute an agreement between the two Governments, which shall enter into force following written notification of the completion of internal procedures of both Governments.

Department of State

Washington,

February 28, 1984

I CERTIFY THAT THIS NOTE IS A TRUE COPY OF THE SIGNED ORIGINAL



JACOB WALLEES

(TRANSLATION)

LS NO. 110091
LB
Russian20
F

Embassy of the Union
of Soviet Socialist Republics
No. 28

The Embassy of the Union of Soviet Socialist Republics, referring to the Department of State's note of July 13, 1983, expresses agreement that the understanding on extending the term of the Agreement Between the Government of the Union of Soviet Socialist Republics and the Government of the United States Concerning Fisheries off the Coasts of the United States of America, signed on November 26, 1976, shall enter into force on the date of presentation of this note.

July 15, 1983, Washington, D.C.

Department of State,
United States of America,
Washington, D.C.

[Initialied]

21

The Department of State refers to Note No. 17 of April 20, 1983 from the Embassy of the Union of Soviet Socialist Republics and to the Note of April 2, 1983 from the Department of State, which together constitute an agreement to extend until July 1, 1984 the Agreement Between the Government of the United States and the Government of the Union of Soviet Socialist Republics Concerning Fisheries off the Coasts of the United States, signed November 26, 1976. Under the terms of those Notes, the Agreement to extend the Fisheries Agreement shall enter into force following written notification of the completion of internal procedures of both governments.

The Department of State hereby confirms that the necessary United States internal procedures have been completed. Consequently the agreement to extend the Fisheries Agreement shall enter into force on the date of written notification of the completion of internal procedures of the Union of Soviet Socialist Republics.

Department of State,

Washington, JUL 11

Drafted: CES/DFA:RVArnaud:adm
6/27/83 x25690

Cleared: L/CES:JYanagida
I.EP/SCV:JColbert
L/T:Chillson
S/S:JAiba

DEPARTMENT OF STATE
DIVISION OF LANGUAGE SERVICES

(TRANSLATION)

LN. NO. 109316
AO
Russian

Embossed seal of the
Embassy of the Union
of Soviet Socialist
Republics

No. 17

The Embassy of the Union of Soviet Socialist Republics refers to the note of April 8, 1983, from the Department of State and is authorized to announce the agreement of the U.S.S.R. Government with the proposal of the American side to extend until July 1, 1984, the Agreement Between the Government of the Union of Soviet Socialist Republics and the Government of the United States of America Concerning Fisheries Off the Coasts of the United States that was signed November 26, 1976, and is due to expire July 1, 1983.

The U.S.S.R. Embassy confirms that the afore-mentioned note of the U.S. Department of State and this reply thereto constitute an agreement between the two Governments on this subject

Washington, D.C., April 20, 1983

Initialed A. Dob

To The
Department of State of the
United States of America
Washington, D.C.

The Department of State wishes to draw to the attention of the Embassy of the Union of Soviet Socialist Republics the Agreement Between the Government of the United States of America and the Government of the Union of Soviet Socialist Republics Concerning Fisheries Off the Coasts of the United States, signed November 26, 1976, and due to expire on July 1, 1983.

The Government of the United States proposes that this Agreement be extended until July 1, 1984.

If the Government of the Union of Soviet Socialist Republics agrees to such an extension, it is proposed that this note and the Embassy's reply thereto shall constitute an agreement between the two Governments, which shall enter into force following written notification of the completion of internal procedures of both Governments.

Department of State,

Washington, April 8, 1983.

DEPARTMENT OF STATE
DIVISION OF LANGUAGE SERVICES

(TRANSLATION)

LS NO. 106158
AO
Russian

No. 18

The Embassy of the Union of Soviet Socialist Republics refers to the note of April 22, 1982, from the Department of State and is authorized to announce the agreement of the U.S.S.R. Government with the proposal of the American side to extend until July 1, 1983, the Agreement Between the Government of the Union of Soviet Socialist Republics and the Government of the United States of America Concerning Fisheries Off the Coasts of the United States that was signed November 26, 1976, and is due to expire July 1, 1982, as amended to include two ports of call.

The U.S.S.R. Embassy confirms that the afore-mentioned note of the U.S. Department of State and this reply thereto constitute an agreement between the two Governments on this subject.

Washington, D.C., April 29, 1982

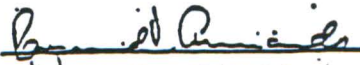
To the
Department of State of the
United States of America
Washington, D.C.

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The Department of State refers to the Note of April 29 from the Embassy of the Union of the Soviet Socialist Republics concerning the amendment to Annex III of the Agreement Between the Government of the United States and the Government of the Union of Soviet Socialist Republics Concerning Fisheries off the Coasts of the United States.

The Government of the United States accepts the proposal of the Embassy of the Union of Soviet Socialist Republics to substitute the ports of Dutch Harbor, Alaska; and Astoria, Oregon, for the ports of Honolulu, Hawaii; and Seattle, Washington; in paragraph 1 of Annex III of the Agreement. Your Note of April 29 and the Department of State's Note of April 22 and this Note shall constitute an agreement amending Annex III.

I CERTIFY THAT THIS NOTE IS A TRUE COPY
THE SIGNED ORIGINAL.


RAYMOND V. ARNAUDO

Department of State,
Washington,



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DEPARTMENT OF STATE
DIVISION OF LANGUAGE SERVICES

(TRANSLATION)

LS NO. 106158
AO
Russian

No. 17

The Embassy of the Union of Soviet Socialist Republics refers to the note of April 22, 1982, from the Department of State and advises that the U.S.S.R. Government does not object to substitute other ports for the ports of Honolulu (Hawaii) and Seattle (Washington) mentioned in paragraph 1 of Annex III to the Agreement Between the Government of the Union of Soviet Socialist Republics and the Government of the United States of America Concerning Fisheries Off the Coasts of the United States, signed November 26, 1976 and due to expire July 1, 1982.

Specifically, the Government of the Union of Soviet Socialist Republics is prepared to discuss as alternative harbors the ports of Dutch Harbor (Alaska) and Astoria (Oregon).

Washington, D.C., April 29, 1982

To the
Department of State of the
United States of America
Washington, D.C.

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The Department of State wishes to draw to the attention of the Embassy of the Union of Soviet Socialist Republics the Agreement Between the Government of the United States of America and the Government of the Union of Soviet Socialist Republics Concerning Fisheries Off the Coasts of the United States, signed November 26, 1976, and due to expire on July 1, 1982, as amended.

The Government of the United States proposes that this Agreement be extended until July 1, 1983.

If the Government of the Union of Soviet Socialist Republics agrees to such an extension, it is proposed that this note and the Embassy's reply thereto shall constitute an agreement between the two Governments, which shall enter into force following written notification of the completion of internal procedures of both Governments.

Department of State,
Washington,

April 22, 1982.

I CERTIFY THAT THIS NOTE IS A TRUE COPY OF THE SIGNED ORIGINAL.


RAYMOND V. ARNAUDO

The Department of State wishes to draw to the attention of the Embassy of the Union of Soviet Socialist Republics the Agreement Between the Government of the United States of America and the Government of the Union of Soviet Socialist Republics Concerning Fisheries Off the Coasts of the United States, signed November 26, 1976.

The Government of the United States proposes to delete the ports of Honolulu, Hawaii, and Seattle, Washington, from paragraph 1 of Annex III of the Agreement. This note and the Embassy's acceptance of these deletions shall constitute an amendment to Annex III of the Agreement as of the date of the Embassy's acceptance. The Government of the United States is prepared to discuss alternative ports on the Pacific coast which may be substituted for the above two ports.

I CERTIFY THAT THIS NOTE IS TRUE COPY OF THE SIGNED ORIGINAL

Ronald V. Arnaudo

RONALD V. ARNAUDO

Department of State,

Washington,

April 22, 1982.

(4)

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AGREEMENT BETWEEN
THE GOVERNMENT OF THE UNITED STATES OF AMERICA
AND THE GOVERNMENT OF THE UNION OF SOVIET SOCIALIST REPUBLICS
CONCERNING FISHERIES OFF THE COASTS
OF THE UNITED STATES

The Government of the United States of America and the Government
of the Union of Soviet Socialist Republics,

Considering their common concern for the rational management,
conservation and optimum utilization of fish stocks off the coasts
of the United States;

Acknowledging the fishery management authority of the United
States of America as set forth in the Fishery Conservation and
Management Act of 1976;

Having regard for the discussions of the Third United Nations
Conference on the Law of the Sea regarding coastal state rights over
fisheries off its coasts;

Taking into account the traditional fishing of the fleet of the
Soviet Union off the coast of the United States, the level of the
Soviet Union cooperation with the United States in fishery research,
assessment of fishery resources and enforcement with respect to the
conservation and management of fishery resources, as well as existing
agreements between the Governments of the United States of America and
the Union of Soviet Socialist Republics; and

Desirous of establishing reasonable terms and conditions pertaining
to fisheries of mutual concern over which the United States of America
exercises fishery management authority;

Have agreed as follows:

ARTICLE I

The purpose of this Agreement is to ensure effective conservation, optimum utilization and rational management of the fisheries of mutual interest off the coasts of the United States of America and to establish a common understanding of the principles and procedures under which fishing may be conducted by nationals and vessels of the Soviet Union for the living resources over which the United States exercises fishery management authority as provided by United States law.

ARTICLE II

As used in this Agreement, the term

1. "living resources over which the United States exercises fishery management authority" means all fish within the fishery conservation zone of the United States except highly migratory species, all anadromous species of fish that spawn in the fresh or estuarine waters of the United States and migrate to ocean waters and all living resources of the continental shelf appertaining to the United States;

2. "fish" means all finfish, molluscs, crustaceans, and other forms of marine animal and plant life, other than marine mammals, birds and highly migratory species;

3. "fishery" means

- a. one or more stocks of fish that can be treated as a unit for purposes of conservation and management and that are identified on the basis of geographical, scientific, technical, recreational and economic characteristics; and
- b. any fishing for such stocks;

4. "fishery conservation zone" means a zone contiguous to the territorial sea of the United States of America, the seaward boundary of which is a line drawn in such a manner that each point on it is 200 nautical miles from the baseline from which the breadth of the territorial sea of the United States of America is measured;

5. "fishing" means

- a. the catching, taking or harvesting of fish;
- b. the attempted catching, taking or harvesting of fish;
- c. any other activity that can reasonably be expected to result in the catching, taking or harvesting of fish; or
- d. any operations at sea directly in support of, or in preparation for, any activity described in subparagraphs a. through c. above, provided that such term does not include other legitimate uses of the high seas, including any scientific research activity conducted by a scientific research vessel;

6. "fishing vessel" means any vessel, boat, ship or other craft that is used for, equipped to be used for, or of a type that is normally used for

- a. fishing; or
- b. aiding or assisting one or more vessels at sea in the performance of any activity relating to fishing, including preparation, supply, storage, refrigeration, transportation or processing;

7. "highly migratory species" means species of tuna which in the course of their life cycle, spawn and migrate over great distances in waters of the ocean; and

8. "marine mammals" means any mammal that is morphologically adapted to the marine environment, including sea otters and members of the orders Sirenia, Pinnipedia, and Cetacea, or mainly inhabits the marine environment.

ARTICLE III

1. The Government of the United States of America shall determine each year, subject to such adjustments as may be necessitated by unforeseen circumstances affecting the stocks;

- a. the total allowable catch for each fishery on the basis of the best available scientific evidence, taking into account the interdependence of stocks, internationally accepted criteria, and all other relevant factors;
- b. the harvesting capacity of United States fishing vessels in respect of each fishery;
- c. the portion of the total allowable catch for a specific fishery that, on an annual basis, will not be harvested by United States fishing vessels; and
- d. the allocation of such portion that can be made available to fishing vessels of the Soviet Union.

2. The United States shall determine each year the measures necessary to prevent overfishing while achieving, on a continuing basis, the optimum yield from each fishery.

3. In determining the portion of the surplus that may be made available to vessels of the Soviet Union, the Government of the United States of America will promote the objective of optimum

utilization, taking into account, inter alia, traditional fishing of the Soviet Union, contributions by the Soviet Union to fishery research and the identification of stocks, previous cooperation by the Soviet Union in enforcement with respect to conservation and management of fishery resources of mutual concern, and the need to minimize economic dislocation in cases where vessels of the Soviet Union have habitually fished for living resources over which the United States now exercises fishery management authority.

4. The Government of the United States of America shall notify the Government of the Union of Soviet Socialist Republics of the determinations provided for by this Article on a timely basis.

ARTICLE IV

The Government of the Union of Soviet Socialist Republics shall take all necessary measures to ensure:

1. that nationals and vessels of the Soviet Union refrain from fishing for living resources over which the United States exercises fishery management authority except as authorized pursuant to this Agreement;
2. that all such vessels so authorized comply with the provisions of permits issued pursuant to this Agreement and applicable laws of the United States; and
3. that the total allocation assigned to the fishing fleet of the Soviet Union referred to in Article III, paragraph 1. d. of this Agreement is not exceeded for any fishery.

ARTICLE V

The competent authorities of the Government of the Union of Soviet Socialist Republics may submit an application to the competent authorities of the Government of the United States of America for a permit for each fishing vessel of the Soviet Union that wishes to engage in fishing in the fishery conservation zone pursuant to this agreement. Such application shall be prepared and processed in accordance with Annex I to this Agreement, which shall constitute an integral part of this Agreement. The Government of the United States of America may require the payment of reasonable fees for such permits.

ARTICLE VI

The Government of the Union of Soviet Socialist Republics shall ensure that nationals and vessels of the Soviet Union refrain from harassing, hunting, capturing, or killing, or attempting to harass, hunt, capture or kill, any marine mammal within the United States fishery conservation zone, except as may be otherwise provided by an international agreement respecting marine mammals to which the United States is a party, or in accordance with specific authorization for and controls on incidental taking of marine mammals established by the Government of the United States of America.

ARTICLE VII

The Government of the Union of Soviet Socialist Republics shall ensure that in the conduct of the fisheries under this Agreement:

1. the authorizing permit for each fishing vessel of the Soviet Union is prominently displayed in the wheelhouse of such vessel;

2. appropriate position-fixing and identification equipment is installed and maintained in working order on each such vessel;

3. designated United States observers are permitted to board, upon request, any such fishing vessel, and shall be treated as a ship's officer while aboard such vessel, and, further, the Government of the United States of America shall be reimbursed for the costs incurred in the utilization of observers;

4. agents are appointed and maintained within the United States possessing the authority to represent a vessel owner or operator in any legal proceeding arising out of the conduct of fishing activities under this Agreement, in accordance with applicable laws of the United States; and

5. all necessary measures are taken to ensure the prompt and adequate compensation of United States citizens for any loss of, or damage to, their fishing vessels, fishing gear or catch that is caused by any fishing vessel of the Soviet Union as determined by applicable United States procedures.

ARTICLE VIII

1. The Government of the Union of Soviet Socialist Republics shall take such measures as may be necessary to ensure that each fishing vessel of the Soviet Union authorized to fish pursuant to this Agreement, and any other fishing vessel of the Soviet Union that engages in fishing for living resources subject to the fishery management authority of the United States, shall allow and assist the boarding and inspection of such vessel by any duly authorized enforcement official of the United States, and shall cooperate in such enforcement action as may be undertaken pursuant to the laws of the United States.

2. In cases where a fishing vessel of the Soviet Union has violated a provision of this Agreement or a provision of a permit issued pursuant thereto, the Government of the United States of America shall immediately notify the Government of the Union of Soviet Socialist Republics through diplomatic channels of the facts and the action taken.

3. In order to facilitate the prompt and adequate compensation of the citizens of one country for any loss of, or damage to, their fishing vessels, fishing gear or catch which is caused by any fishing vessel of the other country, the two Governments established the American-Soviet Fisheries Claims Boards as set forth in the Agreement between the Government of the United States of America and the Government of the Union of Soviet Socialist Republics Relating to the Consideration of Claims Resulting from Damage to Fishing Vessels or Gear and Measures to Prevent Fishing Conflicts signed at Moscow, February 21, 1973.

ARTICLE IX

1. The Government of the United States of America will impose appropriate penalties, in accordance with the laws of the United States, on fishing vessels of the Soviet Union or their owners or operators that violate the requirements of this Agreement or of any permit issued hereunder.

2. In cases of an enforcement action undertaken by authorities of the Government of the United States of America, the economic loss encountered by the vessel and crew because of lost fishing time shall be minimized through prompt release of the vessel and crew upon the posting of reasonable bond or other security.

ARTICLE X

The Government of the Union of Soviet Socialist Republics undertakes to cooperate with the Government of the United States of America in the conduct of scientific research required for the purpose of managing and conserving living resources subject to the fishery management authority of the United States, including the compilation of best available scientific information for the management and conservation of stocks of mutual concern. The competent agencies of the two Governments shall enter into such arrangements as may be necessary to facilitate such cooperation, including the exchange of information and scientists, regularly scheduled meetings between scientists to prepare research plans and review progress, and the implementation and maintenance of a standardized system for the collection and archiving of relevant statistical and biological information in accordance with the procedures set forth in Annex II, which shall constitute an integral part of this Agreement.

ARTICLE XI

The Government of the United States of America and the Government of the Union of Soviet Socialist Republics shall carry out periodic bilateral consultations regarding the implementation of this Agreement and the development of further cooperation in the field of fisheries of mutual concern, including the establishment of appropriate multilateral organizations for the collection and analysis of scientific data respecting such fisheries.

ARTICLE XII

The Government of the United States of America undertakes to authorize fishing vessels of the Soviet Union allowed to fish pursuant to this Agreement to enter designated ports in accordance with United States laws for the purpose of purchasing bait, supplies, or outfits, or effecting repairs, or for such other purposes as may be authorized in accordance with the procedures set forth in Annex III, which shall constitute an integral part of this Agreement.

ARTICLE XIII

Should the Government of the United States of America indicate to the Government of the Union of Soviet Socialist Republics that its nationals and vessels wish to engage in fishing in the fishery conservation zone of the Soviet Union or its equivalent, the Government of the Union of Soviet Socialist Republics will allow such fishing on the basis of reciprocity and on terms not more restrictive than those established in accordance with this Agreement.

ARTICLE XIV

Nothing contained in the present Agreement shall prejudice the views of either contracting Government with respect to the existing territorial or other jurisdiction of the coastal state for all purposes other than the conservation and management of fisheries.

ARTICLE XV

1. This Agreement shall enter into force on a date to be mutually agreed by exchange of notes, following the completion of the internal procedures of both Parties, and shall remain in force until July 1, 1982, unless terminated sooner by either Party after giving written notification of such termination one year in advance.

2. This Agreement shall be subject to review by the two Governments two years after its entry into force or upon the conclusion of a multilateral treaty resulting from the Third United Nations Conference on the Law of the Sea.

IN WITNESS WHEREOF, the undersigned, being duly authorized for this purpose, have signed this Agreement.

DONE at Washington, on the twenty-sixth day of November, 1976, in duplicate, in the English and Russian languages, both texts being equally authentic.

FOR THE GOVERNMENT OF THE UNITED STATES OF AMERICA:

James A. Oliver

FOR THE GOVERNMENT OF THE UNION OF SOVIET SOCIALIST REPUBLICS:

[Signature]

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ANNEX I

Application and Permit Procedures

The following procedures shall govern the application for and issuance of annual permits authorizing vessels of the Soviet Union to engage in fishing for living resources over which the United States exercises fishery management authority:

1. The competent authorities of the Soviet Union may submit an application to the competent authorities of the United States for each fishing vessel of the Soviet Union that wishes to engage in fishing pursuant to this Agreement. Such application shall be made on forms provided by the Government of the United States of America for that purpose.
2. Any such application for vessel permits shall specify
 - a. the name and official number or other identification of each fishing vessel for which a permit is sought, together with the name and address of the owner;
 - b. the tonnage, capacity, speed, processing equipment, type and quantity of fishing gear;
 - c. a specification of each fishery in which each such vessel wishes to fish;
 - d. the amount of fish or tonnage of catch by species contemplated for each such vessel during the time such permit is in force;
 - e. the ocean area in which, and the season or period during which, such fishing would be conducted; and
 - f. such other relevant information as may be requested, including desired transshipping areas.

3. The competent authorities of the United States shall review each application, shall determine what conditions and restrictions related to fishery management and conservation may be needed, and what fee will be required. The competent authorities of the United States shall inform the competent authorities of the Union of Soviet Socialist Republics of such determinations.

4. The competent authorities of the Soviet Union shall thereupon notify the competent authorities of the United States of their acceptance or rejection of such conditions and restrictions and, in the case of a rejection, of their objections thereto.

5. Upon acceptance of the conditions and restrictions by the competent authorities of the Soviet Union and the payment of all fees, the competent authorities of the United States shall approve the application and issue a permit for each fishing vessel of the Soviet Union which shall thereupon be authorized to fish in accordance with this Agreement and the terms and conditions set forth in the permit. Such permits shall be issued for a specific vessel and shall not be transferred.

6. In the event the competent authorities of the Soviet Union notify the competent authorities of the United States of their objections to specific conditions and restrictions, the two Parties may consult with respect thereto and the competent authorities of the Soviet Union may thereupon submit a revised application.

7. The provisions of this Annex may be amended by agreement through an exchange of notes between the two Governments.

ANNEX II

Methods Of Collecting Biostatistical Information And Reporting Data On Catches Of Soviet Fishing Vessels Off The Coasts Of The United States

Methods of collecting biostatistical information and reporting data on catches of Soviet fishing vessels as described below are needed for monitoring the status of stocks of the exploitable population of commercial species, and for the evaluation of the possible changes in the fishing resources.

This brings about the need to provide for necessary accuracy in the follow-up of these methods of collecting biostatistical information and reporting data on catches of Soviet fishing vessels, and in its timely and systematic submission. It also implies that some form of archiving of the basic data be provided so that retrieval at a later date in a format different from that specified earlier is possible.

In the future, while the data will be accumulated and analyzed, and the methods of stock assessment will constantly be improved, the methods of collecting biostatistical information and reporting data on catches of Soviet fishing vessels will be improved.

The results of application and of further improvement of the methods of collecting biostatistical information shall be discussed at regular meetings of Soviet Union and United States scientists.

All data described below for the Atlantic area shall be reported to the Director, Northeast Fisheries Center, National Marine Fisheries Service, Woods Hole, Massachusetts; data for the Pacific area shall be reported to the Director, Northwest Region, National Marine Fisheries Service, Seattle, Washington.

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As available, summary information based on the monthly and quarterly biological and statistical catch data submitted by the Soviet Union to the above mentioned fisheries centers will be provided when requested to the respective Soviet research institutions of the Soviet Union (VNIRO, Moscow; AtlantNIRO, Kaliningrad; TINRO, Vladivostok.)

1. Catch Data Reporting Requirements for all Fisheries

a. Atlantic Coast

Three months after the close of each quarter, catch effort statistics for semi-monthly time periods for 30-minute square areas shall be reported by vessel for previous quarter. These shall be reported using semi-monthly 30-minute square Statlant 21 B Forms or magnetic tape, computer cards or printouts for all species and gear types. These data, which will be recorded by the fishing vessels, are to be available for making selected, specific joint stock assessment studies. The collection of samples, specified in 2. below, shall be annotated in the fishing records to be kept by the fishing vessels.

Both sides understand that during the first year of the Agreement it may be difficult to meet the time requirements for the reporting of statistics, and before December 31, 1977 such reporting might take as long as six months from the end of the quarter.

b. Pacific Coast

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(1) Catch Data Reporting Requirements for the Bering Sea and Aleutian Trawl Fishery:

The U.S.S.R. shall report by May 30 of the following year annual catch and effort statistics as follows: Effort in hours trawled, by vessel class, by gear type, by month, by 1/2° (lat.) x 1° (long.) statistical area; Catch in metric tons, by vessel class, by gear type, by month, by 1/2° (lat.) x 1° (long.) statistical area, by the following species groupings:

- Yellowfin sole
- Rock sole
- Flathead sole
- Arrowtooth flounder
- Greenland turbot
- Other flounders
- Pacific ocean perch
- Pacific cod
- Sablefish (blackcod)
- Walleye (Alaska) pollock
- Atka mackerel
- Pacific herring
- Any other species taken in excess of 1,000 mt
- Other fishes

In addition to the annual statistical report in (1), above, the U.S.S.R. shall report by the end of the following month, provisional fishery information for each month as follows: Effort in vessel-days on the grounds by vessel-class and gear-type; and Catch in metric tons of flounders, rockfishes, cod, pollock, sablefish, Atka mackerel, herring and others, for each of the following statistical areas of the International North Pacific Fisheries Commission (INPFC) within the United States fishery conservation zone: Bering Sea; subareas 1, 2, 3 and 4.

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(2) Catch Data Reporting Requirements for Gulf of Alaska Trawl Fisheries

The U.S.S.R. shall report by May 30 of the following year annual catch and effort statistics, as follows:

Effort in hours trawled, by vessel class, by gear type, by month, by 1/2° (lat.) x 1° (long.) statistical area; Catch in metric tons, by vessel class, by gear type, by month, by 1/2° (lat.) x 1° (long.) statistical area, by the following species groupings:

- Rocksole
- Flathead sole
- Arrowtooth flounder
- Other flounders
- Pacific ocean perch
- Other rockfishes
- Pacific cod
- Sablefish
- Alaska pollock
- Atka mackerel
- Any other species taken in excess of 1,000 mt
- Other fishes

In addition to the annual statistical report above the U.S.S.R. shall report by the end of the following month, provisional monthly fishery information as follows: Effort in vessel-days on the grounds by vessels class; and Catch in metric tons of flounders, rockfishes, cod, pollock, sablefish, Atka mackerel, and others, for each of the following statistical areas of the International North Pacific Fisheries Commission (INPFC):

- Southeastern
- Yakutat
- Kodiak
- Chirikof
- Shumagin

(3) Catch Data Reporting Requirements for the Pacific Hake Fisheries

The U.S.S.R. shall report by May 30 of the following year annual catch and effort statistics, as follows: Effort in hours trawled, by vessel class, by gear type, by month, by 1/2° (lat.) x 1° (long.) statistical area; Catch in metric tons, by vessel class, by gear type, by month, by 1/2° (lat.) x 1° (long.) statistical area, by the following groupings:

- Hake
- Jack mackerel
- Pacific ocean perch
- Other rockfishes
- Sablefish
- Dover sole
- Other flounders
- Anchovies
- Herring
- Any other species taken in excess of 1,000 mt
- Other fishes

In addition to the annual statistical report above, the U.S.S.R. shall report by the end of the following month, provisional monthly fishery information as follows: Effort in vessel-days on the grounds by vessel class; and Catch in metric tons by hake, jack mackerel, rockfishes, flounders, and others, for each of the following statistical areas of the INPFC:

- Conception_____
- Monterey
- Eureka
- Columbia
- Vancouver (that portion off the United States coast)

The U.S.S.R. shall also provide such data on any Soviet fisheries in the United States fishery conservation zone in the Hawaiian archipelago region of the Pacific Ocean.

Both sides understand that it may be difficult during the first year of the Agreement to meet the time requirement

for the reporting of provisional monthly catch and effort statistics and that reporting such data before December 31, 1977 might take as long as 45 days from the end of the month for which it was collected.

2. Methods of Collecting Biostatistical Information

a. Atlantic Coast

(1) Length-age composition samples

- (a) Samples shall be taken separately for each gear type (e.g. bottom trawl, pelagic trawl, purse seine) and water layer (e.g. on the bottom, mid-water level) combination every month by 30 minute square area in which fishing is pursued. One sample shall be taken for every 1,000 tons or fraction thereof within the above categories.

(b) Data to be recorded for each sample:

Vessel class
 Method of fishing: e.g., pelagic
 Specific type of trawl and its vertical and horizontal opening
 Mesh sizes
 Tonnage of the species sampled in the trawl haul
 Total weight of the fish sampled
 Time of day of haul
 Date
 Latitude and Longitude of haul _____

(c) Sampling procedures

(1) Species for which the catch is sorted

- (a) From a single net haul take 4 random aliquots of approximately 50 fish each (For species with less than 200 fish a single trawl haul accumulate samples over trawl hauls until approximately 200 fish are taken.)

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- (b) Measure fork length for each fish nearest cm except for herring where the measurement will be the total length to the nearest cm below. Where other measurement systems are used, appropriate conversion information must be supplied.
- (c) Take a subsample of one fish from each cm interval (or for fish of large size e.g. spiny dogfish, 2 or 3 cm intervals as in ICNAF standards) and remove scales and otoliths as appropriate. The total number of age samples per month should at least meet the standards established by AtlantNIRO and published as a 1973 ICNAF Document. If it becomes obvious to the samplers that the one fish per interval procedures will not meet these goals they shall increase the sampling intensity. However, the taking of these additional samples does not negate the need to take the prescribed one fish per interval from each length sample. Record the sex of mature individuals in order to examine differences in growth rate between sexes and to assure adequate weighting of age length keys between sexes.

(ii) Species for which catch is not sorted

- (a) From a single trawl take 2 random aliquots of approximately 30 kilos each.
- (b) Sort to individual species (for "river herring" this means sorting to alewife *Alosa pseudoharengus* and blueback *Alosa aestivalis*).
- (c) Measure fork length for each fish to nearest cm, except for herring where the measurement will be the total length to the nearest cm below. Where other measurement systems are used, appropriate conversion information must be supplied.
- (d) Take a subsample of one fish from each cm interval (or for fish of large size e.g. spiny dogfish, 2 or 3 cm intervals as in ICNAF standards) and remove scales and otoliths as appropriate. Record the sex of mature individuals in growth rate between sexes and to assure adequate weighting of age length keys between sexes

(2) Length-weight samples

Individuals of one sample of each principal species of fish (e.g., expected yearly catch in area of agreement of 500 or more tons), per International Commission for the Northwest Atlantic Fisheries (ICNAF) Division per month, shall be weighed in grams and measured in millimeters separately for males and females. Each sample will contain 10 fish per centimeter interval (or for fish of large size

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e.g. spiny dogfish, 2 or 3 cm intervals as in ICNAP standards) for the length range of fish and may be accumulated if necessary from small samples taken over several catches and days. With small fish, where weighing at sea of individuals is not accurate, appropriate numbers of fish of the same length class shall be weighed in aggregate. Sex shall be recorded for mature individuals.

b. Pacific Coast

Biological sampling by the U.S.S.R. will not be required during 1977. Future collection of biological data by the U.S.S.R. will be coordinated according to sampling designs jointly developed through consultations between U.S. and U.S.S.R. scientists to assure specific research needs.

3. The provisions of this Annex may be amended by agreement through an exchange of notes between the two Governments.
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ANNEX III

Procedures Relating to United States Port Calls

Article XII of the Agreement provides for the entry of fishing vessels of the Union of Soviet Socialist Republics allowed to fish pursuant to the Agreement into designated ports of the United States in accordance with United States law for certain purposes. This Annex designates the ports and purposes authorized and describes the procedures which govern port entries.

1. Soviet vessels which have been issued permits or have been authorized to receive permits pursuant to the Agreement are authorized, beginning on the date of entry into force of the Agreement, to enter the ports of Boston; New York; Philadelphia; Baltimore; Seattle; Portland, Oregon; and Honolulu; pursuant to the following procedures.

2. Vessels of the Union of Soviet Socialist Republics may enter the ports specified above to replenish ship's stores or fresh water, obtain bunkers, provide rest for or make changes in their crews, to obtain repairs and other services normally provided in these ports, and, as necessary, to receive permits. Authorized vessels enroute to one of the designated ports to receive a permit will be treated as non-fishing vessels, so long as such vessels observe the provisions of this Agreement.

3. Entry shall be permitted subject to notice to the United States Coast Guard, forwarded so as to be received four days in advance of the port entry using (1) Telex, using Telex number 89-2427, or (2) Teletype Communication "TWX", using TWX number 710-822-1959, or (3) Western Union, using the Address "U.S. Coast Guard Headquarters, 6th and D Streets, S.W., Washington, D.C."

All such entries are subject to the applicable laws and regulations of the United States, including the Federal Water Pollution Control Act.

4. The Government of the United States of America at its Embassy in Moscow will accept crew lists in application for visas valid for a period of six months for multiple entry into the specified United States ports. Such a crew list shall be submitted at least fourteen days prior to the first entry of a vessel into a port of the United States. Submission of an amended (Supplemental) crew list subsequent to departure of a vessel from a port of the Union of Soviet Socialist Republics will also be subject to the provisions of this paragraph, provided that visas thereunder shall only be valid for six months from the date of issuance of the original crew list visa. Notification of entry shall specify if shore leave is requested under such multiple entry visa.

5. In cases where a seaman of the Union of Soviet Socialist Republics is evacuated from his vessel to the United States for the purpose of emergency medical treatment, authorities of the Union of Soviet Socialist Republics will ensure that the seaman departs from the United States within fourteen days after his release from the hospital. During the period that the seaman is in the United States, representatives of the Union of Soviet Socialist Republics will be responsible for him.

6. The exchange of crews of vessels of the Union of Soviet Socialist Republics in the specified ports shall be permitted subject to submission to the United States Embassy in Moscow of applications for individual transit visas and crewman visas for replacement crewmen. Applications shall be submitted fourteen days in advance of the date of the arrival of the crewmen in the

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United States and shall indicate the names, dates and places of birth, the purpose of the visit, the vessel to which assigned, and the modes and dates of arrival of all replacement crewmen. Individual passports or seamen's documents shall accompany each application. Subject to United States laws and regulations, the United States Embassy will affix transit and crewman visas to each passport or seaman's document before it is returned. In addition to the requirements above, the name of the vessel and date of its expected arrival, a list of names, dates and places of birth for those crewmen who shall be admitted to the United States under the responsibility of Soviet representatives for repatriation to the Union of Soviet Socialist Republics and the dates and manner of their departure from the United States shall be submitted to the Department of State fourteen days in advance of arrival.

7. Special provisions shall be made as necessary regarding the entry of research vessels of the Union of Soviet Socialist Republics which are engaged in a mutually agreed research program in accordance with the terms of Article X of the Agreement. Requests for entries of fishery research vessels should be forwarded to the United States Department of State, Washington, D.C. through diplomatic channels.

8. The provisions of this Annex may be amended by agreement through an exchange of notes between the two Governments.

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AGREED MINUTES

The representatives of the Government of the United States and the Government of the Union of Soviet Socialist Republics have agreed to record the following in connection with the Agreement Between the Government of the United States of America and the Government of the Union of Soviet Socialist Republics Concerning Fisheries off the Coasts of the United States signed today:

1. The two Governments agreed to take note that the administration of the Agreement during the first year of its operation would be in some respects transitional in nature.

2. With regard to the existing Agreement Between the Government of the United States of America and the Government of the Union of Soviet Socialist Republics Regarding Fisheries in the Northeastern Pacific Ocean off the Coast of the United States of America which entered into force on August 1, 1975, and expires on December 31, 1976, the Government of the United States of America is prepared to continue measures to minimize gear conflicts between fishing vessels of the two countries in accordance with paragraphs 4 and 5 of that Agreement, and facilitate the entry of Soviet fishing, fishery research and fishery support vessels into designated United States ports in accordance with paragraph 13 of that Agreement.

3. The commitment in paragraph 2 above by the Government of the United States shall be assured during the transitional period following December 31, 1976 and prior to the entry into force of the Agreement signed today, upon the understanding that the Government of the Union of Soviet Socialist Republics during the transitional period prior to entry into force of the Agreement signed today intends to abide by the fishing restrictions and conservation measures of the former Agreement.

4. It is understood by the representatives of both Governments that it would be mutually advantageous to continue their coordinated research, conduct their fishing with due regard for the conservation of the stocks of fish, facilitate entry into appropriate ports and protect the marine environment in accordance with the former Agreement during the transitional period prior to the entry into force of the Agreement signed today.

5. With respect to Article II, paragraph 6. b. of the Agreement, representatives of the two Governments agreed that vessels used exclusively for medical, sanitary or patrol purposes should not be considered as fishing vessels for purposes of this Agreement.

6. The Soviet representative agreed that his Government would ensure that any vessels which are capable of undertaking fishing activity and do not have on board a U.S. permit which are used for emergency medical or sanitary purposes or for rescue of persons or vessels in distress or in cases of force majeure shall notify the U.S. upon their entry into the U.S. fishery conservation zone. The Soviet representative further agreed that all fishing gear on or near the working deck of such vessels shall not be rigged so as to be readily available for use.

James A. Quinn

[Signature]

TO THE CONGRESS OF THE UNITED STATES:

In accordance with the Magnuson Fishery Conservation and Management Act of 1976 (Public Law 94-265; U.S.C. 1801 et. seq.) (MFCMA), I transmit herewith an exchange of notes extending the Governing International Fishery Agreement between the Government of the United States of America and the Government of the Union of Soviet Socialist Republics, signed at Washington on November 26, 1976, for the period of one year from December 31, 1986 until December 31, 1987.

This agreement is one of a series negotiated in accordance with the MFCMA. We have not sought to renegotiate the agreement for a number of reasons, and it has been extended for periods of one year to eighteen months since July 1982. The extension of this Agreement will permit U.S. fishermen to continue cooperative fisheries arrangements with Soviet fishermen. Unless the Agreement is extended these operations will cease, causing significant financial hardship to U.S. fishermen.

I recommend that the Congress give favorable consideration to this extension at an early date.

THE WHITE HOUSE,

DEPARTMENT OF STATE
DIVISION OF LANGUAGE SERVICES

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(TRANSLATION)

LS NO. 119823
AO/BL
Russian

No. 48

In reference to the Department of State's note dated May 16, 1986, the Embassy of the Union of Soviet Socialist Republics is authorized to announce the consent of the Government of the U.S.S.R. to the proposal of the American side to extend to December 31, 1987, the Agreement Between the Government of the Union of Soviet Socialist Republics and the Government of the United States of America Concerning Fisheries Off the Coasts of the United States of America, which was signed on November 26, 1976, as subsequently amended, the term of which expires on December 31, 1986.

The U.S.S.R. Embassy acknowledges that the aforesaid note of the U.S. Department of State and this reply thereto shall constitute agreement between the two Governments on this issue.

June 17, 1986, Washington, D.C.

The Department of State of the
United States of America
Washington, D.C.

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Посольство Союза Советских Социалистических Республик, ссылаясь на ноту Государственного департамента от 16 мая 1986 года, уполномочено заявить о согласии Правительства СССР с предложением американской стороны продлить до 31 декабря 1987 года Соглашение между Правительством Союза Советских Социалистических Республик и Правительством Соединенных Штатов Америки о рыболовстве у побережья Соединенных Штатов Америки, которое было подписано 26 ноября 1976 года, с изменениями, внесенными впоследствии, и срок действия которого истекает 31 декабря 1986 года.

Посольство СССР подтверждает, что указанная нота Государственного департамента США и настоящий ответ на нее составляют договоренность между Правительствами по этому вопросу.

"17" июня 1986 года, г. Вашингтон

ГОСУДАРСТВЕННЫЙ ДЕПАРТАМЕНТ
СОЕДИНЕННЫХ ШТАТОВ АМЕРИКИ

г. Вашингтон

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The Department of State wishes to draw to the attention of the Embassy of the Union of the Soviet Socialist Republics the Agreement between the Government of the United States of America and the Government of the Union of Soviet Socialist Republics Concerning Fisheries Off the Coasts of the United States, signed November 26, 1976, as amended and due to expire on December 31, 1986.

The Government of the United States proposes that this Agreement be extended until December 31, 1987.

If the Government of the Union of Soviet Socialist Republics agrees to such an extension, it is proposed that this note and the Embassy's reply thereto shall constitute an agreement between the two Governments, which shall enter into force following written confirmation of the completion of internal procedures of both Governments.

Department of State,

Washington, May 16, 1986

A

DEPARTMENT OF STATE
DIVISION OF LANGUAGE SERVICES

(TRANSLATION)

LS NO. 117482
LB/AO
Russian

62

N
No. 68

The Embassy of the Union of Soviet Socialist Republics, referring to the Department of State's note, dated July 29, 1985, is authorized to state that the U.S.S.R. Government agrees with the U.S. side's proposal to extend to December 31, 1986, the Agreement between the Government of the Union of Soviet Socialist Republics and the Government of the United States of America concerning Fisheries Off the Coasts of the United States of America, which was signed on November 26, 1976, with subsequent amendments, and whose term expires on December 31, 1985.

The U.S.S.R. Embassy confirms that the aforesaid note of the U.S. Department of State and this reply thereto constitute agreement between the two Governments on this issue.

September 2, 1985, Washington, D.C.

Department of State
United States of America
Washington, D.C.

63

The Department of State wishes to draw to the attention of the Embassy of the Union of Soviet Socialist Republics the Agreement Between the Government of the United States of America and the Government of the Union of Soviet Socialist Republics Concerning Fisheries Off the Coasts of the United States, signed November 26, 1976, as amended, and due to expire on December 31, 1985.

The Government of the United States proposes that this Agreement be extended until December 31, 1986.

If the Government of the Union of Soviet Socialist Republics agrees to such an extension, it is proposed that this note and the Embassy's reply thereto shall constitute an agreement between the two Governments, which shall enter into force following written notification of the completion of internal procedures of both Governments.

Department of State,

Washington, July 29, 1985

DEPARTMENT OF STATE
DIVISION OF LANGUAGE SERVICES

(TRANSLATION)

LS NO. 112576

LB/AO

Russian

No. 14

The Embassy of the Union of Soviet Socialist Republics, referring to the Department of State's note of February 28, 1984, is authorized to state that the U.S.S.R. government agrees with the American side's proposal to extend to December 31, 1985, the Agreement between the Government of the Union of Soviet Socialist Republics and the Government of the United States of America Concerning Fisheries Off the Coasts of the United States of America, which was signed on November 26, 1976, with subsequent amendments, and which expires on July 1, 1984.

The U.S.S.R. Embassy confirms that the aforesaid note from the U.S. Department of State and this reply thereto shall constitute an agreement between the two Governments on this issue.

April 11, 1984, Washington, D.C.

Department of State
United States of America
Washington, D.C.

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The Department of State wishes to draw to the attention of the Embassy of the Union of Soviet Socialist Republics the Agreement Between the Government of the United States of America and the Government of the Union of Soviet Socialist Republics Concerning Fisheries Off the Coasts of the United States, signed November 26, 1976, as amended, and due to expire on July 1, 1984.

The Government of the United States proposes that this Agreement be extended until December 31, 1985.

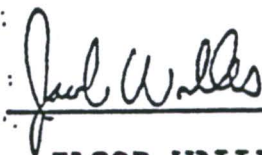
If the Government of the Union of Soviet Socialist Republics agrees to such an extension, it is proposed that this note and the Embassy's reply thereto shall constitute an agreement between the two Governments, which shall enter into force following written notification of the completion of internal procedures of both Governments.

Department of State

Washington,

February 28, 1984

I CERTIFY THAT THIS NOTE IS A TRUE COPY OF THE SIGNED ORIGINAL



JACOB WALLEES

DIVISION OF LANGUAGE SERVICES

(TRANSLATION)

LS NO. 110091

LB

Russian

64
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Embassy of the Union
of Soviet Socialist Republics
No. 28

The Embassy of the Union of Soviet Socialist Republics, referring to the Department of State's note of July 13, 1983, expresses agreement that the understanding on extending the term of the Agreement Between the Government of the Union of Soviet Socialist Republics and the Government of the United States Concerning Fisheries off the Coasts of the United States of America, signed on November 26, 1976, shall enter into force on the date of presentation of this note.

July 15, 1983, Washington, D.C.

Department of State,
United States of America,
Washington, D.C.

[Initialied]

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The Department of State refers to Note No. 17 of April 20, 1983 from the Embassy of the Union of Soviet Socialist Republics and to the Note of April 8, 1983 from the Department of State, which together constitute an agreement to extend until July 1, 1984 the Agreement Between the Government of the United States and the Government of the Union of Soviet Socialist Republics Concerning Fisheries off the Coasts of the United States, signed November 26, 1976. Under the terms of those Notes, the Agreement to extend the Fisheries Agreement shall enter into force following written notification of the completion of internal procedures of both governments.

The Department of State hereby confirms that the necessary United States internal procedures have been completed. Consequently the agreement to extend the Fisheries Agreement shall enter into force on the date of written notification of the completion of internal procedures of the Union of Soviet Socialist Republics.

Department of State,

Washington, JUL 11

Drafted: OLS/OFA:RVArnaud:adm
6/27/83 x25690

Cleared: L/OES:JYanagida
S/O/SCV:JColbert
L/T:CWillson
S/O:JAiba

DEPARTMENT OF STATE
DIVISION OF LANGUAGE SERVICES

(TRANSLATION)

68
LMD. 109316
AD
Russian

Embossed seal of the
Embassy of the Union
of Soviet Socialist
Republics

No. 17

The Embassy of the Union of Soviet Socialist Republics refers to the note of April 8, 1983, from the Department of State and is authorized to announce the agreement of the U.S.S.R. Government with the proposal of the American side to extend until July 1, 1984, the Agreement Between the Government of the Union of Soviet Socialist Republics and the Government of the United States of America Concerning Fisheries Off the Coasts of the United States that was signed November 26, 1976, and is due to expire July 1, 1983.

The U.S.S.R. Embassy confirms that the afore-mentioned note of the U.S. Department of State and this reply thereto constitute an agreement between the two Governments on this subject

Washington, D.C., April 20, 1983

Initialed A. Dob

To The
Department of State of the
United States of America
Washington, D.C.

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The Department of State wishes to draw to the attention of the Embassy of the Union of Soviet Socialist Republics the Agreement Between the Government of the United States of America and the Government of the Union of Soviet Socialist Republics Concerning Fisheries Off the Coasts of the United States, signed November 26, 1976, and due to expire on July 1, 1983.

The Government of the United States proposes that this Agreement be extended until July 1, 1984.

If the Government of the Union of Soviet Socialist Republics agrees to such an extension, it is proposed that this note and the Embassy's reply thereto shall constitute an agreement between the two Governments, which shall enter into force following written notification of the completion of internal procedures of both Governments.

Department of State,

Washington, April 8, 1983.

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DEPARTMENT OF STATE
DIVISION OF LANGUAGE SERVICES

(TRANSLATION)

LS NO. 106158
AO
Russian

No. 18

The Embassy of the Union of Soviet Socialist Republics refers to the note of April 22, 1982, from the Department of State and is authorized to announce the agreement of the U.S.S.R. Government with the proposal of the American side to extend until July 1, 1983, the Agreement Between the Government of the Union of Soviet Socialist Republics and the Government of the United States of America Concerning Fisheries Off the Coasts of the United States that was signed November 26, 1976, and is due to expire July 1, 1982, as amended to include two ports of call.

The U.S.S.R. Embassy confirms that the afore-mentioned note of the U.S. Department of State and this reply thereto constitute an agreement between the two Governments on this subject.

Washington, D.C., April 29, 1982

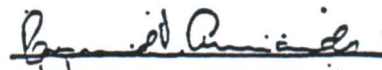
To the
Department of State of the
United States of America
Washington, D.C.

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The Department of State refers to the Note of April 29 from the Embassy of the Union of the Soviet Socialist Republics concerning the amendment to Annex III of the Agreement Between the Government of the United States and the Government of the Union of Soviet Socialist Republics Concerning Fisheries off the Coasts of the United States.

The Government of the United States accepts the proposal of the Embassy of the Union of Soviet Socialist Republics to substitute the ports of Dutch Harbor, Alaska, and Astoria, Oregon, for the ports of Honolulu, Hawaii, and Seattle, Washington, in paragraph 1 of Annex III of the Agreement. Your Note of April 29 and the Department of State's Note of April 22 and this Note shall constitute an agreement amending Annex III.

I CERTIFY THAT THIS NOTE IS A TRUE COPY
THE SIGNED ORIGINAL.


RAYMOND V. ARNAUDO

Department of State,
Washington,



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DEPARTMENT OF STATE
DIVISION OF LANGUAGE SERVICES

(TRANSLATION)

LS NO. 106158
AO
Russian

No. 17

The Embassy of the Union of Soviet Socialist Republics refers to the note of April 22, 1982, from the Department of State and advises that the U.S.S.R. Government does not object to substitute other ports for the ports of Honolulu (Hawaii) and Seattle (Washington) mentioned in paragraph 1 of Annex III to the Agreement Between the Government of the Union of Soviet Socialist Republics and the Government of the United States of America Concerning Fisheries Off the Coasts of the United States, signed November 26, 1976 and due to expire July 1, 1982.

Specifically, the Government of the Union of Soviet Socialist Republics is prepared to discuss as alternative harbors the ports of Dutch Harbor (Alaska) and Astoria (Oregon).

Washington, D.C., April 29, 1982

To the
Department of State of the
United States of America
Washington, D.C.

The Department of State wishes to draw to the attention of the Embassy of the Union of Soviet Socialist Republics the Agreement Between the Government of the United States of America and the Government of the Union of Soviet Socialist Republics Concerning Fisheries Off the Coasts of the United States, signed November 26, 1976, and due to expire on July 1, 1982, as amended.

The Government of the United States proposes that this Agreement be extended until July 1, 1983.

If the Government of the Union of Soviet Socialist Republics agrees to such an extension, it is proposed that this note and the Embassy's reply thereto shall constitute an agreement between the two Governments, which shall enter into force following written notification of the completion of internal procedures of both Governments.

Department of State,
Washington,
April 22, 1982.

I CERTIFY THAT THIS NOTE IS A TRUE COPY OF THE SIGNED ORIGINAL.

RAYMOND V. ARNAUDO

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The Department of State wishes to draw to the attention of the Embassy of the Union of Soviet Socialist Republics the Agreement Between the Government of the United States of America and the Government of the Union of Soviet Socialist Republics Concerning Fisheries Off the Coasts of the United States, signed November 26, 1976.

The Government of the United States proposes to delete the ports of Honolulu, Hawaii, and Seattle, Washington, from paragraph 1 of Annex III of the Agreement. This note and the Embassy's acceptance of these deletions shall constitute an amendment to Annex III of the Agreement as of the date of the Embassy's acceptance. The Government of the United States is prepared to discuss alternative ports on the Pacific coast which may be substituted for the above two ports.

Department of State,
Washington,
April 22, 1982.

I CERTIFY THAT THIS NOTE IS
TRUE COPY OF THE SIGNED ORIG.

Raymond V. Arnaudo

RAYMOND V. ARNAUDO

(4)

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AGREEMENT BETWEEN
THE GOVERNMENT OF THE UNITED STATES OF AMERICA
AND THE GOVERNMENT OF THE UNION OF SOVIET SOCIALIST REPUBLICS
CONCERNING FISHERIES OFF THE COASTS
OF THE UNITED STATES

The Government of the United States of America and the Government
of the Union of Soviet Socialist Republics,

Considering their common concern for the rational management,
conservation and optimum utilization of fish stocks off the coasts
of the United States;

Acknowledging the fishery management authority of the United
States of America as set forth in the Fishery Conservation and
Management Act of 1976;

Having regard for the discussions of the Third United Nations
Conference on the Law of the Sea regarding coastal state rights over
fisheries off its coasts;

Taking into account the traditional fishing of the fleet of the
Soviet Union off the coast of the United States, the level of the
Soviet Union cooperation with the United States in fishery research,
assessment of fishery resources and enforcement with respect to the
conservation and management of fishery resources, as well as existing
agreements between the Governments of the United States of America and
the Union of Soviet Socialist Republics; and

Desirous of establishing reasonable terms and conditions pertaining
to fisheries of mutual concern over which the United States of America
exercises fishery management authority;

Have agreed as follows:

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ARTICLE I

The purpose of this Agreement is to ensure effective conservation, optimum utilization and rational management of the fisheries of mutual interest off the coasts of the United States of America and to establish a common understanding of the principles and procedures under which fishing may be conducted by nationals and vessels of the Soviet Union for the living resources over which the United States exercises fishery management authority as provided by United States law.

ARTICLE II

As used in this Agreement, the term

1. "living resources over which the United States exercises fishery management authority" means all fish within the fishery conservation zone of the United States except highly migratory species, all anadromous species of fish that spawn in the fresh or estuarine waters of the United States and migrate to ocean waters and all living resources of the continental shelf appertaining to the United States;
2. "fish" means all finfish, molluscs, crustaceans, and other forms of marine animal and plant life, other than marine mammals, birds and highly migratory species;
3. "fishery" means
 - a. one or more stocks of fish that can be treated as a unit for purposes of conservation and management and that are identified on the basis of geographical, scientific, technical, recreational and economic characteristics; and
 - b. any fishing for such stocks;

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4. "fishery conservation zone" means a zone contiguous to the territorial sea of the United States of America, the seaward boundary of which is a line drawn in such a manner that each point on it is 200 nautical miles from the baseline from which the breadth of the territorial sea of the United States of America is measured;

5. "fishing" means

- a. the catching, taking or harvesting of fish;
- b. the attempted catching, taking or harvesting of fish;
- c. any other activity that can reasonably be expected to result in the catching, taking or harvesting of fish; or
- d. any operations at sea directly in support of, or in preparation for, any activity described in subparagraphs a. through c. above, provided that such term does not include other legitimate uses of the high seas, including any scientific research activity conducted by a scientific research vessel;

6. "fishing vessel" means any vessel, boat, ship or other craft that is used for, equipped to be used for, or of a type that is normally used for

- a. fishing; or
- b. aiding or assisting one or more vessels at sea in the performance of any activity relating to fishing, including preparation, supply, storage, refrigeration, transportation or processing;

7. "highly migratory species" means species of tuna which in the course of their life cycle, spawn and migrate over great distances in waters of the ocean; and

8. "marine mammals" means any mammal that is morphologically adapted to the marine environment, including sea otters and members of the orders Sirenia, Pinnipedia, and Cetacea, or mainly inhabits the marine environment.

ARTICLE III

1. The Government of the United States of America shall determine each year, subject to such adjustments as may be necessitated by unforeseen circumstances affecting the stocks;

- a. the total allowable catch for each fishery on the basis of the best available scientific evidence, taking into account the interdependence of stocks, internationally accepted criteria, and all other relevant factors;
- b. the harvesting capacity of United States fishing vessels in respect of each fishery;
- c. the portion of the total allowable catch for a specific fishery that, on an annual basis, will not be harvested by United States fishing vessels; and
- d. the allocation of such portion that can be made available to fishing vessels of the Soviet Union.

2. The United States shall determine each year the measures necessary to prevent overfishing while achieving, on a continuing basis, the optimum yield from each fishery.

3. In determining the portion of the surplus that may be made available to vessels of the Soviet Union, the Government of the United States of America will promote the objective of optimum

utilization, taking into account, inter alia, traditional fishing of the Soviet Union, contributions by the Soviet Union to fishery research and the identification of stocks, previous cooperation by the Soviet Union in enforcement with respect to conservation and management of fishery resources of mutual concern, and the need to minimize economic dislocation in cases where vessels of the Soviet Union have habitually fished for living resources over which the United States now exercises fishery management authority.

4. The Government of the United States of America shall notify the Government of the Union of Soviet Socialist Republics of the determinations provided for by this Article on a timely basis.

ARTICLE IV

The Government of the Union of Soviet Socialist Republics shall take all necessary measures to ensure:

1. that nationals and vessels of the Soviet Union refrain from fishing for living resources over which the United States exercises fishery management authority except as authorized pursuant to this Agreement;
2. that all such vessels so authorized comply with the provisions of permits issued pursuant to this Agreement and applicable laws of the United States; and
3. that the total allocation assigned to the fishing fleet of the Soviet Union referred to in Article III, paragraph 1. d. of this Agreement is not exceeded for any fishery.

ARTICLE V

The competent authorities of the Government of the Union of Soviet Socialist Republics may submit an application to the competent authorities of the Government of the United States of America for a permit for each fishing vessel of the Soviet Union that wishes to engage in fishing in the fishery conservation zone pursuant to this agreement. Such application shall be prepared and processed in accordance with Annex I to this Agreement, which shall constitute an integral part of this Agreement. The Government of the United States of America may require the payment of reasonable fees for such permits.

ARTICLE VI

The Government of the Union of Soviet Socialist Republics shall ensure that nationals and vessels of the Soviet Union refrain from harassing, hunting, capturing, or killing, or attempting to harass, hunt, capture or kill, any marine mammal within the United States fishery conservation zone, except as may be otherwise provided by an international agreement respecting marine mammals to which the United States is a party, or in accordance with specific authorization for and controls on incidental taking of marine mammals established by the Government of the United States of America.

ARTICLE VII

The Government of the Union of Soviet Socialist Republics shall ensure that in the conduct of the fisheries under this Agreement:

1. the authorizing permit for each fishing vessel of the Soviet Union is prominently displayed in the wheelhouse of such vessel;

2. appropriate position-fixing and identification equipment is installed and maintained in working order on each such vessel;

3. designated United States observers are permitted to board, upon request, any such fishing vessel, and shall be treated as a ship's officer while aboard such vessel, and, further, the Government of the United States of America shall be reimbursed for the costs incurred in the utilization of observers;

4. agents are appointed and maintained within the United States possessing the authority to represent a vessel owner or operator in any legal proceeding arising out of the conduct of fishing activities under this Agreement, in accordance with applicable laws of the United States; and

5. all necessary measures are taken to ensure the prompt and adequate compensation of United States citizens for any loss of, or damage to, their fishing vessels, fishing gear or catch that is caused by any fishing vessel of the Soviet Union as determined by applicable United States procedures.

ARTICLE VIII

1. The Government of the Union of Soviet Socialist Republics shall take such measures as may be necessary to ensure that each fishing vessel of the Soviet Union authorized to fish pursuant to this Agreement, and any other fishing vessel of the Soviet Union that engages in fishing for living resources subject to the fishery management authority of the United States, shall allow and assist the boarding and inspection of such vessel by any duly authorized enforcement official of the United States, and shall cooperate in such enforcement action as may be undertaken pursuant to the laws of the United States.

2. In cases where a fishing vessel of the Soviet Union has violated a provision of this Agreement or a provision of a permit issued pursuant thereto, the Government of the United States of America shall immediately notify the Government of the Union of Soviet Socialist Republics through diplomatic channels of the facts and the action taken.

3. In order to facilitate the prompt and adequate compensation of the citizens of one country for any loss of, or damage to, their fishing vessels, fishing gear or catch which is caused by any fishing vessel of the other country, the two Governments established the American-Soviet Fisheries Claims Boards as set forth in the Agreement between the Government of the United States of America and the Government of the Union of Soviet Socialist Republics Relating to the Consideration of Claims Resulting from Damage to Fishing Vessels or Gear and Measures to Prevent Fishing Conflicts signed at Moscow, February 21, 1973.

ARTICLE IX

1. The Government of the United States of America will impose appropriate penalties, in accordance with the laws of the United States, on fishing vessels of the Soviet Union or their owners or operators that violate the requirements of this Agreement or of any permit issued hereunder.

2. In cases of an enforcement action undertaken by authorities of the Government of the United States of America, the economic loss encountered by the vessel and crew because of lost fishing time shall be minimized through prompt release of the vessel and crew upon the posting of reasonable bond or other security.

ARTICLE X

The Government of the Union of Soviet Socialist Republics undertakes to cooperate with the Government of the United States of America in the conduct of scientific research required for the purpose of managing and conserving living resources subject to the fishery management authority of the United States, including the compilation of best available scientific information for the management and conservation of stocks of mutual concern. The competent agencies of the two Governments shall enter into such arrangements as may be necessary to facilitate such cooperation, including the exchange of information and scientists, regularly scheduled meetings between scientists to prepare research plans and review progress, and the implementation and maintenance of a standardized system for the collection and archiving of relevant statistical and biological information in accordance with the procedures set forth in Annex II, which shall constitute an integral part of this Agreement.

ARTICLE XI

The Government of the United States of America and the Government of the Union of Soviet Socialist Republics shall carry out periodic bilateral consultations regarding the implementation of this Agreement and the development of further cooperation in the field of fisheries of mutual concern, including the establishment of appropriate multilateral organizations for the collection and analysis of scientific data respecting such fisheries.

ARTICLE XII

The Government of the United States of America undertakes to authorize fishing vessels of the Soviet Union allowed to fish pursuant to this Agreement to enter designated ports in accordance with United States laws for the purpose of purchasing bait, supplies, or outfits, or effecting repairs, or for such other purposes as may be authorized in accordance with the procedures set forth in Annex III, which shall constitute an integral part of this Agreement.

ARTICLE XIII

Should the Government of the United States of America indicate to the Government of the Union of Soviet Socialist Republics that its nationals and vessels wish to engage in fishing in the fishery conservation zone of the Soviet Union or its equivalent, the Government of the Union of Soviet Socialist Republics will allow such fishing on the basis of reciprocity and on terms not more restrictive than those established in accordance with this Agreement.

ARTICLE XIV

Nothing contained in the present Agreement shall prejudice the views of either contracting Government with respect to the existing territorial or other jurisdiction of the coastal state for all purposes other than the conservation and management of fisheries.

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ARTICLE XV

1. This Agreement shall enter into force on a date to be mutually agreed by exchange of notes, following the completion of the internal procedures of both Parties, and shall remain in force until July 1, 1982, unless terminated sooner by either Party after giving written notification of such termination one year in advance.

2. This Agreement shall be subject to review by the two Governments two years after its entry into force or upon the conclusion of a multilateral treaty resulting from the Third United Nations Conference on the Law of the Sea.

IN WITNESS WHEREOF, the undersigned, being duly authorized for this purpose, have signed this Agreement.

DONE at Washington, on the twenty-sixth day of November, 1976, in duplicate, in the English and Russian languages, both texts being equally authentic.

FOR THE GOVERNMENT OF THE
UNITED STATES OF AMERICA:



FOR THE GOVERNMENT OF THE UNION
OF SOVIET SOCIALIST REPUBLICS:



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ANNEX I

Application and Permit Procedures

The following procedures shall govern the application for and issuance of annual permits authorizing vessels of the Soviet Union to engage in fishing for living resources over which the United States exercises fishery management authority:

1. The competent authorities of the Soviet Union may submit an application to the competent authorities of the United States for each fishing vessel of the Soviet Union that wishes to engage in fishing pursuant to this Agreement. Such application shall be made on forms provided by the Government of the United States of America for that purpose.
2. Any such application for vessel permits shall specify
 - a. the name and official number or other identification of each fishing vessel for which a permit is sought, together with the name and address of the owner;
 - b. the tonnage, capacity, speed, processing equipment, type and quantity of fishing gear;
 - c. a specification of each fishery in which each such vessel wishes to fish;
 - d. the amount of fish or tonnage of catch by species contemplated for each such vessel during the time such permit is in force;
 - e. the ocean area in which, and the season or period during which, such fishing would be conducted; and
 - f. such other relevant information as may be requested, including desired transshipping areas.

3. The competent authorities of the United States shall review each application, shall determine what conditions and restrictions related to fishery management and conservation may be needed, and what fee will be required. The competent authorities of the United States shall inform the competent authorities of the Union of Soviet Socialist Republics of such determinations.

4. The competent authorities of the Soviet Union shall thereupon notify the competent authorities of the United States of their acceptance or rejection of such conditions and restrictions and, in the case of a rejection, of their objections thereto.

5. Upon acceptance of the conditions and restrictions by the competent authorities of the Soviet Union and the payment of all fees, the competent authorities of the United States shall approve the application and issue a permit for each fishing vessel of the Soviet Union which shall thereupon be authorized to fish in accordance with this Agreement and the terms and conditions set forth in the permit. Such permits shall be issued for a specific vessel and shall not be transferred.

6. In the event the competent authorities of the Soviet Union notify the competent authorities of the United States of their objections to specific conditions and restrictions, the two Parties may consult with respect thereto and the competent authorities of the Soviet Union may thereupon submit a revised application.

7. The provisions of this Annex may be amended by agreement through an exchange of notes between the two Governments.

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ANNEX II

Methods Of Collecting Biostatistical
Information And Reporting Data On Catches Of
Soviet Fishing Vessels Off The Coasts
Of The United States

Methods of collecting biostatistical information and reporting data on catches of Soviet fishing vessels as described below are needed for monitoring the status of stocks of the exploitable population of commercial species, and for the evaluation of the possible changes in the fishing resources.

This brings about the need to provide for necessary accuracy in the follow-up of these methods of collecting biostatistical information and reporting data on catches of Soviet fishing vessels, and in its timely and systematic submission. It also implies that some form of archiving of the basic data be provided so that retrieval at a later date in a format different from that specified earlier is possible.

In the future, while the data will be accumulated and analyzed, and the methods of stock assessment will constantly be improved, the methods of collecting biostatistical information and reporting data on catches of Soviet fishing vessels will be improved.

The results of application and of further improvement of the methods of collecting biostatistical information shall be discussed at regular meetings of Soviet Union and United States scientists.

All data described below for the Atlantic area shall be reported to the Director, Northeast Fisheries Center, National Marine Fisheries Service, Woods Hole, Massachusetts; data for the Pacific area shall be reported to the Director, Northwest Region, National Marine Fisheries Service, Seattle, Washington.

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As available, summary information based on the monthly and quarterly biological and statistical catch data submitted by the Soviet Union to the above mentioned fisheries centers will be provided when requested to the respective Soviet research institutions of the Soviet Union (VNIRO, Moscow; AtlantNIRO, Kaliningrad; TINRO, Vladivostok.)

1. Catch Data Reporting Requirements for all Fisheries

a. Atlantic Coast

Three months after the close of each quarter, catch effort statistics for semi-monthly time periods for 30-minute square areas shall be reported by vessel for previous quarter. These shall be reported using semi-monthly 30-minute square Statlant 21 B Forms or magnetic tape, computer cards or printouts for all species and gear types. These data, which will be recorded by the fishing vessels, are to be available for making selected, specific joint stock assessment studies. The collection of samples, specified in 2. below, shall be annotated in the fishing records to be kept by the fishing vessels.

Both sides understand that during the first year of the Agreement it may be difficult to meet the time requirements for the reporting of statistics, and before December 31, 1977 such reporting might take as long as six months from the end of the quarter.

b. Pacific Coast

(1) Catch Data Reporting Requirements for the Bering Sea and Aleutian Trawl Fishery:

The U.S.S.R. shall report by May 30 of the following year annual catch and effort statistics as follows: Effort in hours trawled, by vessel class, by gear type, by month, by 1/2° (lat.) x 1° (long.) statistical area; Catch in metric tons, by vessel class, by gear type, by month, by 1/2° (lat.) x 1° (long.) statistical area, by the following species groupings:

- Yellowfin sole
- Rock sole
- Flathead sole
- Arrowtooth flounder
- Greenland turbot
- Other flounders
- Pacific ocean perch
- Pacific cod
- Sablefish (blackcod)
- Walleye (Alaska) pollock
- Atka mackerel
- Pacific herring
- Any other species taken in excess of 1,000 mt
- Other fishes

In addition to the annual statistical report in (1), above, the U.S.S.R. shall report by the end of the following month, provisional fishery information for each month as follows: Effort in vessel-days on the grounds by vessel-class and gear-type; and Catch in metric tons of flounders, rockfishes, cod, pollock, sablefish, Atka mackerel, herring and others, for each of the following statistical areas of the International North Pacific Fisheries Commission (INPFC) within the United States fishery conservation zone: Bering Sea; subareas 1, 2, 3 and 4.

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(2) Catch Data Reporting Requirements for Gulf of Alaska Trawl Fisheries

The U.S.S.R. shall report by May 30 of the following year annual catch and effort statistics, as follows: Effort in hours trawled, by vessel class, by gear type, by month, by 1/2° (lat.) x 1° (long.) statistical area; Catch in metric tons, by vessel class, by gear type, by month, by 1/2° (lat.) x 1° (long.) statistical area, by the following species groupings:

- Rocksole
- Flathead sole
- Arrowtooth flounder
- Other flounders
- Pacific ocean perch
- Other rockfishes
- Pacific cod
- Sablefish
- Alaska pollock
- Atka mackerel
- Any other species taken in excess of 1,000 mt
- Other fishes

In addition to the annual statistical report above the U.S.S.R. shall report by the end of the following month, provisional monthly fishery information as follows: Effort in vessel-days on the grounds by vessels class; and Catch in metric tons of flounders; rockfishes; cod, pollock, sablefish, Atka mackerel, and others, for each of the following statistical areas of the International North Pacific Fisheries Commission (INPFC):

- Southeastern
- Yakutat
- Kodiak
- Chirikof
- Shumagin

(3) Catch Data Reporting Requirements for the Pacific Hake Fisheries

The U.S.S.R. shall report by May 30 of the following year annual catch and effort statistics, as follows: Effort in hours trawled, by vessel class, by gear type, by month, by 1/2° (lat.) x 1° (long.) statistical area; Catch in metric tons, by vessel class, by gear type, by month, by 1/2° (lat.) x 1° (long.) statistical area, by the following groupings:

- Hake
- Jack mackerel
- Pacific ocean perch
- Other rockfishes
- Sablefish
- Dover sole
- Other flounders
- Anchovies
- Herring
- Any other species taken in excess of 1,000 mt
- Other fishes

In addition to the annual statistical report above, the U.S.S.R. shall report by the end of the following month, provisional monthly fishery information as follows: Effort in vessel-days on the grounds by vessel class; and Catch in metric tons by hake, jack mackerel, rockfishes, flounders, and others, for each of the following statistical areas of the INPFC:

- Conception.....
- Monterey
- Eureka
- Columbia
- Vancouver (that portion off the United States coast)

The U.S.S.R. shall also provide such data on any Soviet fisheries in the United States fishery conservation zone in the Hawaiian archipelago region of the Pacific Ocean.

Both sides understand that it may be difficult during the first year of the Agreement to meet the time requirement

for the reporting of provisional monthly catch and effort statistics and that reporting such data before December 31, 1977 might take as long as 45 days from the end of the month for which it was collected.

2. Methods of Collecting Biostatistical Information

a. Atlantic Coast

(1) Length-age composition samples

(a) Samples shall be taken separately for each gear type (e.g. bottom trawl, pelagic trawl, purse seine) and water layer (e.g. on the bottom, mid-water level) combination every month by 30 minute square area in which fishing is pursued. One sample shall be taken for every 1,000 tons or fraction thereof within the above categories.

(b) Data to be recorded for each sample:

- Vessel class
- Method of fishing: e.g., pelagic
- Specific type of trawl and its vertical and horizontal opening
- Mesh sizes
- Tonnage of the species sampled in the trawl haul
- Total weight of the fish sampled
- Time of day of haul
- Date
- Latitude and Longitude of haul _____

(c) Sampling procedures

(i) Species for which the catch is sorted

(a) From a single net haul take 4 random aliquots of approximately 50 fish each (For species with less than 200 fish in a single trawl haul accumulate samples over trawl hauls until approximately 200 fish are taken.)

(b) Measure fork length for each fish nearest cm except for herring where the measurement will be the total length to the nearest cm below. Where other measurement systems are used, appropriate conversion information must be supplied.

(c) Take a subsample of one fish from each cm interval (or for fish of large size e.g. spiny dogfish, 2 or 3 cm intervals as in ICNAF standards) and remove scales and otoliths as appropriate. The total number of age samples per month should at least meet the standards established by AtlantNIRO and published as a 1973 ICNAF Document. If it becomes obvious to the samplers that the one fish per interval procedures will not meet these goals they shall increase the sampling intensity. However, the taking of these additional samples does not negate the need to take the prescribed one fish per interval from each length sample. Record the sex of mature individuals in order to examine differences in growth rate between sexes and to assure adequate weighting of age length keys between sexes.

(ii) Species for which catch is not sorted

- (a) From a single trawl take 2 random aliquots of approximately 30 kilos each.
- (b) Sort to individual species (for "river herring" this means sorting to alewife *Alosa pseudoharengus* and blueback *Alosa aestivalis*).
- (c) Measure fork length for each fish to nearest cm, except for herring where the measurement will be the total length to the nearest cm below. Where other measurement systems are used, appropriate conversion information must be supplied.
- (d) Take a subsample of one fish from each cm interval (or for fish of large size e.g. spiny dogfish, 2 or 3 cm intervals as in ICNAF standards) and remove scales and otoliths as appropriate. Record the sex of mature individuals in growth rate between sexes and to assure adequate weighting of age-length keys between sexes

(2) Length-weight samples

Individuals of one sample of each principal species of fish (e.g., expected yearly catch in area of agreement of 500 or more tons), per International Commission for the Northwest Atlantic Fisheries (ICNAF) Division per month, shall be weighed in grams and measured in millimeters separately for males and females. Each sample will contain 10 fish per centimeter interval (or for fish of large size

e.g. spiny dogfish, 2 or 3 cm intervals as in ICNAF standards) for the length range of fish and may be accumulated if necessary from small samples taken over several catches and days. With small fish, where weighing at sea of individuals is not accurate, appropriate numbers of fish of the same length class shall be weighed in aggregate. Sex shall be recorded for mature individuals.

b. Pacific Coast

Biological sampling by the U.S.S.R. will not be required during 1977. Future collection of biological data by the U.S.S.R. will be coordinated according to sampling designs jointly developed through consultations between U.S. and U.S.S.R. scientists to assure specific research needs.

3. The provisions of this Annex may be amended by agreement through an exchange of notes between the two Governments.
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ANNEX III

Procedures Relating to United States Port Calls

Article XII of the Agreement provides for the entry of fishing vessels of the Union of Soviet Socialist Republics allowed to fish pursuant to the Agreement into designated ports of the United States in accordance with United States law for certain purposes. This Annex designates the ports and purposes authorized and describes the procedures which govern port entries.

1. Soviet vessels which have been issued permits or have been authorized to receive permits pursuant to the Agreement are authorized, beginning on the date of entry into force of the Agreement, to enter the ports of Boston; New York; Philadelphia; Baltimore; Seattle; Portland, Oregon; and Honolulu; pursuant to the following procedures.

2. Vessels of the Union of Soviet Socialist Republics may enter the ports specified above to replenish ship's stores or fresh water, obtain bunkers, provide rest for or make changes in their crews, to obtain repairs and other services normally provided in these ports, and, as necessary, to receive permits. Authorized vessels enroute to one of the designated ports to receive a permit will be treated as non-fishing vessels, so long as such vessels observe the provisions of this Agreement.

3. Entry shall be permitted subject to notice to the United States Coast Guard, forwarded so as to be received four days in advance of the port entry using (1) Telex, using Telex number 89-2427, or (2) Teletype Communication "TWX", using TWX number 710-822-1959, or (3) Western Union, using the Address "U.S. Coast Guard Headquarters, 6th and D Streets, S.W., Washington, D.C."

All such entries are subject to the applicable laws and regulations of the United States, including the Federal Water Pollution Control Act.

4. The Government of the United States of America at its Embassy in Moscow will accept crew lists in application for visas valid for a period of six months for multiple entry into the specified United States ports. Such a crew list shall be submitted at least fourteen days prior to the first entry of a vessel into a port of the United States. Submission of an amended (Supplemental) crew list subsequent to departure of a vessel from a port of the Union of Soviet Socialist Republics will also be subject to the provisions of this paragraph, provided that visas thereunder shall only be valid for six months from the date of issuance of the original crew list visa. Notification of entry shall specify if shore leave is requested under such multiple entry visa.

5. In cases where a seaman of the Union of Soviet Socialist Republics is evacuated from his vessel to the United States for the purpose of emergency medical treatment, authorities of the Union of Soviet Socialist Republics will ensure that the seaman departs from the United States within fourteen days after his release from the hospital. During the period that the seaman is in the United States, representatives of the Union of Soviet Socialist Republics will be responsible for him.

6. The exchange of crews of vessels of the Union of Soviet Socialist Republics in the specified ports shall be permitted subject to submission to the United States Embassy in Moscow of applications for individual transit visas and crewman visas for replacement crewmen. Applications shall be submitted fourteen days in advance of the date of the arrival of the crewmen in the

United States and shall indicate the names, dates and places of birth, the purpose of the visit, the vessel to which assigned, and the modes and dates of arrival of all replacement crewmen. Individual passports or seamen's documents shall accompany each application. Subject to United States laws and regulations, the United States Embassy will affix transit and crewman visas to each passport or seaman's document before it is returned. In addition to the requirements above, the name of the vessel and date of its expected arrival, a list of names, dates and places of birth for those crewmen who shall be admitted to the United States under the responsibility of Soviet representatives for repatriation to the Union of Soviet Socialist Republics and the dates and manner of their departure from the United States shall be submitted to the Department of State fourteen days in advance of arrival.

7. Special provisions shall be made as necessary regarding the entry of research vessels of the Union of Soviet Socialist Republics which are engaged in a mutually agreed research program in accordance with the terms of Article X of the Agreement. Requests for entries of fishery research vessels should be forwarded to the United States Department of State, Washington, D.C. through diplomatic channels.

8. The provisions of this Annex may be amended by agreement through an exchange of notes between the two Governments.

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AGREED MINUTES

The representatives of the Government of the United States and the Government of the Union of Soviet Socialist Republics have agreed to record the following in connection with the Agreement Between the Government of the United States of America and the Government of the Union of Soviet Socialist Republics Concerning Fisheries off the Coasts of the United States signed today:

1. The two Governments agreed to take note that the administration of the Agreement during the first year of its operation would be in some respects transitional in nature.

2. With regard to the existing Agreement Between the Government of the United States of America and the Government of the Union of Soviet Socialist Republics Regarding Fisheries in the Northeastern Pacific Ocean off the Coast of the United States of America which entered into force on August 1, 1975, and expires on December 31, 1976, the Government of the United States of America is prepared to continue measures to minimize gear conflicts between fishing vessels of the two countries in accordance with paragraphs 4 and 5 of that Agreement, and facilitate the entry of Soviet fishing, fishery research and fishery support vessels into designated United States ports in accordance with paragraph 13 of that Agreement.

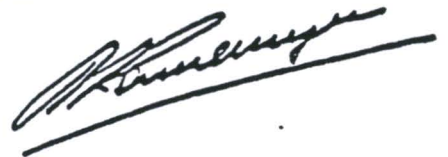

3. The commitment in paragraph 2 above by the Government of the United States shall be assured during the transitional period following December 31, 1976 and prior to the entry into force of the Agreement signed today, upon the understanding that the Government of the Union of Soviet Socialist Republics during the transitional period prior to entry into force of the Agreement signed today intends to abide by the fishing restrictions and conservation measures of the former Agreement.

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4. It is understood by the representatives of both Governments that it would be mutually advantageous to continue their coordinated research, conduct their fishing with due regard for the conservation of the stocks of fish, facilitate entry into appropriate ports and protect the marine environment in accordance with the former Agreement during the transitional period prior to the entry into force of the Agreement signed today.

5. With respect to Article II, paragraph 6. b. of the Agreement, representatives of the two Governments agreed that vessels used exclusively for medical, sanitary or patrol purposes should not be considered as fishing vessels for purposes of this Agreement.

6. The Soviet representative agreed that his Government would ensure that any vessels which are capable of undertaking fishing activity and do not have on board a U.S. permit which are used for emergency medical or sanitary purposes or for rescue of persons or vessels in distress or in cases of force majeure shall notify the U.S. upon their entry into the U.S. fishery conservation zone. The Soviet representative further agreed that all fishing gear on or near the working deck of such vessels shall not be rigged so as to be readily available for use.





United States Department of State

Washington, D.C. 20520

8619309

June 23, 1986

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MEMORANDUM FOR VADM JOHN M. POINDEXTER
THE WHITE HOUSE

SUBJECT: Transmission to Congress of an Exchange of Notes Extending the Governing International Fishery Agreement with the Union of Soviet Socialist Republics

Draft letters from the President to the House of Representatives and to the Senate, respectively, are attached transmitting an exchange of notes extending the Governing International Fishery Agreement (GIFA) between the United States of America and the Union of Soviet Socialist Republics (USSR) by one year until December 31, 1987. This exchange of notes, together with the present agreement, extended annually for the last four years, constitutes a GIFA between the United States and the USSR within the requirements of Section 210(c) of the Magnuson Fishery Conservation and Management Act (MFCMA) (16 U.S.C. 1801 et seq.). It will allow the two countries to continue their fisheries relationship when the current extension expires on December 31, 1986. The exchange of notes was completed on June 17, 1986.

This GIFA is one of a series negotiated since the passage of the (MFCMA) (P.L. 94-265; 16 U.S.C. 1801 et seq.), effective March 1, 1977, extending U.S. jurisdiction over fisheries to 200 nautical miles. The agreement is in accordance with U.S. legislation. It sets out the principles and terms that will govern fishing by vessels and nationals of the USSR. It provides that the USSR may apply for permits to fish an allocation of the portion of the allowable catch of a specific fishery that will not be harvested by United States fishing vessels, as well as undertake other activities defined as "fishing" under the Act, including processing of fish.

Our fishery relations with the USSR have been greatly complicated by the Soviets' whaling practices. The Secretary of Commerce determined that Soviet whaling diminished the effectiveness of the International Convention for the Regulation of Whaling (Convention) and its conservation program, and therefore certified the USSR on April 1, 1985 under the Packwood Amendment (16 U.S.C. 1821) and the Pelly Amendment (22 U.S.C. 1978).

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Although Soviet allocations in 1985 were reduced or rescinded after certification according to the provisions of the Packwood Amendment, the President, in exercise of his discretion, decided not to invoke the trade sanctions of the Pelly Amendment.

Since the one-year remedial period permitted pursuant to the certification ended on April 2, 1986, the Soviets have not been granted allocations for directed fishing operations. Allocations to the Soviets would resume only if certification were terminated, and it was determined that such allocations would be beneficial to the U.S. fishing industry. The USSR has continued its joint venture activity with partners from the U.S. fishing industry. Joint venture purchases by the USSR totaled approximately \$26.9 million in 1985, and are expected to total approximately \$32.5 million in 1986. If the existing GIFA is allowed to lapse, this activity will cease, causing significant financial hardship to the U.S. fishing industry.

Compliance with the requirements of Section 203 of the Magnuson Fishery Conservation and Management Act (16 U.S.C. 1823) is necessary for this one year extension to enter into force. Section 203 provides:

"No governing international fishery agreement shall become effective with respect to the United States before the close of the first 60 calendar days of continuous session of the Congress after the date on which the President transmits to the House of Representatives and to the Senate a document setting forth the text of such governing international fishery agreement. A copy of the document shall be delivered to the Clerk of the House of Representatives, if the House is not in session, and to the Secretary of the Senate, if the Senate is not in session."

We urge prompt transmittal of the exchange of notes to the House of Representatives and to the Senate in order to prevent a lapse of the GIFA with the USSR and the interruption of U.S. - USSR joint venture operations.

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The extension of the GIFA with the USSR will further the objectives of the MFCMA by continuing economic benefits to the United States, and will permit the U.S. and the USSR to maintain their long-standing cooperative fishery arrangements. We anticipate that Congress will adjourn in early October. The extension, therefore, must reach Congress no later than June 23 in order to provide the requisite 60 days of continuous session of Congress under the MFCMA.


for Nicholas Platt
Executive Secretary

Attachments:

1. Draft Letter for the House of Representatives with attachments.
2. Draft Letter for the Senate with attachments.