

105TH CONGRESS  
1ST SESSION

# S. 1192

To limit the size of vessels permitted to fish for Atlantic mackerel or herring, to the size permitted under the appropriate fishery management plan.

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IN THE SENATE OF THE UNITED STATES

SEPTEMBER 18, 1997

Ms. SNOWE (for herself, Mr. KERRY, and Mr. KENNEDY) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

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## A BILL

To limit the size of vessels permitted to fish for Atlantic mackerel or herring, to the size permitted under the appropriate fishery management plan.

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

**3 SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “North Atlantic Fish-  
5 eries Resource Conservation Act”.

**6 SEC. 2. HARVEST OF ATLANTIC MACKEREL AND HERRING**

**7 BY LARGE FISHING VESSELS.**

8       (a) PERMIT REQUIRED.—Notwithstanding any other  
9 provision of law to the contrary, the Secretary of Com-

1      merce may not authorize or permit any fishing vessel (as  
2      defined in section 3(17) of the Magnuson-Stevens Fishery  
3      Conservation and Management Act (16 U.S.C. 1802(17)  
4      that—

5                (1) is 165 feet in length or longer; or  
6                (2) has an engine or engines capable of produc-  
7                ing a total of more than 3,000 horsepower,  
8      to harvest Atlantic mackerel or Atlantic herring in a fish-  
9      ery unless the participation of such a vessel is specifically  
10     allowed under a fishery management plan developed and  
11     implemented for that fishery under the Magnuson-Stevens  
12     Fishery Conservation and Management Act (16 U.S.C.  
13     1801 et seq.).

14        (b) EXISTING PERMIT TO BE REVOKED.—Within 5  
15     days after the date of enactment of this Act, the Secretary  
16     shall revoke any permit issued by the Secretary before that  
17     date to a vessel described in subsection (a) under which  
18     the vessel would be permitted to harvest Atlantic mackerel  
19     or Atlantic herring in such a fishery.

20        (c) FISHERY MANAGEMENT PLAN.—

21                (1) IMPLEMENTATION OF PLAN.—The New  
22     England Fishery Management Council shall prepare  
23     and submit a fishery management plan for Atlantic  
24     herring no later than June 30, 1998. The Secretary

1 of Commerce shall implement the plan no later than  
2 September 30, 1998.

3 (2) AMENDMENT OF PLAN TO PERMIT LARGER  
4 VESSELS TO HARVEST.—The Mid-Atlantic Fishery  
5 Management Council, in consultation with the New  
6 England Fishery Management Council, shall prepare  
7 and submit, no later than June 30, 1998, an amend-  
8 ment to the Fishery Management Plan for Atlantic  
9 Mackerel, Squid, and Butterfish Fisheries which  
10 specifically addresses the participation of vessels de-  
11 scribed in subsection (a) in the harvesting of Atlan-  
12 tic mackerel. The Secretary of Commerce shall im-  
13 plement the amendment no later than September 30,  
14 1998.

15 (3) VESSEL LENGTH AND POWER CRITERIA.—  
16 The Council and the Secretary may include vessel  
17 length or vessel power limitations, or both, in any  
18 fishery management plan or amendment under para-  
19 graph (1) or (2). The limitations may be greater or  
20 smaller than the vessel length and vessel power of a  
21 vessel described in subsection (a).

