

report on the New England fishing capacity reduction initiative which provides:

“(A) the total number of Northeast multispecies permits in each permit category and calculates the maximum potential fishing capacity of vessels holding such permits based on the principal gear, gross registered tonnage, engine horsepower, length, age, and other relevant characteristics;

“(B) the total number of days at sea available to the permitted Northeast multispecies fishing fleet and the total days at sea weighted by the maximum potential fishing capacity of the fleet;

“(C) an analysis of the extent to which the weighted days at sea are used by the active participants in the fishery and of the reduction in such days as a result of the fishing capacity reduction program; and

“(D) an estimate of conservation benefits (such as reduction in fishing mortality) directly attributable to the fishing capacity reduction program.”.

SEC. 403. ANADROMOUS FISHERIES AMENDMENTS.

Section 4 of the Anadromous Fish Conservation Act (16 U.S.C. 757d) is amended to read as follows:

“SEC. 4. (a)(1) There are authorized to be appropriated to carry out the purposes of this Act not to exceed the following sums:

“(A) \$4,000,000 for fiscal year 1997; and
“(B) \$4,250,000 for each of fiscal years 1998, 1999, and 2000.

“(2) Sums appropriated under this subsection are authorized to remain available until expended.

“(b) Not more than \$625,000 of the funds appropriated under this section in any one fiscal year shall be obligated in any one State.”.

SEC. 404. ATLANTIC COASTAL FISHERIES AMENDMENTS.

(a) DEFINITION.—Paragraph (1) of section 803 of the Atlantic Coastal Fisheries Cooperative Management Act (16 U.S.C. 5102) is amended—

(1) by inserting “and” after the semicolon in subparagraph (A);

(2) by striking “States; and” in subparagraph (B) and inserting “States.”; and

(3) by striking subparagraph (C).

(b) IMPLEMENTATION STANDARD FOR FEDERAL REGULATION.—Subparagraph (A) of section 804(b)(1) of such Act (16 U.S.C. 5103(b)(1)) is amended by striking “necessary to support” and inserting “compatible with”.

(c) AMERICAN LOBSTER MANAGEMENT.—Section 809 (16 U.S.C. 5108) and section 810 of such Act are redesignated as sections 811 and 812, respectively, and the following new sections are inserted at the end of section 808:

“SEC. 809. STATE PERMITS VALID IN CERTAIN WATERS.

“(a) PERMITS.—Notwithstanding any provision of the Magnuson Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.), the Atlantic Coastal Fisheries Cooperative Management Act (16 U.S.C. 5101 et seq.), or any requirement of a fishery management plan or coastal fishery management plan to the contrary, a person holding a valid license issued by the State of Maine which lawfully permits that person to engage in commercial fishing for American lobster may, with the approval of the State of Maine, engage in commercial fishing for American Lobster in the following areas designated as federal waters, if such fishing is conducted in such waters in accordance with all other applicable federal and state regulations:

“(1) west of Monhegan Island in the area located north of the line 43° 42' 08" N, 69° 34' 18" W and 43° 42' 15" N, 69° 19' 18" W;

“(2) east of Monhegan Island in the area located west of the line 43° 44' 00" N, 69° 15' 05" W and 43° 48' 10" N, 69° 08' 01" W;

“(3) south of Vinalhaven in the area located west of the line 43° 52' 21" N, 68° 39' 54" W and 43° 48' 10" N, 69° 08' 01" W; and

“(4) south of Bois Bubert Island in the area located north of the line 44° 19' 15" N, 67° 49' 30" W and 44° 23' 45" N, 67° 40' 33" W.

“(b) ENFORCEMENT.—The exemption from federal fishery permitting requirements granted by subsection (a) may be revoked or suspended by the Secretary in accordance with section 308(g) of the Magnuson Fishery Conservation and Management Act (16 U.S.C. 1858(g)) for violations of such Act or this Act.

“SEC. 810. TRANSITION TO MANAGEMENT OF AMERICAN LOBSTER FISHERY BY COMMISSION.

“(a) TEMPORARY LIMITS.—Notwithstanding any other provision of this Act or of the Magnuson Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.), if no regulations have been issued under section 804(b) of this Act by December 31, 1997, to implement a coastal fishery management plan for American lobster, then the Secretary shall issue interim regulations before March 1, 1998, that will prohibit any vessel that takes lobsters in the exclusive economic zone by a method other than pots or traps from landing lobsters (or any parts thereof) at any location within the United States in excess of—

“(1) 100 lobsters (or parts thereof) for each fishing trip of 24 hours or less duration (up to a maximum of 500 lobsters, or parts thereof, during any 5-day period); or

“(2) 500 lobsters (or parts thereof) for a fishing trip of 5 days or longer.

“(b) SECRETARY TO MONITOR LANDINGS.—Before January 1, 1998, the Secretary shall monitor, on a timely basis, landings of American lobster, and, if the Secretary determines that catches from vessels that take lobsters in the exclusive economic zone by a method other than pots or traps have increased significantly, then the Secretary may, consistent with the national standards in section 301 of the Magnuson Fishery Conservation and Management Act (16 U.S.C. 1801), and after opportunity for public comment and consultation with the Atlantic States Marine Fisheries Commission, implement regulations under section 804(b) of this Act that are necessary for the conservation of American lobster.

“(c) REGULATIONS TO REMAIN IN EFFECT UNTIL PLAN IMPLEMENTED.—Regulations issued under subsection (a) or (b) shall remain in effect until the Secretary implements regulations under section 804(b) of this Act to implement a coastal fishery management plan for American lobster.”.

(d) AUTHORIZATION OF APPROPRIATIONS.—Section 810 of such Act, as amended by this Act, is amended further by striking “1996.” and inserting “1996, and \$7,000,000 for each of the fiscal years 1997, 1998, 1999, and 2000.”.

SEC. 405. TECHNICAL AMENDMENTS TO MARITIME BOUNDARY AGREEMENT.

(a) EXECUTION OF PRIOR AMENDMENTS TO DEFINITIONS.—Notwithstanding section 308 of the Act entitled “An Act to provide for the designation of the Flower Garden Banks National Marine Sanctuary”, approved March 9, 1992 (Public Law 102-251; 106 Stat. 66) hereinafter referred to as the “FGB Act”, section 301(b) of that Act (adding a definition of the term “special areas”) shall take effect on the date of enactment of this Act.

(b) CONFORMING AMENDMENTS.—

(1) Section 301(h)(2)(A) of the FGB Act is repealed.

(2) Section 304 of the FGB Act is repealed.

(3) Section 3(15) of the Marine Mammal Protection Act of 1972 (16 U.S.C. 1362(15)) is amended to read as follows:

“(15) The term ‘waters under the jurisdiction of the United States’ means—

“(A) the territorial sea of the United States;

“(B) the waters included within a zone, contiguous to the territorial sea of the United States, of which the inner boundary is a line coterminous with the seaward boundary of each coastal State, and the other boundary is a line drawn in such a manner that each point on it is 200 nautical miles from the baseline from which the territorial sea is measured; and

“(C) the areas referred to as eastern special areas in Article 3(1) of the Agreement between the United States of America and the Union of Soviet Socialist Republics on the Maritime Boundary, signed June 1, 1990; in particular, those areas east of the maritime boundary, as defined in that Agreement, that lie within 200 nautical miles of the baselines from which the breadth of the territorial sea of Russia is measured but beyond 200 nautical miles of the baselines from which the breadth of the territorial sea of the United States is measured, except that this subparagraph shall not apply before the date on which the Agreement between the United States and the Union of Soviet Socialist Republics on the Maritime Boundary, signed June 1, 1990, enters into force for the United States.”.

SEC. 406. AMENDMENTS TO THE FISHERIES ACT.

Section 309(b) of the Fisheries Act of 1995 (Public Law 104-43) is amended by striking “July 1, 1996” and inserting “July 1, 1997”.

Mr. HATFIELD. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. LOTT. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. LOTT addressed the Chair.

The PRESIDING OFFICER. The majority leader.

Mr. LOTT. Mr. President, once again I thank and congratulate all those who worked on this very important legislation. I especially thank the distinguished Senator from Alaska for the work that he did from the Commerce Committee at the subcommittee level.

There was a lot of pressure to move earlier. If we had, there would have been all kinds of problems. By persistence and negotiations, I think we came up with really good legislation.

I thank the Senator from Alaska, the Senator from Washington, Senator GORTON, the Senator from Massachusetts, Senator KERRY, and everybody who worked on it. This is very, very important legislation.

Now we want to move forward getting through the process so we have it done before we go out.

UNANIMOUS-CONSENT AGREEMENT—S. 1505

Mr. LOTT. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 540, S. 1505, and that no amendment relative to the tuna-dolphin issue or the Panama declaration issue be in order.

The PRESIDING OFFICER. Is there objection?

Mr. KERRY. Mr. President, reserving the right to object, it was my understanding that request would be notwithstanding the previous unanimous consent request regarding 10 minutes.

Mr. LOTT. Absolutely, Mr. President. At least one Senator wanted to speak and was not able to get here before the vote.

The PRESIDING OFFICER. There will be 10 minutes.

Mr. LOTT. That 10 minutes will be the next thing we go to, so we can get the closing statements. That is our intent.

Mr. BRADLEY. Reserving my right to object, it is my understanding the amendment that had been discussed between the majority leader and the Senator from New Jersey is on its way to the floor and the manager will offer it as an amendment to the committee amendment; is that correct, that would be in order?

Mr. LOTT. That is absolutely correct. We apologize for our not getting a highlighted copy of it to the Senator. We are going to get that to him. I am absolutely committed to the agreement we have.

Mr. STEVENS. Reserving the right to object, Mr. President, does the leader's unanimous-consent request apply to the pipeline safety bill?

Mr. LOTT. It only applies to the pipeline safety bill, Mr. President, except that it does say we would not go to the tuna-dolphin issue or the Panama declaration issue, that they would not be in order, but it only takes up the pipeline safety bill.

Mr. STEVENS. Thank you.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. LOTT. Mr. President, I ask unanimous consent that the committee substitute be agreed to, the bill be deemed read a third time, passed, the motion to reconsider be laid upon the table—Mr. President, I withdraw that request. I understand there has been objection.

SUSTAINABLE FISHERIES ACT

The PRESIDING OFFICER. Under the previous order, the Senators who wish to speak on S. 39 have 10 minutes. Several Senators addressed the Chair.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. STEVENS. Mr. President, I again thank the people who were involved in this. As I said, prior to the passage of the bill, this is a bill we have worked out in 18 months. When it was previously before the Senate, it took 5 years. This has required a tremendous amount of staff time.

I am particularly indebted to my staff people:

Trevor McCabe and Earl Comstock; and to Tom Melius, who has worked with the chairman of the committee, Senator PRESSLER, and Penny Dalton, who has worked with Senator KERRY and Senator HOLLINGS from on the committee.

Let me also thank Jeanne Bumpus with Senator GORTON; Justin LeBlanc with Senator MURRAY; Margaret Commisky and Scott Atkinson with

Senator INOUE; Clark LeBlanc who is with Senator SNOWE; Mike Parks and Darla Romfo with Senator BREAUX; GLENN Merrill and Alex Elkan, Sea Grant fellows with the Commerce Committee; Peter Hill and Tom Richy on Senator KERRY's staff; Alex Buell on Senator WYDEN's staff; Carl Biersak, who has worked with the majority leader, Senator LOTT; Carol Dubard with Senator HUTCHISON; Rick Murphy with Senator CHAFEE; and Wayne Boyles with Senator HELMS.

Mr. President, this bill would not have come before us if it had not been for the tremendous support from the Marine Fish Conservation Network. I particularly want to thank Greenpeace and the Alaska Marine Conservation Network for working very actively for the passage of S. 39, as well as the Center for Marine Conservation and the World Wildlife Fund.

I ask unanimous consent to have printed in the RECORD the entire list of the fish network, who have all been helpful.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

THE MARINE FISH CONSERVATION NETWORK
(100 Member Organizations Representing More Than Six Million Americans, as of June, 1996)

Alaska Longline Fishermen's Association
Alaska Marine Conservation Council
Alliance of Rhode Island Saltwater Fishing Clubs
W.H. Amaru Fisheries Research and Conservation
American Oceans Campaign
Atlantic Salmon Federation
Bass Anglers Sportsman's Society
The Billfish Foundation
Biodiversity Legal Foundation
Caribbean Conservation Corporation
Carrying Capacity Network
Center for Marine Conservation
Chesapeake Bay Foundation
City of St. Paul/Bering Sea Coalition
Coastal Waters Project
Columbus (OH) Zoological Gardens
Concerned Citizens of Montauk
Connecticut River Stripped Bass Club
Conservation Law Foundation
Croal Reef Action Group
Deep Pacific Fishing Company
Defenders of Wildlife
Environmental Advocacy Outreach
Environmental Defense Fund
Environmental Solutions International
Federation of Fly Fishers
Fisheries Defense Fund
Fishermen's Emergency Fund
Fish Forever
Fish Unlimited
Florida League of Anglers
Friends of the Earth
Glacier Creek Smoked Salmon
Good Knight Campaign for Protection of Children and the Earth
GreenLife Society—North American Chapter
Greenpeace
Hawaii Fishermen's Foundation
Hawaiian International Billfish Association
Interfaith Council for the Protection of Animals and Nature
International Game Fish Association
Jersey Coast Anglers Association
King and Sons Fishing Company, Inc.
Kodiak Conservation Network
F/V Lady Anne, Inc.
Maine Animal Coalition

Maine Lobsterman's Association
The Marine Mammal Center
Maryland Saltwater Sportfishermen's Association
Massachusetts Audubon Society
Massachusetts Wildlife Federation
Mid-Coast Anglers
Monterey Bay Aquarium
Mystic River-Whitford Brook Watershed Association
Nahant SWIM (Safer Waters in Massachusetts)
The National Aquarium (DC)
NAUI (National Assoc. of Underwater Instructors)
National Audubon Society
National Coalition for Marine Conservation
National Fishing Association
Natural Resource Consultants (Idaho)
Natural Resources Defense Council
New England Aquarium
New England Coast Conservation Association
New Pioneer Co-op Fresh Food Market (IA)
NY/NJ Harbor Baykeeper
New York Sportfishing Federation
North Pacific Fisheries Protection Association
North Pacific Longline Association
Ocean Futures Foundation
Oregon Natural Resources Council
Oregon Trout
Oregon Wildlife Federation
People for Puget Sound
PADI (Professional Assoc. of Diving Instructors)
Project ReefKeeper
Puget Soundkeeper Alliance
Reid International
Salt Water Sportsman Magazine
Save Our Shores
Save the Sound
Save the Bay
Sierra Club
Sierra Club Legal Defense Fund
Society for Conservation Biology
Sport Fishing Institute
Stripers Unlimited
Surfer Environmental Alliance
Surfrider Foundation
Tampa BAYWATCH, Inc.
Trout Unlimited
Trustees for Alaska
United Anglers of California
United Fishermen's Association
Wildlife Conservation Society
World Wildlife Fund

Mr. STEVENS. Let me also thank representatives of the Western Alaska Fisheries Development Association, the Pacific Seafoods Processors Association, the Alaska Groundfish Data Bank, the Alaska Dragger Association, the Petersburg Vessel Owners Association, and the Kodiak Longline Vessel Owners Association.

Mr. President, I am sad to report that the two people who urged me in the first instance to support the original act and introduce it in 1971 and then helped us get started once again on the revision that passed in 1976, Oscar Dyson and Harold Sparck, two Alaskans, are now deceased. I do want to recognize their memory in connection with this legislation, which they have also been instrumental in creating.

Mr. President, I will not take all the time, but I do once again want to thank my good friend from Massachusetts. Had it not been for his determination and consistency, we would not be where we are today, having passed a significant, bipartisan bill.