

Alaska Trollers Association

130 Seward #205
Juneau, AK 99801
(907)586-9400 phone
(907) 586-4473 fax
ata@gci.net

March 18, 2011

Honorable Lisa Murkowski
United States Senate
709 Hart Senate Building
Washington, DC 20510

Dear Senator Murkowski:

The Alaska Trollers Association (ATA) is concerned that President Obama's proposed FFY12 Budget eliminates funding for important safety research being conducted by National Institute for Occupational Safety & Health (NIOSH). Given a number of large new tasks brought about by federally mandated safety rules for commercial fishing, such as stability requirements and training for fishermen, we suggest that funding should not only be continued, but possibly increased.

Of the \$23 million previously appropriated to NIOSH to study safety improvements in key industries, just \$1.5 million was used for commercial fishing research. That money appears to have been well-spent and the findings and results have been significant. In fact, a 2006 National Academy of Sciences report states that the NIOSH Alaska team, "... *executed its research according to how an ideal program would operate.*"

The Alaska program has become a template for NIOSH efforts in fishing ports around the nation. NIOSH worked to engage fishermen in its research efforts. Such cooperation has led to meaningful suggestions to improve safety, which are today being implemented by fishermen and equipment suppliers. From training and personal floatation devices, to hatch cover monitors and emergency winch stops, the work that NIOSH has done will save lives.

Congress recently passed safety legislation under cover of the USCG Reauthorization. We anticipate new and expanded rules from the USCG will also surface soon. Several aspects of both the bill and the previous draft USCG regulations are problematic for fleets like ours.

Many of the requirements are quite costly for small vessel operators and it's not obvious to us that they will actually improve safety. A Congressional Budget Office review of the legislation suggested that the cost of compliance *would be substantial and that the aggregate cost to private entities would exceed the annual threshold established in UMRA [Unfunded Mandates Reform Act of 1995] for private sector mandates.*

We are also concerned about whether the regulations will be practical and appropriate for the various vessel classes and operating conditions. NIOSH itself recently suggested:

"...that the USCG develop strategies for preventing vessel capsizing and sinking that are targeted to particular vessel types, fleets, or operating conditions. Examination of each fleet of fishing vessels

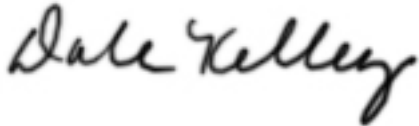
can indicate why vessels sink.” NIOSH went on to say that, “...fleets require different solutions based on the specific conditions under which they are losing vessels.”

You obviously recognized such issues, and worked to secure in legislation provisions such as the Alternate Compliance option. It will be crucial to have practical teams like those at Alaska NIOSH involved in the development of such programs.

Senator, we encourage you to support ongoing, and ample, funding for NIOSH’s effective safety research program. If congress intends for its legislated measures to be meaningful and worthy of additional public sector expense, they must commit to focus on real-time problems and provide the necessary funding and support to find practical solutions.

Thank you for considering ATA’s point of view on this matter. Please contact me if I can provide additional information or otherwise be of assistance.

Best regards,

A handwritten signature in cursive script that reads "Dale Kelley". The signature is written in black ink and is positioned above the typed name and title.

Dale Kelley
Executive Director