

in pressing for the necessary protection to continue the fishing tradition that has been passed down from family to family, from generation to generation. It is my hope that we will not inherit from a previous generation the problem of depleting these much-needed resources.

Again, I thank the ranking member and the chairman for providing me a chance to have input in this process.

Mr. ABERCROMBIE. Mr. Speaker, may I inquire as to how much time is remaining?

The SPEAKER pro tempore. The gentleman from Hawaii [Mr. ABERCROMBIE] has 10 minutes remaining and the gentleman from New Jersey [Mr. SAXTON] has 14 minutes remaining.

Mr. ABERCROMBIE. Mr. Speaker, I yield 2 minutes to the gentleman from Maine [Mr. BALDACCI].

□ 1430

Mr. BALDACCI. Mr. Speaker, I thank the gentleman from Hawaii [Mr. ABERCROMBIE] for yielding me the time.

Mr. Speaker, I rise today in support of H.R. 1855. As a cosponsor of this legislation, I know that it is going to establish a moratorium on entry of large fishing vessels in the Atlantic for herring and mackerel fisheries.

Herring have provided a living for Mainers for well over 100 years. From sardines and exports to lobster bait, the fishery continues to play a prominent role in the economies of coastal communities. Estimates and anecdotes suggest that a large herring fishery exists, but the resource is poorly understood.

The National Marine Fisheries Service has not yet done a stock assessment. While the resource appears to have potential, it is of grave concern to most of the maritime community that there is no fishery management plans in place and that there is no way to ensure that the harvest is conducted at a sustainable rate.

The absence of sound science clearly impacts the ability of the councils to develop or amend the appropriate fishery management plans. It is clear that the councils are moving in that direction. I believe that it is essential to develop the research that will serve as the foundations for sound plans. This bill does just that. It calls for the science to be conducted. It gives the councils the breathing room necessary to develop solid plans.

What makes congressional action necessary is the prospect that fishing efforts for the two species may rapidly overdevelop and include very large freezer trawlers. This troubling scenario is compounded by the very real possibility that this could all occur before comprehensive plans are in place.

I would add that the moratorium would be temporary. It would remain in place until the completion of population survey and the approval of management plans. I urge my colleagues to support H.R. 1855.

Mr. ABERCROMBIE. Mr. Speaker, I yield back the balance of my time.

Mr. SAXTON. Mr. Speaker, yielding myself such time as I may consume, as has been stated here with regard to the species in question, there is a significant population of herring and mackerel, and we believe that it is important that we maintain a balance within the ocean ecosystem and that this species should be protected from overharvesting.

We do not want, in other words, history to repeat itself, as it did with the shark population, when the National Marine Fishery Service, in the 1980's, declared it an underutilized species. The species was fished on with very, very heavy fishing pressure. And by 1993, the National Marine Fisheries Service had to declare the shark fishery an endangered fishery.

As with regard to other historical precedents, red fish in the Gulf of Mexico, in 1980 it was declared an underutilized species, and by 1986, with the taking of more than 10 million tons a year, the species became overutilized, overfished, and endangered.

Another example is with regard to an international problem with regard to the Atlantic blue fin tuna. During the 1970's, blue fin were abundant all over the north Atlantic and the south Atlantic, as well. Today, the blue fin population, because of overfishing, is just 13 percent of what it was back in those years.

So, in order to avoid this occurrence with regard to herring and mackerel, I urge passage of this bill.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mr. GOODLATTE). The question is will the House suspend the rules and pass the bill, H.R. 1855, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate had passed without amendment a concurrent resolution of the House of the following title:

H. Con. Res. 123. Concurrent resolution providing for the use of the catafalque situated in the crypt beneath the rotunda of the Capitol in connection with memorial services to be conducted in the Supreme Court Building for the late honorable William J. Brennan, former Associate Justice of the Supreme Court of the United States.

The message also announced that the Senate had passed a concurrent resolution of the following title, in which the concurrence of the House is requested:

S. Con. Res. 33. Concurrent resolution authorizing the use of the Capitol Grounds for the National SAFE KIDS Campaign SAFE KIDS Buckle Up Car Seat Check Up.

NEW MEXICO STATEHOOD AND ENABLING ACT AMENDMENTS OF 1997

Mr. SAXTON. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 430) to amend the act of June 20, 1910, to protect the permanent trust funds of the State of New Mexico from erosion due to inflation and modify the basis on which distributions are made from those funds.

The Clerk read as follows:

S. 430

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

SECTION 1. PERMANENT TRUST FUNDS OF THE STATE OF NEW MEXICO.

(a) SHORT TITLE.—This Act may be cited as the "New Mexico Statehood and Enabling Act Amendments of 1997".

(b) INVESTMENT OF AND DISTRIBUTIONS FROM PERMANENT TRUST FUNDS.—The Act of June 20, 1910 (36 Stat. 557, chapter 310), is amended—

(1) in the proviso in the second paragraph of section 7, by striking "the income therefrom only to be used" and inserting "distributions from which shall be made in accordance with the first paragraph of section 10 and shall be used";

(2) in section 9, by striking "the interest of which only shall be expended" and inserting "distributions from which shall be made in accordance with the first paragraph of section 10 and shall be expended"; and

(3) in the first paragraph of section 10, by adding at the end the following: "The trust funds, including all interest, dividends, other income, and appreciation in the market value of assets of the funds shall be prudently invested on a total rate of return basis. Distributions from the trust funds shall be made as provided in Article 12, Section 7 of the Constitution of the State of New Mexico."

(c) CONSENT OF CONGRESS.—Congress consents to the amendments to the Constitution of the State of New Mexico proposed by Senate Joint Resolution 2 of the 42nd Legislature of the State of New Mexico, Second Session, 1996, entitled "A Joint Resolution proposing amendments to Article 8, Section 10 and Article 12, Sections 2, 4 and 7 of the Constitution of New Mexico to protect the State's permanent funds against inflation by limiting distributions to a percentage of each fund's market value and by modifying certain investment restrictions to allow optimal diversification of investments", approved by the voters of the State of New Mexico on November 5, 1996.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Jersey [Mr. SAXTON] and the gentleman from American Samoa [Mr. FALEOMAVAEGA] each will control 20 minutes.

The Chair recognizes the gentleman from New Jersey [Mr. SAXTON].

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

Mr. Speaker, S. 430 is identical to H.R. 1051, a bill introduced by my colleague, the gentleman from New Mexico [Mr. SKEEN]. S. 430 is a result of very hard work by the gentleman from New Mexico [Mr. SKEEN] and the entire New Mexico delegation and has no opposition from the Administration. Furthermore, this bill is very beneficial to citizens of New Mexico.

I would also like to commend my other colleague, the gentleman from New Mexico [Mr. SCHIFF], who has added his support to the bill. S. 430 would amend the New Mexico Enabling Act of June 20, 1910, in order to protect the permanent trust funds of the State of New Mexico from erosion due to inflation by modifying the basis on which distributions are made from those funds and by loosening the current investment restrictions. The modifications include changing the payout to a fixed percentage of the fund, thereby allowing a portion of the interest and dividend income received to be reinvested. This bill would also loosen investment restrictions and allow broader investments options and opportunities.

Mr. Speaker, this bill has already been overwhelmingly endorsed by the voters of New Mexico, has been passed by the Senate, and I urge my colleagues to support S. 430.

Mr. Speaker, I reserve the balance of my time.

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

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

Mr. Speaker, S. 430 is an important housekeeping measure that amends the act of June 20, 1910, which provided statehood to the territory of New Mexico. The bill changes the manner in which State permanent funds are invested and also changes the distribution formula for fund revenues.

Mr. Speaker, the voters of New Mexico approved these changes to the New Mexico State Constitution in 1996 in an effort to maximize the returns of the funds, which are used for education and the care of the poor and needy in the State of New Mexico. Since the revenues in the two New Mexico funds are derived from activities that occur on former Federal lands granted to the State under the Enabling Act of 1910, it is necessary to obtain the consent of Congress before the State's constitutional amendments can be implemented.

The Subcommittee on National Parks and Public Lands held a hearing on H.R. 1051, the House companion bill to S. 430, on June 17, 1997. The legislation is supported by the entire New Mexico congressional delegation. The administration has no objection to the measure, and I am not aware of any controversy associated with this bill. I support S. 430 and recommend that the House approve this proposed legislation.

Mr. Speaker, I reserve the balance of my time.

Mr. SAXTON. Mr. Speaker, I yield such time as he may consume to the gentleman from New Mexico [Mr. SKEEN], the author of the House bill, who has worked untiringly to bring this bill to the floor, and my gratitude to the gentleman from New Mexico [Mr. SKEEN] for the hard work that he has pursued on this measure.

Mr. SKEEN. Mr. Speaker, I thank the gentleman from New Jersey [Mr. SAXTON] for yielding me the time. Also, I want to thank majority and minority groups for the rapidity with which they have responded to an emergency situation insofar as this kind of enabling act is concerned. I want to express the greatest appreciation to the majority and minority leadership for their help in expediting the consideration, and I also want to express my sincere thanks to the leadership of the House of Representatives committee and their staffs.

Members on both sides of the aisle have gone out of their way to help New Mexico, and I want to express our greatest appreciation to all of them for doing this in a timely fashion. I am not going to spend a lot of time on this because I think the responses from the two gentleman that are handling the bill today indicates the nature and why it is here before us.

And once again, I will say it over and over again, this proves that this body can move rapidly to a situation and with much appreciation for the rapidity in which they have done this because it was becoming an emergency kind of situation for New Mexico.

Thanks once again to the entire body and members of the staff and those folks who support this bill.

Mr. Speaker, I am here today to support passage of S. 430, a bill amending the New Mexico Statehood and Enabling Act of 1910. The entire New Mexico delegation supports this legislation as well as Gov. Gary Johnson and the State legislature.

I do want to express our State's greatest appreciation to the majority and minority leadership for their help in expediting the consideration of the legislation. I also want to express my sincere thanks to the leadership of the House Resources Committee and their staffs.

Members on both sides of the aisle have gone out of their way to help New Mexico and I want to express our appreciation.

This legislation is identical to H.R. 1051 which was cosponsored by Representative STEVE SCHIFF and Representative BILL REDMOND. The Parks and Public Lands Subcommittee of the House Resources Committee held a hearing on the legislation June 17. There is no opposition to the legislation and the administration has no objection to the legislation. S. 430 passed the Senate on May 22, 1997.

Basically the issue behind this legislation involves the manner in which the State of New Mexico invests its money and how it then disperses the funds to our public schools, higher education, State hospitals, the School for the Visually Handicapped, the School for the Deaf, and others. The Enabling Act has governed the distribution of State investment funds and related activities since statehood. However as investment patterns changed it became apparent to New Mexico that the system no longer was keeping pace with modern investment strategies. Following an intensive review the issue was placed before the voters last year as an amendment to the New Mexico Constitution. The amendment passed by a 2 to 1 margin. All this legislation does is amend the New Mexico Statehood and Enabling Act so it

is in conformity with this new change in the New Mexico Constitution.

In 1957 Congress amended the Enabling Act to allow State permanent fund investments in corporate stocks for the first time. However, that amendment made no provision regarding how distributions were to be made from investment returns from the stock. So in fact it was ruled that only dividends from stocks could be distributed which has the effect that no significant investments were made in stocks. The real impact meant that investments were in fact basically limited to investments that were income based.

Mr. Speaker, New Mexico's budget year begins on July 1. Passage of this legislation now will allow the State to disburse last year's earnings for the benefit of meeting the educational needs of the State's children. It is important that the New Mexico permanent fund be managed in a modern and effective manner. These changes will allow that to happen and further it will allow the State to preserve the two permanent funds the State maintains for future generations. In closing I once again want to thank everyone involved in helping New Mexico gain passage of this important legislation.

Mr. FALEOMAVAEGA. Mr. Speaker, I too certainly would like to commend the gentleman from New Mexico [Mr. SKEEN] as the chief sponsor of this piece of this legislation. I am sure that on a bipartisan basis we are able to work very well in getting this piece of legislation through this Chamber. I thank the gentleman for being here and for the comity on the work that both subcommittee members have tried earnestly to get this legislation through.

Mr. Speaker, I yield 4 minutes to the gentleman from New Jersey [Mr. PALLONE].

Mr. PALLONE. Mr. Speaker, I am in support of the bill at hand, but I really got up because I would like to speak on H.R. 1855, which I know just passed. I am very pleased over the fact that it did. This is an important bill, H.R. 1855, that protects an important resource to fishermen in my district from overutilization and depletion.

I would like to just summarize by saying that H.R. 1855 serves to prohibit large fishing vessels from engaging in the harvest of Atlantic herring and Atlantic mackerel within our EEZ waters. Mr. Speaker, these large vessels should be temporarily restricted from the Atlantic herring and Atlantic mackerel fishery until accurate information has been collected. To date, no ship of this size has fished this vulnerable fishery.

I must inform this Chamber that I am not concerned as to whether NMFS has declared these stocks to be fully utilized or even underutilized. These vessels have the potential of making any fishery overutilized in a short period of time. Large fishing trawlers are highly efficient and can catch five to six times more than any vessel currently registered with NMFS on the Atlantic coast. Furthermore, the processing capacity of large vessels is so great that they can fill quotas. As a result, these ships will compromise the

Atlantic herring and the Atlantic mackerel fishing seasons.

As members of our committee are aware, stock quotas are spread over a number of ships and are not meant to be filled by a small percentage of ships. My fear is that a large, highly efficient ship could close a fishery and reduce its stock simply because of the number of fish it can catch. I am concerned with NMFS's ability to react if overutilization occurs and this fishery needs to be shut down. If we allow a ship of this size into a forage fishery and we are mistaken as to the size of the stock, we will have a problem. And I would prefer that we err on the side of conservation, not exploitation.

In the past, we have encouraged highly efficient gears to fish underutilized stocks. I do not want to get into examples. But I have to say that in the 1980's we encouraged the fishing gears to redirect efforts toward the shark species. At the time, sharks were considered to be underutilized. Since then, we have witnessed a drop in various shark species as a result of this redirected effort.

Mr. Speaker, we should learn from that mistake and be cautious of redirecting any highly efficient gear. I want to say, Mr. Speaker, that a vote in favor of H.R. 1855 is a vote for protecting one of our Nation's largest public resource. We have the opportunity to save the fish stock not only for those fishermen who depend on this resource along the Atlantic coast, but for future generations of fishermen as well. That is why I strongly urge my colleagues to support and pass H.R. 1855.

I want to thank the gentleman from New Jersey [Mr. SAXTON] for all the work that he has done on this legislation.

I would also like to note that with the depleted state of the North Atlantic groundfish, and restrictions on other fisheries, certain New England fishermen have been forced into the mackerel and herring fishery. It is my belief that this highly efficient gear will most likely compromise their needs and whatever relief these fishermen have experienced through herring and mackerel fisheries.

Mr. FALEOMAVAEGA. Mr. Speaker, I have no additional speakers at this time, and I yield back the balance of my time.

Mr. SAXTON. Mr. Speaker, we have no additional speakers at this time, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey [Mr. SAXTON] that the House suspend the rules and pass the Senate bill, S. 430.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the Senate bill was passed.

A motion to reconsider was laid on the table.

EXPRESSING SENSE OF CONGRESS REGARDING ACTS OF ILLEGAL AGGRESSION BY CANADIAN FISHERMEN WITH RESPECT TO PACIFIC SALMON FISHERY

Mr. SAXTON. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 124), expressing the sense of the Congress regarding acts of illegal aggression by Canadian fishermen with respect to the Pacific salmon fishery, and for other purposes, as amended.

The Clerk read as follows:

H. CON. RES. 124

Whereas Pacific salmon migrate across international boundaries, allowing United States salmon stocks and Canadian salmon stocks to intermingle as they travel through the waters of the North Pacific Ocean;

Whereas after many years of negotiations, in 1985 the United States and Canada signed the Pacific Salmon Treaty based on a primary principle of conservation and a secondary principle of equity;

Whereas the United States and Canada formed the Pacific Salmon Commission to implement the Pacific Salmon Treaty;

Whereas the Pacific Salmon Commission does not regulate the Pacific salmon fishery, but provides regulatory advice and recommendations to the United States and Canada;

Whereas since the signing of the Pacific Salmon Treaty, the United States and Canada have not agreed on the definition of "equity" for purposes of the principle of equity underlying the Treaty, and this disagreement has created a rift between the 2 governments and the regional stakeholders of the Pacific salmon fishery;

Whereas Pacific salmon fishery regulatory regimes have not been in place since 1994 because of a lack of agreement;

Whereas an illegal fee in violation of international agreements was assessed on the United States fishermen traveling to Alaska, and neither the United States Government nor United States fishermen have been reimbursed for that fee;

Whereas since 1994, the United States and Canada have used special negotiators, a mediation process, and the current stakeholders process to attempt to resolve past disputes and negotiate annual and long-term Pacific salmon fishery regimes;

Whereas the good faith efforts of the United States in attempting to resolve differences under the Pacific Salmon Treaty have not been matched, as demonstrated in particular by the rejection of continued attempts by the United States to reach agreement and the withdrawal from negotiations in June 1997 when an agreement seemed imminent;

Whereas Canadian fishermen have been frustrated with their own government's effort to resolve the Pacific Salmon Treaty disputes and have used the harassment of United States citizens as a way to get attention;

Whereas Canadian fishermen, in protest over the lack of an agreement regarding various issues under the Pacific Salmon Treaty, recently undertook acts of illegal aggression against United States citizens by blocking the passage of a United States vessel, and there was a failure to act quickly to end those acts; and

Whereas those acts and that failure should be condemned: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That it is the sense of the Congress that—

(1) the recent acts of illegal aggression by Canadian fishermen with respect to the Pa-

cific salmon fishery and the slow response to those acts should be condemned;

(2) the President should immediately take steps to protect the interests of the United States with respect to the Pacific salmon fishery and should not tolerate threats to those interests;

(3) the President should use all necessary and appropriate means to prevent any further illegal or harassing actions against the United States or its fishermen with respect to the Pacific salmon fishery; and

(4) negotiations with the stakeholders with respect to the Pacific salmon fishery should resume in good faith in the fall following the 1997 fishing season.

The SPEAKER pro tempore. Pursuant to the rule the gentleman from New Jersey [Mr. SAXTON] and the gentleman from Hawaii [Mr. ABERCROMBIE] each will control 20 minutes.

The Chair recognizes the gentleman from New Jersey [Mr. SAXTON].

□ 1445

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

Mr. Speaker, House Concurrent Resolution 124 is introduced in response to illegal actions taken by Canadian fishermen on the weekend of July 19, 1997. Two hundred and fifty Canadian fishermen illegally blockaded an Alaskan ferryboat leaving from Prince Rupert, British Columbia. By taking these actions, Canada has escalated the Pacific salmon treaty negotiations beyond the scope of the treaty.

The gentleman from Alaska [Mr. YOUNG], the chairman of the Committee on Resources, has referred to the blockade as goon squad tactics. While I do not go quite that far, I find the blockade very unfortunate and very disruptive to negotiations, negotiations which are extremely important to another species, several species actually, of the Northwest salmon population.

House Concurrent Resolution 124 asks the President to use all necessary and appropriate means to compel the Government of Canada to prevent any further illegal actions. In addition, the resolution urges Canada to return to the negotiations this fall after the fishing season has ended. I would also like to urge Canada to return to the negotiations without further incidents.

Mr. Speaker, this is an extremely important matter. It affects the livelihood and the lives of American citizens, many of whom live in the State of Alaska. It is also important because this House, along with the other House and our Government, and I am sure the Canadian Government as well, would like to take appropriate and necessary steps to provide for the rebuilding of salmon stock in the Northwest. This incident that occurred just a few days ago stands in the way of that process. We believe that it should be brought to a hasty end.

Mr. Speaker, House Concurrent Resolution 124 was originally referred to the Committee on Resources and the Committee on International Relations. The version we are taking up today under the suspension of the rules has been