

H.R. 4924 creates a 3-year pilot project in which, at the request of a committee of jurisdiction, the GAO would analyze economically significant proposed and final rules. GAO would evaluate the agency's analyses of cost benefits, alternatives, regulatory impact, federalism impact, and any other analysis prepared by the agency or required to be prepared by the agency. All of this analysis would be completed within 180 days of the committee's request.

Mr. Speaker, H.R. 4929 is the same as the Senate version of this bill, except:

First, it clarifies that the bill only requires the GAO to analyze agency analyses that were required by separate statute or executive order. It does not require any new agency or GAO analysis.

Second, it exempts independent boards and commissions which are exempt under similar requirements in the Unfunded Mandated Reform Act and Executive Order 12866.

Third, it applies to committee requests for the review of a minor rule if that rule has significant impact on a substantial number of small entities.

And fourth, it requires GAO to complete its analyses of proposed and interim rules within the comment period, if practicable.

In all other respects, it is the same as S. 1198, which passed the Senate with unanimous consent.

When we considered an earlier version of the bill, GAO expressed serious concerns about the scope of the analyses, the timing provided for the conducting of the reviews, and the certainty of funding. Also, public interest groups expressed concerns and opposed passage. The bill we are considering today addresses those concerns.

Mr. Speaker, the most important change that has been made is that under this bill, GAO would retain its traditional role as auditor and evaluate only the agency's work. It would not be required to conduct its own independent analyses. In addition, the bill clarifies that it would not require the agency to conduct any analyses. It only reviews analyses that are required by separate statute or executive order.

Another personality change is that H.R. 4924 requires GAO to complete analyses within the comment period only when the shortened review period is practicable. Although it is useful to have the GAO report before the comment period is closed, we did not want to force the GAO into doing shoddy work. We wanted to make sure the GAO had time to do a complete review before implementing GAO safeguards for accuracy.

Mr. Speaker, I support H.R. 4924 because it sheds light on the adequacy and usefulness of agencies' analyses, yet it ensures the GAO has adequate time and resources to fulfill its new responsibilities. It requires GAO to focus on the factors that Congress found to be the most relevant, and preserves GAO's traditional role as auditor.

Mr. Speaker, I want to again express my appreciation to the Members on the other side of the aisle. This shows what happens when we have a concern on both sides, when we are able to negotiate and compromise, we produce a bill I think that is good for the Congress and it is good for the American people.

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

Mr. RYAN of Wisconsin. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I simply just want to thank the gentleman from Ohio (Mr. KUCINICH), ranking member; the gentleman from California (Mr. WAXMAN), ranking member of the full committee; the gentleman from California (Mr. CONDIT); the gentlewoman from New York (Chairman KELLY); the gentleman from Indiana (Chairman MCINTOSH); and the gentleman from Indiana (Chairman BURTON) for all of their hard work on this, for coming together and putting together a good bipartisan product that we are now passing here.

Mr. Speaker, I simply want to reiterate one point, which is it is our hope and intent that GAO does conduct this new analysis within the public comment period, because then it helps us as Members of Congress respond to our congressional responsibility which is to see that we as legislators are writing the laws of this country. It is just a hope and intent.

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

The SPEAKER pro tempore (Mr. SUNUNU). The question is on the motion offered by the gentleman from Wisconsin (Mr. RYAN) that the House suspend the rules and pass the bill, H.R. 4924.

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

A motion to reconsider was laid on the table.

FISHERMEN'S PROTECTIVE ACT AMENDMENTS OF 1999

Mr. SAXTON. Mr. Speaker, I move to suspend the rules and concur in the Senate amendment to the bill (H.R. 1651) to amend the Fishermen's Protective Act of 1967 to extend the period during which reimbursement may be provided to owners of United States fishing vessels for costs incurred when such a vessel is seized and detained by a foreign country, and for other purposes.

The Clerk read as follows:

Senate amendment:

Page 13, line 3, strike out **[\$60,000,000.]** and insert: **\$60,000,000 for each of fiscal years 2002 and 2003.**

TITLE IV—MISCELLANEOUS

SEC. 401. USE OF AIRCRAFT PROHIBITED.

Section 7(a) of the Atlantic Tunas Convention Act of 1975 (16 U.S.C. 971e(a)) is amended—

(1) by striking "or" after the semicolon in paragraph (1);

(2) by striking "fish." in paragraph (2) and inserting "fish; or"; and

(3) by adding at the end the following:

"(3) for any person, other than a person holding a valid Federal permit in the purse seine category—

"(A) to use an aircraft to locate or otherwise assist in fishing for, catching, or retaining Atlantic bluefin tuna; or

"(B) to catch, possess, or retain Atlantic bluefin tuna located by use of an aircraft.".

SEC. 402. FISHERIES RESEARCH VESSEL PROCUREMENT.

Notwithstanding section 644 of title 15, United States Code, and section 19.502-2 of title 48, Code of Federal Regulations, the Secretary of Commerce shall seek to procure Fisheries Research Vessels through full and open competition from responsible United States shipbuilding companies irrespective of size.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Jersey (Mr. SAXTON) and the gentleman from California (Mr. GEORGE MILLER) each will control 20 minutes.

The Chair recognizes the gentleman from New Jersey (Mr. SAXTON).

GENERAL LEAVE

Mr. SAXTON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material therein on H.R. 1651.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

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

Mr. Speaker, I rise in support of H.R. 1651, the Fishermen's Protective Act Amendments of 1999. This bill makes a number of conservation and management improvements to several important fisheries laws.

Title I allows fishermen to be reimbursed if their vessel is illegally detained or seized by foreign countries.

Title II establishes a panel to advise the Secretaries of State and Interior on Yukon River salmon issues in Alaska. This section will provide much needed support in the conservation and management of Yukon River salmon.

Title III authorizes the Secretary of Commerce to acquire, purchase, lease, lease-purchase or charter and equip up to six fishery survey vessels. These vessels are one of the most important fishery management tools available to the Federal scientists. They allow for the collection of much-needed scientific data and to manage our Nation's fisheries.

Finally, the last title addresses the use of spotter aircraft in the New England-based Atlantic bluefin tuna fishery. This section was added in the other body which responded to concerns over use of planes which have accelerated the catch rates and closures in the general and harpoon categories.

Mr. Speaker, this is a well thought out, well drafted bill, and I urge an "aye" vote.

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

Mr. GEORGE MILLER of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of this bill, H.R. 1651, which was passed by the House last year. As my colleague on the other side has explained, it contains several provisions intended to improve the fisheries conservation, management and data collection. It was approved unanimously by the Senate last month, and I urge the Members to support passage.

Mr. Speaker, I yield such time as he may consume to the gentleman from Maine (Mr. ALLEN).

Mr. ALLEN. Mr. Speaker, I rise in strong support of H.R. 1651, the Fishermen's Protective Act Amendments. H.R. 1651, as passed by the House, makes improvements in several important fisheries laws by enhancing conservation and management measures.

In the other body, this bill was amended to include a ban on the use of spotter planes to find Atlantic bluefin tuna. The Senate passed the amended bill by unanimous consent.

Mr. Speaker, I want to make clear how important this provision of the bill is to tuna fishermen in Maine. Most of them have been shut out of the fishery this season, as well as in the recent past. Currently, the larger boats can afford the planes. They take in the allowable catch and force smaller boats to end their season. Without this ban, owners of these smaller boats will be unable to make a living and support their families.

Many strong opinions are the rule when fisheries issues are concerned. In this case, however, the Secretary of Commerce received a unanimous recommendation from the Highly Migratory Species Advisory Panel in 1998. The panel advised the Secretary to prohibit the use of spotter aircraft in the General and Harpoon categories of the Atlantic bluefin tuna fishery.

The use of these planes can increase the catch rates and closures in the general and harpoon categories. The scientific and conservation objectives of the Highly Migratory Species Fisheries Management Plan can be negatively affected by the increased catch rates. Two years ago, the National Marine Fisheries Service issued a proposed rule to adopt the Advisory Panel recommendation but the rule was not finalized. It has, therefore, become necessary to take legislative action.

Mr. Speaker, this is a regional issue that many in the New England delegation on both sides of the aisle support. I thank the gentleman from New Jersey (Mr. SAXTON) and the gentleman from California (Mr. GEORGE MILLER) for expediting action on this bill, and I urge Members to support this legislation.

Mr. GEORGE MILLER of California. Mr. Speaker, I thank the gentleman from Maine (Mr. ALLEN) for his work and his support of this legislation, and I yield back the balance of my time.

Mr. SAXTON. Mr. Speaker, 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 concur in the Senate amendment to the bill, H.R. 1651.

The question was taken.

Mr. ALLEN. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

OCEANS ACT OF 2000

Mr. SAXTON. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 2327) to establish a Commission on Ocean Policy, and for other purposes.

The Clerk read as follows:

S. 2327

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 "Oceans Act of 2000".

SEC. 2. PURPOSE AND OBJECTIVES.

The purpose of this Act is to establish a commission to make recommendations for coordinated and comprehensive national ocean policy that will promote—

(1) the protection of life and property against natural and manmade hazards;

(2) responsible stewardship, including use, of fishery resources and other ocean and coastal resources;

(3) the protection of the marine environment and prevention of marine pollution;

(4) the enhancement of marine-related commerce and transportation, the resolution of conflicts among users of the marine environment, and the engagement of the private sector in innovative approaches for sustainable use of living marine resources and responsible use of non-living marine resources;

(5) the expansion of human knowledge of the marine environment including the role of the oceans in climate and global environmental change and the advancement of education and training in fields related to ocean and coastal activities;

(6) the continued investment in and development and improvement of the capabilities, performance, use, and efficiency of technologies for use in ocean and coastal activities, including investments and technologies designed to promote national energy and food security;

(7) close cooperation among all government agencies and departments and the private sector to ensure—

(A) coherent and consistent regulation and management of ocean and coastal activities;

(B) availability and appropriate allocation of Federal funding, personnel, facilities, and equipment for such activities;

(C) cost-effective and efficient operation of Federal departments, agencies, and programs involved in ocean and coastal activities; and

(D) enhancement of partnerships with State and local governments with respect to ocean and coastal activities, including the management of ocean and coastal resources and identification of appropriate opportunities for policy-making and decision-making at the State and local level; and

(8) the preservation of the role of the United States as a leader in ocean and coastal activities, and, when it is in the national interest, the cooperation by the United

States with other nations and international organizations in ocean and coastal activities.

SEC. 3. COMMISSION ON OCEAN POLICY.

(a) ESTABLISHMENT.—There is hereby established the Commission on Ocean Policy. The Federal Advisory Committee Act (5 U.S.C. App.), except for sections 3, 7, and 12, does not apply to the Commission.

(b) MEMBERSHIP.—

(1) APPOINTMENT.—The Commission shall be composed of 16 members appointed by the President from among individuals described in paragraph (2) who are knowledgeable in ocean and coastal activities, including individuals representing State and local governments, ocean-related industries, academic and technical institutions, and public interest organizations involved with scientific, regulatory, economic, and environmental ocean and coastal activities. The membership of the Commission shall be balanced by area of expertise and balanced geographically to the extent consistent with maintaining the highest level of expertise on the Commission.

(2) NOMINATIONS.—The President shall appoint the members of the Commission, within 90 days after the effective date of this Act, including individuals nominated as follows:

(A) 4 members shall be appointed from a list of 8 individuals who shall be nominated by the Majority Leader of the Senate in consultation with the Chairman of the Senate Committee on Commerce, Science, and Transportation.

(B) 4 members shall be appointed from a list of 8 individuals who shall be nominated by the Speaker of the House of Representatives in consultation with the Chairmen of the House Committees on Resources, Transportation and Infrastructure, and Science.

(C) 2 members shall be appointed from a list of 4 individuals who shall be nominated by the Minority Leader of the Senate in consultation with the Ranking Member of the Senate Committee on Commerce, Science, and Transportation.

(D) 2 members shall be appointed from a list of 4 individuals who shall be nominated by the Minority Leader of the House in consultation with the Ranking Members of the House Committees on Resources, Transportation and Infrastructure, and Science.

(3) CHAIRMAN.—The Commission shall select a Chairman from among its members. The Chairman of the Commission shall be responsible for—

(A) the assignment of duties and responsibilities among staff personnel and their continuing supervision; and

(B) the use and expenditure of funds available to the Commission.

(4) VACANCIES.—Any vacancy on the Commission shall be filled in the same manner as the original incumbent was appointed.

(c) RESOURCES.—In carrying out its functions under this section, the Commission—

(1) is authorized to secure directly from any Federal agency or department any information it deems necessary to carry out its functions under this Act, and each such agency or department is authorized to cooperate with the Commission and, to the extent permitted by law, to furnish such information (other than information described in section 552(b)(1)(A) of title 5, United States Code) to the Commission, upon the request of the Commission;

(2) may enter into contracts, subject to the availability of appropriations for contracting, and employ such staff experts and consultants as may be necessary to carry out the duties of the Commission, as provided by section 3109 of title 5, United States Code; and

(3) in consultation with the Ocean Studies Board of the National Research Council of