

xygenated fuels in automobiles has dramatically reduced air pollution from automobile emissions in just the short period of a couple of years.

Mr. Speaker, while the President's speech does not reflect a plan to address the difficult problem of global warming, I applaud him nonetheless because it is a step in the right direction.

**ECONOMIC REPORT OF THE PRESIDENT—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 101-121)**

The **SPEAKER** pro tempore (Mr. McDermott) laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Joint Economic Committee and ordered to be printed:

(For message, see proceedings of the Senate of today, Tuesday, February 6, 1990.)

**ANNUAL REPORT OF FEDERAL ADVISORY COMMITTEES FOR FISCAL YEARS 1989—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES**

The **SPEAKER** pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on Government Operations:

(For message, see proceedings of the Senate of today, Tuesday, February 6, 1990.)

**REPORT OF COMMODITY CREDIT CORPORATION FOR FISCAL YEAR 1988—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES**

The **SPEAKER** pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on Agriculture:

(For message, see proceedings of the Senate of today, Tuesday, February 6, 1990.)

**ANNUAL REPORT ON ALASKA'S MINERAL RESOURCES—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES**

The **SPEAKER** pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on Interior and Insular Affairs:

(For message, see proceedings of the Senate of today, Tuesday, February 6, 1990.)

**ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE**

The **SPEAKER** pro tempore. Pursuant to the provisions of clause 5, rule I, the Chair announces that he will postpone further proceedings today on each motion to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote is objected to under clause 4, of rule XV.

Such rollcall votes, if postponed, will be taken after debate is concluded on all motions to suspend the rules.

□ 1240

**FISHERY CONSERVATION AMENDMENTS OF 1990**

Mr. **STUDDS**. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2061) to authorize appropriations to carry out the Magnuson Fishery Conservation and Management Act through fiscal year 1992, as amended.

The Clerk read as follows:

H.R. 2061

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. SHORT TITLE.**

This Act may be cited as the "Fishery Conservation Amendments of 1990".

**TITLE I—AMENDMENTS TO MAGNUSON FISHERY CONSERVATION AND MANAGEMENT ACT**

**SEC. 101. REFERENCES TO MAGNUSON FISHERY CONSERVATION AND MANAGEMENT ACT.**

Whenever in this title a section or other provision is amended or repealed, such amendment or repeal is deemed to be made to that section or other provision of the Magnuson Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.).

**SEC. 102. FINDINGS AND POLICY.**

(a) **FINDINGS.**—Section 2(a) (16 U.S.C. 1801(a)) is amended by adding at the end the following:

"(8) The collection of statistically reliable scientific data is essential to the effective conservation and management of the fishery resources of the United States."

(b) **PURPOSES.**—Section 2(b)(2) (16 U.S.C. 1801(b)(2)) is amended by inserting "as well as swordfish and billfish," after "highly migratory species,".

(c) **POLICY.**—Section 2(c) (16 U.S.C. 1801(c)) is amended by—

(1) inserting "considers the effects of fishing on immature fish and encourages development of measures that avoid unnecessary waste of fish;" after "and enforcement;" in paragraph (3);

(2) striking "and" at the end of paragraph (4);

(3) striking the period at the end of paragraph (5) and inserting in lieu thereof "; and"; and

(4) adding at the end the following:

"(6) to achieve international agreement on banning large-scale driftnet fishing on the high seas beyond the exclusive economic zone of any nation as soon as possible, including support for the Tarawa Declaration and other international efforts to achieve such a ban."

**SEC. 103. DEFINITIONS.**

(a) **NEW DEFINITIONS.**—Section 3 (16 U.S.C. 1802) is amended by adding at the end the following:

"(28) The term 'large-scale driftnet fishing' means a method of fishing in which a gillnet composed of a panel or panels of webbing with a total length of one and one-half miles or more is placed in the water and allowed to drift with the currents and winds for the purpose of entangling fish in the webbing.

"(29) The term 'migratory range' means the maximum area within which fish of a particular species can be found in numbers that indicate regular occurrence of that species during any part of a year, as determined on the basis of scale pattern analysis, tagging studies, or other reliable scientific information, except that the term does not include any part of such area which is in the waters of a foreign nation.

"(30) The term 'waters of a foreign nation' means any part of the territorial sea or exclusive economic zone (or the equivalent) of a foreign nation, to the extent such territorial sea or exclusive economic zone is recognized by the United States."

(b) **CONFORMING AMENDMENT.**—Paragraph (1) of section 101(b) (16 U.S.C. 1811(b)(1)) is amended by striking "any foreign nation's" and all that follows through the end of the paragraph and inserting in lieu thereof "any waters of a foreign nation."

**SEC. 104. CLARIFICATION OF APPLICATION TO HIGHLY MIGRATORY SPECIES.**

(a) **REPEAL OF EXCLUSION.**—Section 102 is repealed.

(b) **SECRETARY OF STATE TO SEEK NEGOTIATIONS.**—The Secretary of State shall promptly seek negotiations with foreign nations for the purpose of revising existing international agreements entered into by the United States that are inconsistent with the assertion by the United States of fishery management authority over highly migratory species.

(c) **HIGHLY MIGRATORY SPECIES DEFINED.**—In this section the term "highly migratory species" has the meaning that term has in section 3(14) of the Magnuson Fishery Conservation and Management Act (16 U.S.C. 1802(14)).

**SEC. 105. FOREIGN FISHING.**

Section 201(d) (16 U.S.C. 1821(d)) is amended to read as follows:

"(d) **TOTAL ALLOWABLE LEVEL OF FOREIGN FISHING.**—The total allowable level of foreign fishing, if any, with respect to any fishery subject to the exclusive fishery management authority of the United States, shall be that portion of the optimum yield of such fishery which will not be harvested by vessels of the United States, as determined in accordance with this Act."

**SEC. 106. INTERNATIONAL FISHERY AGREEMENTS.**

Section 202(a)(4)(B) (16 U.S.C. 1822(a)(4)(B)) is amended by—

(1) striking "and" after "anadromous species" and inserting in lieu thereof a comma; and

(2) adding ", swordfish and billfish" after "highly migratory species".

**SEC. 107. PERMIT FEES FOR FOREIGN FISHING.**

(a) **FEES.**—Section 204(b)(10) (16 U.S.C. 1824(b)(10)) is amended to read as follows:

"(10) **FEES.**—(A) Fees shall be paid to the Secretary by the owner or operator of any foreign fishing vessel for which a permit has been issued pursuant to this section. The Secretary, in consultation with the Secretary of State and the appropriate regional fishery management council, shall establish a schedule of reasonable fees that shall apply nondiscriminatorily to each foreign nation.

"(B) Amounts collected by the Secretary under this paragraph shall be deposited in the general fund of the Treasury."

(b) **FUNCTIONS.**—Section 204(b)(12) (16 U.S.C. 1854(b)(12)) is repealed.  
**SEC. 101. INTERNATIONAL BAN ON LARGE-SCALE DRIFTNET FISHING.**

Section 206 (16 U.S.C. 1826) is amended to read as follows:

**SEC. 101. INTERNATIONAL BAN ON LARGE-SCALE DRIFTNET FISHING.**

**(a) NEGOTIATIONS.**—The Secretary of State shall seek to secure, as soon as possible after the date of the enactment of the Fishery Conservation Amendments of 1990, an international ban on large-scale driftnet fishing on the high seas beyond the exclusive economic zone of any nation.

**(b) REPORT.**—Not later than 18 months after the date of the enactment of the Fishery Conservation Amendments of 1990 and every year thereafter until such a ban is secured, the Secretary of State shall transmit to the Congress a report—

“(1) describing the steps the Secretary has taken to initiate and complete negotiations pursuant to subsection (a);

“(2) detailing the progress of those negotiations;

“(3) listing those nations which have refused to enter into those negotiations and which engage in large-scale driftnet fishing on the high seas beyond the exclusive economic zone of any nation; and

“(4) making recommendations for legislative action which could be taken to encourage the nations listed pursuant to paragraph (3) to cease large-scale driftnet fishing.”

**SEC. 102. REGIONAL FISHERY MANAGEMENT COUNCILS.**

**(a) INCREASED NUMBER OF VOTING MEMBERS OF NORTH PACIFIC FISHERY MANAGEMENT COUNCIL.**—Section 302(a)(7) (16 U.S.C. 1852(a)(7)) is amended in the second sentence—

(1) by striking “11” and inserting in lieu thereof “13”;

(2) by striking “and 2 of whom” and inserting in lieu thereof “, 3 of whom”; and

(3) by inserting “, and 1 of whom shall be appointed from the State of Oregon” after “Washington”.

**(b) MEMBERS' QUALIFICATIONS.**—

**(1) IN GENERAL.**—Section 302(b)(2)(A) (16 U.S.C. 1852(b)(2)(A)) is amended—

(A) by striking the first sentence and inserting in lieu thereof the following: “The members of each Council required to be appointed by the Secretary must be individuals who, by reason of their occupational or commercial experience, scientific expertise, or academic training, are knowledgeable regarding the conservation and management, or the recreational or commercial harvest, of the fishery resources of the geographical area concerned.”; and

(B) by striking the second sentence and inserting in lieu thereof the following: “The Secretary, in making appointments under this section, shall, to the maximum extent practicable, ensure a fair representation on each Council of the active participants (or their representatives) in the commercial fisheries under the jurisdiction of that Council.”

**(2) APPLICATION.**—The amendments made by paragraph (1) shall apply to an individual appointed or reappointed as a member of a Regional Fishery Management Council after the date of the enactment of this Act.

**(c) LIMITATION ON TERMS OF VOTING MEMBERS.**—Section 302(b)(3) (16 U.S.C. 1852(b)(3)) is amended by adding at the end the following: “No member appointed after January 1, 1986, may serve for more than 2 consecutive terms.”

**(d) COMPENSATION AND EXPENSES OF MEMBERS.**—Section 302(d) (16 U.S.C. 1852(d)) is amended—

(1) in the first sentence by inserting “if appointed before January 1, 1991, and at the daily rate of \$200 if appointed or reappointed after that date” before the period at the end; and

(2) in the second sentence by inserting “and Council staff members” after “other nonvoting members”.

**(e) MEETINGS OUTSIDE OF GEOGRAPHICAL AREA.**—Section 302(e)(3) (16 U.S.C. 1852(e)(3)) is amended by striking “in the geographical area concerned” and inserting in lieu thereof “at appropriate times and places”.

**(f) DECISIONS AND RECOMMENDATIONS OF ADVISORY COMMITTEES AND PANELS.**—Section 302(g) (16 U.S.C. 1852(g)) is amended by adding at the end the following:

“(3)(A) Each Council shall establish and maintain a United States fishing industry advisory committee which shall provide information and recommendation on, and assist in the development of, fishery management plans and amendments to such plans.

“(B) Appointments to a committee established under subparagraph (A) shall be made by each Council in such a manner as to provide fair representation to commercial fishing interests in the geographical area of authority of the Council.

“(4) Decisions and recommendations made by committees and panels established under this subsection shall be considered to be advisory in nature.”

**(g) FISHERY HABITAT CONCERNS.**—Section 302(i) (16 U.S.C. 1852(i)) is amended to read as follows:

**(1) FISHERY HABITAT CONCERNS.**—(1) Each Council—

(A) may comment on, or make recommendations concerning, any activity undertaken, or proposed to be undertaken, by any State or Federal agency that, in the view of the Council, may affect the habitat of a fishery resource under its jurisdiction; and

(B) shall, in a timely manner, comment on and make recommendations concerning any such activity that, in the view of the Council, may affect the habitat of an anadromous fishery resource under its jurisdiction.

“(2) Within 45 days after receiving a comment or recommendation under paragraph (1) from a Council, a Federal agency shall provide a detailed response, in writing, to the Council regarding the matter. In the case of a comment or recommendation under paragraph (1) (B), the response shall include a description of measures being considered by the agency for mitigating or offsetting the impact of the activity concerned on the habitat of the anadromous fishery resource.”

**(h) CLOSED MEETINGS.**—Section 302(j)(3) (16 U.S.C. 1852(j)(3)) is amended—

(1) in subparagraph (A)—

(A) by striking the semicolon at the end of clause (ii) and all that follows through “time and place of the meeting,” and inserting in lieu thereof a period; and

(B) by inserting “of paragraph (2)” after “(D) and (F)”;

and

(2) by adding at the end of the following: “(B) If any meeting or portion thereof is closed, the Council concerned shall notify local newspapers in the major fishing ports within its region (and in other major affected fishing ports), including in that notification the time and place of the meeting. This subparagraph does not require notification regarding any brief closure of a portion of a meeting in order to discuss employment matters or other internal administrative matters.”

**(i) CONSIDERATION OF NEW INFORMATION.**—Section 302(j) (16 U.S.C. 1852(j)) is amended by adding at the end the following:

“(6) At any time when a Council considers new information from a State or Federal agency or from a Council advisory body, it shall give comparable consideration to new information offered at that time by interested members of the public. Interested parties shall have a reasonable opportunity to respond to new data or information before the Council takes final action on conservation and management measures.”

**SEC. 112. CONTENTS OF FISHERY MANAGEMENT PLANS.**

**(2) REQUIRED DATA COLLECTION AND GEAR.**—Section 303(a) (16 U.S.C. 1853(a)) is amended—

(1) by striking paragraph (6) and inserting in lieu thereof the following:

“(6) consider and provide for temporary adjustments, after consultation with the Coast Guard and persons utilizing the fishery, regarding access to the fishery for vessels otherwise prevented from harvesting because of weather or other ocean conditions affecting the safe conduct of the fishery. *Provided*, That the adjustments shall not adversely affect the conservation efforts in other fisheries;”

(2) by striking the period at the end of paragraph (7) and inserting in lieu thereof “; and”; and

(3) by adding at the end the following:

“(8) in the case of a fishery management plan that, after January 1, 1991, is submitted to the Secretary for review under section 304(a) (including any plan for which an amendment is submitted to the Secretary for such review) or is prepared by the Secretary, assess and specify the nature and extent of scientific data which is needed to ensure the effectiveness of the plan in conserving and managing the fishery resources covered by the plan.”

**(b) DISCRETIONARY PROVISIONS.**—Section 303(b) (16 U.S.C. 1853(b)) is amended as follows:

**(1) PERMITS AND FEES.**—Paragraph (1) is amended to read as follows:

“(1) require a permit to be obtained from, and fees to be paid to, the Secretary, with respect to—

“(A) any fishing vessel of the United States fishing, or wishing to fish, in the exclusive economic zone or for anadromous species or Continental Shelf fishery resources beyond such zone;

“(B) the operator of any such vessel; or

“(C) any United States fish processor who first receives fish that are subject to the plan.”

**(2) FISH PROCESSOR DATA: OBSERVERS.**—Paragraphs (7) and (8) are redesignated as paragraphs (9) and (10), respectively, and the following is inserted after paragraph (6):

“(7) require fish processors to submit data (other than economic data) which are necessary for the conservation and management of the fishery;

“(8) require that observers be carried on board a vessel of the United States engaged in fishing in the exclusive economic zone for the purpose of collecting data necessary for the conservation and management of the fishery.”

**(c) CONFIDENTIALITY OF STATISTICS.**—Section 303(d) (16 U.S.C. 1853(d)) is amended—

(1) in the matter preceding paragraph (1) by striking “subsection (a)(5)” and inserting in lieu thereof “subsections (a) and (b)”;

(2) by striking “or” at the end of paragraph (1);

(3) by redesignating paragraph (2) as paragraph (3); and

(4) by inserting after paragraph (1) the following:

“(2) to State employees pursuant to an agreement with the Secretary that prevents

public disclosure of the identity or business of any person; or".

**SEC. 111. IMPLEMENTATION OF FISHERY MANAGEMENT PLANS.**

(a) **TECHNICAL AND CONFORMING AMENDMENTS.**

(1) **TECHNICAL AMENDMENTS.**—Section 305 (16 U.S.C. 1855) is amended—

(A) by redesignating subsections (c), (d), and (e) as subsections (a), (b), and (c), respectively; and

(B) by redesignating subsections (g) and (h) as subsections (d) and (e), respectively.

(2) **CONFORMING AMENDMENTS.**—Section 304 is amended—

(A) in subsection (b)(1) by striking "305(c)" in the first sentence and inserting in lieu thereof "305(a)"; and

(B) in subsection (b)(3)(D) by striking "305(c)" and inserting in lieu thereof "305(a)".

(b) **JUDICIAL REVIEW OF CERTAIN IMPLEMENTING ACTIONS.**—Section 305(b), as redesignated by subsection (a)(1)(A), is amended—

(1) by striking "Regulations promulgated by the Secretary under this Act" and inserting in lieu thereof—

"(1) Regulations promulgated by the Secretary under this Act and actions described in paragraph (2)";

(2) in paragraph (1) (as designated by paragraph (1) of this subsection)—

(A) by inserting "or the action is published in the Federal Register, as applicable," after "the regulations are promulgated";

(B) by striking "(1)" and inserting in lieu thereof "(A)";

(C) by striking "(2)" and inserting in lieu thereof "(B)"; and

(D) by inserting "or action" after "any such regulation"; and

(3) by adding at the end the following:

"(2) The actions referred to in paragraph (1) are actions that are taken by the Secretary under regulations which implement a fishery management plan, including actions that establish the date of closure of a fishery to commercial or recreational fishing.

"(3)(A) Notwithstanding any other provision of law, the Secretary shall file a response to any petition filed in accordance with paragraph (1) not later than 30 days after the date the Secretary is served with that petition, except that the appropriate court may extend the period for filing such a response upon a showing by the Secretary of good cause for that extension.

"(B) A response of the Secretary under this paragraph shall include a copy of the administrative record for the regulations that are the subject of the petition.

"(4) Upon a motion by the person who files a petition under this subsection, the appropriate court shall assign the matter for hearing at the earliest possible date and shall expedite the matter in every possible way."

(c) **EMERGENCY ACTIONS.**—Section 305(c)(2)(A) (16 U.S.C. 1855(c)(2)(A)), as redesignated by subsection (a)(1)(A), is amended by inserting "(other than the voting member appointed under section 302(b)(1)(B))" after "who are voting members".

**SEC. 112. STATE JURISDICTION.**

Section 306(c) (16 U.S.C. 1856(c)) is amended—

(1) in paragraph (1)(B) by inserting "and the application specifies the species to be processed" before the period at the end; and

(2) by striking paragraph and inserting in lieu thereof the following:

"(2) The Governor of a state may not grant permission for a foreign fishing vessel to engage in fish processing under paragraph (1)—

"(A) for a fishery which occurs in the waters of more than one State or in the exclusive economic zone, except after—

"(i) consulting with the appropriate Regional Fishery Management Council and Marine Fisheries Commission, and

"(ii) considering any comments received from the Governor of any other State where the fishery occurs; and

"(B) if the Governor determines that fish processors within the State have adequate capacity, and will utilize such capacity, to process all of the United States harvested fish from the fishery concerned that are landed in the State."

**SEC. 113. PROHIBITED ACTS.**

(a) **CERTAIN ACTS OF THEFT AND ASSAULT; LARGE-SCALE DRIFTNET FISHING.**—Section 307(1) (16 U.S.C. 1857(1)) is amended—

(1) by striking "or" at the end of subparagraph (E);

(2) by striking the period at the end of subparagraph (I) and inserting in lieu thereof a semicolon; and

(3) by adding at the end the following:

"(J) to knowingly and without authorization steal, remove, damage, or tamper with—

"(i) fishing gear owned by another person and which is located in the exclusive economic zone; or

"(ii) fish contained in such fishing gear, or to attempt to do so;

"(K) to forcibly assault, resist, oppose, impede, intimidate, or interfere with an observer or a supplementary observer on a vessel under this Act; or

"(L) to engage in large-scale driftnet fishing."

(b) **VIOLATION OF INTERNATIONAL FISHERY AGREEMENT.**—Section 307 (16 U.S.C. 1857) is amended—

(1) in paragraph (3) by striking "; and" and inserting in lieu thereof a semicolon;

(2) in paragraph (4) by striking the period at the end and inserting in lieu thereof "; and"; and

(3) by adding at the end the following:

"(5) for any vessel of the United States, and for the owner or operator of any vessel of the United States, to engage in fishing in the waters of a foreign nation in a manner that violates an international fishery agreement between that nation and the United States that has been subject to Congressional oversight under section 203."

**SEC. 114. CIVIL PENALTIES.**

Section 308 (16 U.S.C. 1858) is amended—

(1) in the section heading by inserting "AND PERMIT SANCTIONS" after "CIVIL PENALTIES";

(2) in subsection (a) by striking "\$25,000" in the second sentence and inserting in lieu thereof "\$100,000"; and

(3) by adding at the end the following:

"(g) **PERMIT SANCTIONS.**—(1) In any case in which a vessel has been used in the commission of an act prohibited under section 307, in which the owner or operator of a vessel or any other person who has been issued or has applied for a permit under this Act has acted in violation of section 307, or in which any civil penalty or criminal fine imposed on a vessel or owner or operator of a vessel under any fishery resource law statute enforced by the Secretary has not been paid and is overdue, the Secretary may—

"(A) revoke any permit issued with respect to such vessel or person, with or without prejudice to the issuance of subsequent permits;

"(B) suspend such permit for a period of time considered by the Secretary to be appropriate;

"(C) deny such permit; or

"(D) impose additional conditions and restrictions on any permit issued to, or applied

for by, that owner, operator, or vessel under this Act and, with respect to foreign fishing vessels, on the approved application of the foreign nation involving and on any permit issued under that application.

"(2) In imposing a sanction under this subsection, the Secretary shall take into account—

"(A) the nature, circumstances, extent, and gravity of the prohibited acts for which the sanction is imposed; and

"(B) with respect to the violator, the degree of culpability, any history of prior offenses, and such other matters as justice may require.

"(3) Transfer of ownership of a vessel, by sale or otherwise, shall not extinguish any permit sanction that is in effect or is pending at the time of the transfer. Before executing the transfer of ownership of a vessel, by sale or otherwise, the owner shall disclose in writing to the prospective transferee the existence of any permit sanction that will be in effect or pending with respect to the vessel at the time of the transfer.

"(4) The Secretary shall reinstate any permit that is suspended under this subsection for nonpayment of a civil penalty or criminal fine upon payment of the penalty or fine and interest thereon at the prevailing rate.

"(5) No sanctions shall be imposed under this subsection unless there has been a prior opportunity for a hearing on the facts underlying the violation for which the sanction is imposed, either in conjunction with a civil penalty proceeding under this section or otherwise."

**SEC. 115. ASSAULT AS CRIMINAL OFFENSE.**

Section 309(a)(1) (16 U.S.C. 1859(a)(1)) is amended to read as follows:

"(1) section 307(1) (D), (E), (F), (H), (I), or (K); or"

**SEC. 116. CIVIL FORFEITURE.**

Section 310(e) (16 U.S.C. 1860(e)) is amended—

(1) by inserting "(1)" before "For purposes"; and

(2) by adding at the end the following:

"(2) For purposes of this Act, it shall be a rebuttal presumption that any fish that is a member of an anadromous species and is found on board a fishing vessel within the migratory range of that species is of United States origin."

**SEC. 117. USE OF ENFORCEMENT PROCESS.**

Section 3411(e) (16 U.S.C. 1861(e)) is amended to read as follows:

"(e) **PAYMENT OF STORAGE, CARE, AND OTHER COSTS.**—(1) Notwithstanding any other provision of law, the Secretary or the Secretary of the Treasury may pay from sums received as fines, penalties, or forfeitures of property for violations of any provisions of this Act or of any other fishery resource law enforced by the Secretary, including the Lacey Act Amendments of 1981 (16 U.S.C. 3371 et seq.)—

"(A) the reasonable and necessary costs incurred in providing temporary storage, care, and maintenance of seized fish or other property pending disposition of any civil or criminal proceeding alleging a violation of any provision of this Act or any other fishery resource law enforced by the Secretary with respect to that fish or other property;

"(B) a reward to any person who furnishes information which leads to an arrest, conviction, civil penalty assessment, or forfeiture of property for any violation of any provision of this Act or any other fishery resource law enforced by the Secretary;

"(C) any expenses directly related to investigations and civil or criminal enforce-

ment proceedings, including any necessary expenses for—

"(i) equipment, training, travel, witnesses, and contracting services directly related to such investigations or proceedings; or

"(ii) equipping for law enforcement purposes any vessel, vehicle, or aircraft available for official use by the Secretary;

"(D) any valid liens or mortgages against any property that has been forfeited;

"(E) claims of parties in interest to property disposed of under section 612(b) of the Tariff Act of 1930 (19 U.S.C. 1612(b)) or under other provisions of the customs laws, as made applicable by section 310(c) of this Act to seizures under this Act, in amounts determined by the Secretary to be applicable to such claims at the time of seizure; and

"(F) for the reimbursement of any Federal or State agency, including the United States Coast Guard, for services performed, or personnel, equipment, or facilities utilized, under any agreement with the Secretary entered into pursuant to subsection (a), or any similar agreement authorized by law.

"(2) Any person assessed a civil penalty for, or convicted of, any violation of this Act shall be liable for the cost incurred in storage, care, and maintenance of any fish or other property seized in connection with the violation."

#### SEC. 118. NORTH PACIFIC FISHERIES RESEARCH PLAN.

Title III (16 U.S.C. 1851-1861) is amended by adding at the end the following:

#### "SEC. 312. NORTH PACIFIC FISHERIES RESEARCH PLAN.

"(a) IN GENERAL.—The North Pacific Fishery Management Council may prepare and submit to the Secretary a fisheries research plan which—

"(1) requires that observers be carried on board vessels of the United States engaged in fishing in that part of the exclusive economic zone which is within the geographical area of authority of the Council, for the purpose of collecting data necessary for the conservation and management of any fisheries under the jurisdiction of the Council, including the Northern Pacific halibut fishery; and

"(2) establishes a system of fees to pay the costs of implementing the plan.

"(b) STANDARDS.—(1) Any plan prepared and submitted under this section shall be reasonably calculated—

"(A) to promote conservation and scientific understanding of the fisheries covered by the plan,

"(B) to be fair and equitable to all fishermen and fish processors affected by the plan, and

"(C) to be consistent with applicable provisions of law.

"(2) Any system of fees established by a fisheries research plan under this section shall—

"(A) provide that the total amount of fees collected may not exceed—

"(i) the cost of stationing observers on board fishing vessels pursuant to the plan, less

"(ii) any amount received for such purpose from any other source;

"(B) be fair and equitable to all participants in the fishery covered by the plan;

"(C) provide that fees collected not be used to pay any costs of administrative overhead or other costs not directly incurred in carrying out the plan; and

"(D) not be used to offset amounts authorized under other provisions of law.

"(c) RECEIPT OF PLAN BY THE SECRETARY.—Not later than 60 days after the Secretary receives a research plan under subsection (a) from the Council, the Secretary shall—

"(1) review the plan to determine whether it meets the requirements of subsection (b), and

"(2)(A) reject the plan if it does not meet those requirements; or

"(B) conduct 2 public hearings to obtain comments on the plan, one of which shall be held in the State of Alaska and one of which shall be held in the State of Washington.

"(d) ACTION BY THE SECRETARY.—After analyzing comments received regarding a research plan under subsection (a), the Secretary shall, within 45 days after the last public hearing on the plan—

"(1) request the Council to respond within 45 days to the comments; and

"(2) implement the plan with any additional modifications provided by the Council which are consistent with subsection (b).

"(e) RESUBMISSION OF PLAN.—Any research plan rejected by the Secretary under subsection (G)(2) may be resubmitted by the Council with changes, and upon such resubmission shall be treated as an original plan.

"(f) USE OF FEES.—Amounts received by the United States in the form of fees established by a research plan under this section shall, after deducting an amount under subsection (g)(2), be available to the Secretary only for use for implementing the plan.

"(g) AUTHORIZATION OF APPROPRIATIONS.—

"(1) To carry out this section, including for the establishment of an observer program pursuant to this section, there are authorized to be appropriated to the Secretary (in addition to amounts made available by subsection (f)) \$100,000 for each of fiscal years 1991 and 1992.

"(2) Amounts appropriated under this subsection shall be reimbursed to the Treasury from fees collected pursuant to this section."

#### SEC. 119. CIVIL ACTIONS BY OBSERVERS.

Title IV (16 U.S.C. 1882) is amended by inserting before section 402 the following:

#### "SEC. 401. SPECIAL PROVISIONS REGARDING OBSERVERS.

"(a) CIVIL ACTION.—(1) An observer on a vessel (or the observer's personal representative) under the requirements of this Act that is ill, disabled, injured, or killed from service as an observer on that vessel may not bring a civil action under any law of the United States for that illness, disability, injury, or death against the vessel or vessel owner, except that a civil action may be brought against the vessel owner for the owner's willful misconduct.

"(2) This subsection does not apply if the observer is engaged by the owner, master, or individual in charge of a vessel to perform any duties in service to the vessel.

"(b) PLACEMENT OF OBSERVERS ON U.S. VESSELS.—A vessel of the United States shall not be required under this Act to carry an observer on board if the facilities of the vessel for quartering of an observer, or for carrying out observer functions, as so inadequate or unsafe that the health or safety of the observer or the safe operation of the vessel would be jeopardized."

#### SEC. 120. AUTHORIZATION OF APPROPRIATIONS.

Section 406 (16 U.S.C. 1882) is amended—

"(1) by striking paragraph (1) and all that follows through paragraph (14);

"(2) by redesignating paragraph (15) as paragraph (1); and

"(3) by adding at the end the following:

"(2) \$75,000,000 for fiscal year 1990.

"(3) \$76,000,000 for fiscal year 1991.

"(4) \$77,000,000 for fiscal year 1992.

"(5) \$78,000,000 for fiscal year 1993.

#### SEC. 121. MISCELLANEOUS TECHNICAL AMENDMENTS.

"(a) INTERNATIONAL FISHERY AGREEMENTS.—Section 202(e) (16 U.S.C. 1822(e)) is amend-

ed by striking "a exclusive economic zone" and inserting in lieu thereof "an exclusive economic zone".

"(b) FOREIGN FISHING PERMITS.—Section 204(b)(4)(C) (16 U.S.C. 1824(b)(4)(C)) is amended by striking "council" and inserting in lieu thereof "Council".

"(c) COUNCIL PROCEDURAL MATTERS.—Section 302(j)(4) (16 U.S.C. 1852(j)(4)) is amended by striking "council employee" and inserting in lieu thereof "Council employee".

"(d) ACTION BY SECRETARY.—Section 304(c)(2)(B) (16 U.S.C. 1854(c)(2)(B)) is amended by striking "appropriate council" and inserting in lieu thereof "appropriate Council".

#### TITLE II—AUTHORIZATION OF ATLANTIC TUNAS CONVENTION OF 1975

#### SEC. 201. LIMITATIONS ON APPOINTMENTS OF COMMISSIONERS.

"(a) IN GENERAL.—Section 3(a) of the Atlantic Tunas Convention Act of 1975 (16 U.S.C. 971a(a)), hereinafter in this title referred to as the "Act", is amended—

"(1) by inserting "(1)" after "(a)"; and

"(2) by adding at the end the following:

"(2) Of the Commissioners appointed under paragraph (1) who are not government employees—

"(A) 1 shall be appointed from among individuals with knowledge and experience regarding commercial fishing in the Atlantic Ocean, Gulf of Mexico, or Caribbean Sea; and

"(B) 1 shall be appointed from among individuals with knowledge and experience regarding recreational fishing in the Atlantic Ocean, Gulf of Mexico, or Caribbean Sea.

"(3)(A) The term of a Commissioner shall be 3 years.

"(B) An individual appointed in accordance with paragraph (2) shall not be eligible to serve more than 2 consecutive terms as a Commissioner."

"(b) APPLICATION TO CURRENT COMMISSIONERS.—

"(1) QUALIFICATION REQUIREMENT NOT APPLICABLE.—Section 3(a)(2) of the Act (as amended by this title) shall not apply to reappointment of an individual as a United States Commissioner of the International Commission for the Conservation of Atlantic Tunas (hereinafter in this title referred to as a "Commissioner") if that individual is serving in that position on the date of the enactment of this title.

"(2) CURRENT TERM NOT CONSIDERED.—An individual serving a term as a Commissioner on the date of the enactment of this title shall not, by reason of that term of service, be ineligible under section 3(a)(3)(B) of the Act (as amended by this title) for reappointment as a Commissioner.

#### SEC. 202. TERMINATION OF CURRENT TERMS AND COMPLETION OF PENDING APPOINTMENTS.

The term as Commissioner of each individual serving in that position on the date of the enactment of this title shall terminate not later than 90 days after the date of enactment. Not later than the date of termination, the President shall complete the appointment (or reappointment) of individuals to serve as Commissioners on and after that date.

#### SEC. 203. TRAVEL EXPENSES OF COMMISSIONERS.

Section 3 of the Act (16 U.S.C. 971a) is amended by adding at the end the following:

"(d)(1) The Secretary of State shall pay the necessary travel expenses of United States Commissioners, Alternate United States Commissioners, and authorized advisors in accordance with the Federal Travel Regulations and sections 5701, 5702, 5704

through 5708, and 5731 of title 5, United States Code.

"(2) The Secretary may reimburse the Secretary of State for amounts expended by the Secretary of State under this subsection."

**SEC. 24. TRAVEL EXPENSES OF ADVISORY COMMITTEE.**

Section 4 of the Act (16 U.S.C. 971b) is amended by striking "On approval" and all that follows through the end of the section and inserting in lieu thereof the following: "The Secretary and the Secretary of State may pay the necessary travel expenses of members of the advisory committee in accordance with the Federal Travel Regulations and sections 5701, 5702, 5704 through 5708, and 5731 of title 5, United States Code."

**SEC. 25. REGULATIONS TO CARRY OUT COMMISSION RECOMMENDATIONS.**

Section 6(c) of the Act (16 U.S.C. 971d(c)) is amended as follows:

(1) Paragraph (1) is amended—  
(A) by inserting "(A)" before "Upon favorable"; and

(B) by adding at the end the following: "(B) Not later than 90 days after the date of the enactment of this subparagraph, the Secretary shall promulgate any additional regulations necessary to ensure that the United States is in full compliance with all recommendations made by the Commission and with other agreements under the Convention between the United States and any nation which is a party to the Convention."

(2) Paragraph (3) is amended—  
(A) in subparagraph (B) by striking "and" and inserting in lieu thereof a semicolon; and

(B) by striking subparagraph (I) and inserting in lieu thereof the following:

"(I) require any commercial or recreational fishermen to obtain a permit from the Secretary and report the quantity of the catch of a regulated species;

"(J) require that observers be carried aboard fishing vessels for the purpose of provided statistically reliable scientific data; and

"(K) impose such other requirements and provide for such other measures as the Secretary may deem necessary to implement any recommendation of the Convention or to obtain scientific data necessary to accomplish the purpose of the Convention;

except that no regulation promulgated under this section may have the effect of increasing or decreasing any allocation or quota of fish to the United States agreed to pursuant to a recommendation of the Commission."

**SEC. 26. AUTHORIZATION OF APPROPRIATIONS.**

Section 10 of the Act (16 U.S.C. 971h) is amended to read as follows:

**"APPROPRIATIONS**

"Sec. 10. There are authorized to be appropriated to carry out this Act, including use for payment of the United States share of the joint expenses of the Commission as provided in article X of the Convention, not more than \$1,000,000 for each of the fiscal years 1989, 1990, 1991, 1992, and 1993."

**SEC. 27. RECOMMENDED COMMISSION ACTIONS REGARDING LARGE-SCALE DRIFTNET FISHING AND CONSERVATION OF ATLANTIC SWORDFISH.**

Section 6(d) of the Act (16 U.S.C. 971d(d)) is amended to read as follows:

"(d)(1) It is the sense of the Congress that the Secretary, in consultation with the Secretary of State, should seek support for a recommendation by the Commission to ban large-scale driftnet fishing (as that term is defined in section 3(28) of the Magnuson Fishery Conservation and Management Act) in the Convention area.

"(2) The Secretary, in consultation with the Secretary of State, shall request the Commission to adopt recommendations necessary for the conservation and management of Atlantic swordfish. In making the request, the Secretary shall seek the establishment of an international minimum harvest size and a reduction in harvest levels to the extent necessary to conserve the stock. Until the Commission adopts all the conservation and management measures requested by the Secretary, the Secretary, within 3 months after each annual meeting of the Commission, shall notify Congress as to the nature and results of his request. These notifications shall identify those nations not acting to conserve and manage Atlantic swordfish, and recommend measures which could be taken to achieve effective international conservation and management of the stock."

**TITLE III—AUTHORIZATION OF FISHERMEN'S PROTECTIVE ACT OF 1987**

**SEC. 28. AUTHORIZATION OF APPROPRIATIONS.**

Section 7(e) of the Fishermen's Protective Act of 1987 (23 U.S.C. 1977(e)) is amended by striking "October 1, 1989" and inserting in lieu thereof "October 1, 1991".

**TITLE IV—REPLACEMENT, RECONSTRUCTION, OF MODIFICATION OF FISHING VESSELS**

**SEC. 401. CAPITAL CONSTRUCTION FUNDS.**

(a) IN GENERAL.—Section 607(a) of the Merchant Marine Act, 1936 (46 U.S.C. App. 1177(a)) is amended—

(1) by inserting "(1)" before "Any citizen";  
(2) in the second sentence by striking "the purpose of" and all that follows through "the fisheries of the United States" and inserting in lieu thereof "any of the purposes described in paragraph (2)"; and

(3) by adding at the end the following: "(2) The purposes referred to in paragraph (1) are—

"(A) providing replacement vessels, additional vessels, or reconstructed vessels, built in the United States and documented under the laws of the United States for operation in the United States foreign, Great Lakes, or noncontiguous domestic trade or in the fisheries of the United States; and

"(B) purchasing equipment for or modifying a qualified vessel—

"(i) to comply with requirements established under the Commercial Fishing Industry Vessel Safety Act of 1988 (46 U.S.C. 2101 note);

"(ii) to comply with Federal environmental protection laws, including the Marine Mammal Protection Act of 1972 (16 U.S.C. 1361 et seq.) and the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.); or

"(iii) to comply with laws and regulations, including those relating to the safety of fishing vessels and the wholesomeness of seafood."

(b) CONFORMING AMENDMENTS.—Section 607(d)(1) of the Merchant Marine Act, 1936 (46 U.S.C. App. 1177(f)) is amended—

(1) in subparagraph (B) by striking "or" at the end;

(2) by redesignating subparagraph (C) as subparagraph (D);

(3) by inserting after subparagraph (B) the following:

"(C) any of the purposes described in subsection (a)(2)(B); or"; and

(4) in the matter immediately following subparagraph (D) (as redesignated by paragraph (2) of this subsection) by striking "(C)" and inserting in lieu thereof "(D)".

(c) AMENDMENT OF EXISTING AGREEMENTS.—A person who is a party to an agreement with the Secretary of Commerce or the Secretary of Transportation in force under section 607 of the Merchant Marine

Act, 1936, may amend that agreement to include any of the purposes described in section 607(a)(2)(B) of the Act (as amended by this section), by applying to that Secretary not later than 6 months after the date of the issuance of regulations under subsection (d) by that Secretary. Upon receipt of such application, the appropriate Secretary shall amend the agreement to include those purposes.

(d) ISSUANCE OF REGULATIONS.—Not later than 6 months after the date of the enactment of this Act, the Secretary of Commerce, the Secretary of Transportation, and the Secretary of the Treasury shall issue regulations implementing this section.

**TITLE V—MISCELLANEOUS**

**SEC. 501. NATIONAL MARINE FISHERIES SERVICE FACILITIES IN KODIAK.**

Not later than 6 months after the date of the enactment of this Act, the Secretary of Commerce shall report to the Committee on Merchant Marine and Fisheries of the House of Representatives and to the Committee on Commerce, Science, and Transportation of the Senate on the status of the National Marine Fisheries Service facilities located in Kodiak, Alaska. The report shall include—

(1) a description of the facilities, including their location and physical state;

(2) a discussion of any structural problems, including any need to remove asbestos from the facilities and to repair or upgrade electrical wiring;

(3) the number of full-time and part-time Federal employees using the facilities;

(4) a discussion of any problems associated with the location of the facilities, including inaccessibility during winter months due to icy road conditions;

(5) a projection of the costs of repairing the facilities to alleviate the problem identified under paragraph (2); and

(6) any proposals for the National Marine Fisheries Service utilizing different facilities within the boundaries of the Kodiak Island Borough and the costs associated with these proposals, including the costs associated with co-locating in facilities with the University of Alaska.

**SEC. 502. COMPLETION OF APPOINTMENTS TO FISHERY MANAGEMENT COUNCILS.**

Not later than 1 day after the date of the enactment of this Act, the Secretary shall complete all of the Secretary's appointments of members for the Regional Fishery Management Councils established by section 302(a) of the Magnuson Fishery Conservation and Management Act (16 U.S.C. 1852(a)).

**SEC. 503. ATLANTIC SEA SCALLOP FISHERY MANAGEMENT PLAN.**

(a) SUBMISSION OF AMENDMENT BY NEW ENGLAND COUNCIL.—The New England Fishery Management Council is encouraged to submit to the Secretary of Commerce an amendment to the Atlantic Sea Scallop Fishery Management Plan, hereinafter in this section referred to as the "Plan". Any amendment submitted under this section shall—

(1) contain measures providing for the conservation and management of Atlantic sea scallops, that are not based on a scallop meat count but which may include controls on scallop harvesting effort; and

(2) consider the views of fishermen and fish processors involved in the Atlantic sea scallop fishery.

(b) PREPARATION OF AMENDMENT BY SECRETARY.—If no amendment is submitted under subsection (a) before one year after the date of the enactment of this Act, the Secretary of Commerce is encouraged to use his or her authority under section 304 of the Magnu-

son Fishery Conservation and Management Act (16 U.S.C. 1854) to prepare the amendment described in subsection (a).

(c) **NOT SYSTEM FOR LIMITING ACCESS.**—Any amendment prepared by the Secretary under subsection (b) is not a system for limiting access for purposes of section 303(b)(6) of the Magnuson Fishery Conservation and Management Act (16 U.S.C. 1853(b)(6)).

**SEC. 504. SENSE OF CONGRESS REGARDING MANAGEMENT PLAN FOR ATLANTIC BLUEFISH.**

It is the sense of the Congress that, in developing a management plan for the Atlantic bluefish fishery, the Atlantic States Marine Fisheries Commission and the appropriate Regional Fishery Management Councils should—

(1) ensure that current and reliable scientific data is used to develop a management plan;

(2) consider the traditional practices used in the fishery by commercial and recreational fishermen from different States; and

(3) prescribe appropriate conservation and management measures which take into account variability within the fishery related to local conditions and differences in habitat quality and other relevant factors.

**SEC. 505. SENSE OF CONGRESS REGARDING ACTIONS OF THE NORTH PACIFIC FISHERY MANAGEMENT COUNCIL.**

(a) **FINDINGS.**—The Congress finds that—

(1) the Government of the United States has unique obligations to the residents of the Pribilof Islands, Alaska, under the Fur Seal Act of 1966 (16 U.S.C. 1151 et seq.);

(2) the Government of the United States, the State of Alaska, and the residents of the Pribilof Islands have made significant financial investments in order to create an economy on the Pribilof Islands that is not dependent on sealing;

(3) the commercial fishing industry is important to the economy of coastal communities in the State of Alaska, including the numerous small villages on the coast of Alaska adjacent to the Bering Sea; and

(4) residents of a number of different States participate in the Alaska fisheries.

(b) **SENSE OF CONGRESS.**—It is the sense of the Congress that the North Pacific Fishery Management Council should include in fishery management plans such measures as may be necessary to meet the economic needs of all individuals and communities which are dependent on the living marine resources in the exclusive economic zone of Alaska.

**SEC. 506. SENSE OF CONGRESS REGARDING ATLANTIC SWORDFISH FISHERY MANAGEMENT PLAN.**

It is the sense of the Congress that, with respect to the Fishery Management Plan for the Atlantic Swordfish Fishery—

(1) the Secretary of Commerce should reinstate joint jurisdiction of the plan under the New England Fishery Management Council, the Mid-Atlantic Fishery Management Council, the South Atlantic Fishery Management Council, the Gulf of Mexico Fishery Management Council, and the Caribbean Fishery Management Council;

(2) future amendments to the plan should consider all reasonable measures for the conservation and management of the Atlantic swordfish fishery; and

(3) in developing amendments to the plan, the Councils should consider information provided by the United States fishing industry.

**SEC. 507. SENSE OF CONGRESS REGARDING THE FISHERY MANAGEMENT PLAN FOR COASTAL MIGRATORY PELAGIC RESOURCES (MACKERELS).**

(a) **AMENDMENT OF PLAN BY COUNCIL.**—It is the sense of the Congress that the South

Atlantic Fishery Management Council should develop an amendment or amendments to the Fishery Management Plan for the Coastal Migratory Pelagic Resources (Mackerels), and that the Secretary should immediately thereafter commence to implement that amendment or amendments through regulations, to assure that if it becomes necessary to close the mackerel fishery during a predetermined season or under a quota at a time by which the fishermen of a region or State traditionally involved in the fishery have not had an opportunity in that season to participate to an equitable and traditional degree in that fishery, that such closure shall be fair and equitable to all fishermen involved in the fishery.

(b) **AMENDMENT OF PLAN BY SECRETARY.**—If no amendment is submitted under subsection (a) before 3 months after the date of enactment of this Act, the Secretary of Commerce is encouraged to use authority under section 304(c) of the Magnuson Fishery Conservation and Management Act (16 U.S.C. 1854(c)) to prepare the amendment described in subsection (a).

The **SPEAKER pro tempore** (Mr. McDERMOTT). Is a second demanded?

Mr. **YOUNG** of Alaska. Mr. Speaker, I demand a second.

The **SPEAKER pro tempore**. Without objection, a second will be considered as ordered.

There was no objection.

The **SPEAKER pro tempore**. The gentleman from Massachusetts [Mr. STUDDS] will be recognized for 20 minutes, and the gentleman from Alaska [Mr. YOUNG] will be recognized for 20 minutes.

The Chair recognizes the gentleman from Massachusetts [Mr. STUDDS].

Mr. **STUDDS**. Mr. Speaker, I yield myself such time as I may consume.

(Mr. **STUDDS** asked and was given permission to revise and extend his remarks.)

Mr. **STUDDS**. Mr. Speaker, I rise in support of H.R. 2061, a bill to reauthorize and strengthen the Fishery Conservation and Management Act, otherwise known as the 200-mile fishing limit law.

That law, enacted in 1976, was one of the most important economic development measures of the past quarter century. It served notice to the world that America will not stand by and watch its resources exploited and exhausted by the fishermen of other lands. It created tens of thousands of new jobs; revived coastal communities from Maine to Alaska; and helped our fishing industry to become one of the most modern, efficient, and productive on Earth.

The law has been a success. But the question we have been considering for the past year is whether the policies and practices that brought us through the first full decade of the 200-mile limit will be enough to carry us successfully through the second. The answer we found, at hearings from Boston to Washington to Seattle to Anchorage, was "no." We were told by fishermen from around this country that we need to put more emphasis on the "C" in FCMA—conservation—and that is exactly what we have done in the bill we bring to the floor today.

H.R. 2061 is, above all, a conservation bill. It will conserve by putting an end to large-scale drift net fishing in U.S. waters and by calling for the prohibition of this practice around the world. It will conserve by urging the United States to do all it can internationally to halt overfishing of mid-Atlantic swordfish and other billfish, for our fishermen cannot bear this burden alone. It will conserve by extending U.S. fisheries jurisdiction to tuna. And it will conserve by toughening the penalties assessed against those who violate our own fisheries conservation laws.

When hearings on this bill began last spring, I took special note of the depletion of groundfish stocks off the New England coast. I pointed out that landings of cod and haddock and flounder had declined by half from the 1970's, and by three-quarters from the decade before that. America's richest and most productive fishing ground was literally going to the dogfish.

The bill before us today will strengthen enforcement of New England fisheries conservation rules by toughening penalties for violating those rules. But it is even more important that our fishermen believe in the effectiveness and value of those rules, that they believe the law is fair and that they will benefit tomorrow from conservation today.

Late last month, we learned from our scientists that juvenile stocks of cod, haddock, and yellowtail flounder have reached the highest level in 9 years. That is the best news our fishermen have heard in a long time; it is confirmation that conservation works; and it should be a lesson to fishermen and fisheries managers around the country. The job of managing our fisheries is complex, frustrating, noisy and exhausting, but when done right, the rewards are well worth the price.

That message is what H.R. 2061 is all about, that fisheries conservation works, but that we cannot rest, in New England or as a nation, on the progress that has been made since 1976.

When new challenges arise, we must respond. And I would like to mention briefly two challenges that have indeed arisen since the FCMA was enacted.

Who could have conceived, in 1976, of fishing nets 30 and 40 miles long—plastic walls of death entangling birds, strangling marine mammals and vacuuming up fish of every size and species? This sort of drift net was unheard of 14 years ago. But today, every day, fishing vessels from Taiwan, Korea, and Japan leave enough nets drifting in the sea to encircle the entire globe. H.R. 2061 prohibits this destructive practice in U.S. waters, and calls upon the Secretary of State to initiate negotiations for a worldwide ban.