

Coral Reef Conservation Act. In addition to having the tremendous honor of representing the Florida Keys here in the United States Congress, I'm also pleased to boast that my district is home to one of the most diverse ecosystems in the Nation, if not the world. The waters surrounding my district, Florida's 18th Congressional District, is home to America's only living barrier coral reef, which is also the second-largest coral reef tract in the world. The bill before us today, H.R. 860, would continue the Federal Government's efforts to protect and preserve the coral reef systems in the Florida Keys as well as in Hawaii and in Guam.

Coral reefs provide many economic, environmental and cultural benefits, particularly in my home district, where tourism brings in hundreds of millions of dollars every year. As the reefs sustain more damage every day, the tourism and ecosystem they help to maintain are threatened. This bill, in particular, will increase Federal oversight over the monitoring and rehabilitation efforts of our coral reef system while also promoting community-based conservation initiatives. In effect, local stakeholders and Federal agencies will work together to develop regionally approved and appropriate management plans.

One of the most important ways that this bill will help to protect coral reefs is by authorizing emergency responses to the physical damages that are sustained by coral reefs due to vessel groundings and impacts from derelict fishing gear. Having the distinct pleasure of taking part in two scuba diving missions to the Aquarius Undersea Laboratory in the Florida Keys, I witnessed just how important our coral reefs are not only to the environment but also for the education of our young people. In today's hyperlinked world, elementary students from Idaho can tune in to educational broadcasts on the dangers of coral bleaching and off-shore drilling by the aquanauts working in the Aquarius. During one of my two visits to Aquarius, I had the pleasure of participating in a live question-and-answer session with local elementary school students on the issue of coral reef preservation.

Coral reefs are important to all Americans, not just to those of us who are fortunate enough to live in coastal areas. That is why I join my colleagues here today in strong support of H.R. 860, a bill which reaffirms the role of our Federal Government in protecting these precious coral resources for today and tomorrow's generations. Thank you for the time, my good friend from Utah, and I thank my wonderful friend from Guam, once again, for fighting for our Nation's environment.

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

Ms. BORDALLO. Mr. Speaker, I thank my colleagues, the gentlelady from Florida, Congresswoman ROS-

LEHTINEN, for her very strong words in support of this bill and, of course, from the opposite side of the aisle, the manager of the bill here, Mr. CHAFFETZ of Utah. I want to thank them for their support.

Mr. FALOMAVAEGA. Mr. Speaker, I rise in strong support of H.R. 860, legislation to reauthorize the Coral Reef Conservation Act of 2000. I want to commend the gentlelady from Guam who is my good friend and Chairwoman of the Subcommittee on Insular Affairs, Oceans and Wildlife, Congresswoman BORDALLO, for her leadership on this important issue. I also want to commend Chairman RAHALL and members of the Natural Resources Committee for bringing this important bill before the House for consideration.

Mr. Speaker, much has been said about how our coral reefs are in a critical state but it must be reemphasized that the conservation of coral reef is a national priority, especially given its ecological, social, economic and scientific value.

Known also as the "rainforests of the sea," coral reefs provide support to about 4,000 documented fish species, 800 species of hard corals, and hundreds of other species, which is more species per unit area compared to any other marine ecosystem.

Economically, coral reefs provide the basis for an estimated \$400 billion global fishing and tourism industry. For the Territories in the South Pacific Region, the economic value of coral reefs is even steeper. For example, estimates of annual economic value of coral reefs in Guam (\$127.3 million), the Commonwealth of the Northern Mariana Islands (\$61.7 million), and American Samoa (\$5.8 million), demonstrate the importance of this resource to island economies.

But even more significant, there is increasing interest in research on corals for possible cures for cancer, arthritis, human bacterial infections, viruses and other diseases. In addition, corals which live 300 years or more may contain environmental data that can assist scientists to better understand climate change and also improve studies on ocean acidification.

Yet, more than 28 percent of the world's coral reefs have been lost forever. The list of environmental threats facing coral reefs is long including overfishing and destructive fishing practices; ship groundings and debris; impacts of human population growth and shoreline development; polluted runoff and degraded water quality; and siltation and impaired water clarity.

In addition, more studies have revealed climate change also poses serious threats, including ocean acidification and warming of tropical and subtropical coastal waters. Such is the seriousness of threat on coral reefs that the global community declared 2008 as the International Year of the Reef. This was even recognized by the House in the last Congress through the unanimous passage of House Resolution 1112.

To address these many threats to coral reefs, Congress passed the Coral Reef Conservation Act which established the Coral Reef Conservation Program within the National Oceanic and Atmospheric Administration (NOAA) to fund coral reef conservation activities. H.R. 860 follows this successful model in place and provides additional tools and mechanisms to better protect our coral reefs.

In addition, I am especially encouraged that this bill also recognizes the importance of providing funding and resources to institutes that are directly impacted and also pursuing further exploration and research of coral reefs. Under this bill, universities and research centers, such as coral reef institutes or other educational institutions such as the University of Guam or American Samoa Community College, will be given resources and support to conduct ecological research and monitoring that builds capacity for more effective resource management.

I cannot reemphasize enough the importance of coral reefs to our nation and the rest of the world. I urge my colleagues to vote yes on H.R. 860 and help protect our coral reefs.

Mr. KIRK. Mr. Speaker, today I offer my strong support for the Coral Reef Conservation Act Reauthorization and Enhancement Amendments. Coral reefs are unique ecosystems that support over one million species globally, offer essential protection from hurricanes, typhoons, and tsunamis, and attract millions of vacationers each year. Unfortunately, these reefs face unparalleled dangers today from pollution, overfishing, coastal development, disease, habitat fragmentation, ship groundings, and warming waters.

Ten percent of coral reefs have already disappeared from U.S. waters alone while over seventy percent of the world's reefs are threatened. If this trend continues, more than forty percent of global coral reefs will be lost in the next two to ten years.

The Coral Reef Conservation Act Reauthorization addresses the coral reef crisis by taking strong actions in response to physical damages to reefs by developing scientific management strategies to promote reef resilience. I urge my colleagues to join me in support of this legislation critical to conserving our oceans' greatest treasures.

Ms. BORDALLO. I reserve the balance of my time.

Mr. CHAFFETZ. Mr. Speaker, having no other speakers, I yield back the balance of my time.

Ms. BORDALLO. Mr. Speaker, I again urge Members to support this bill. I thank them for their support on the floor here.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Guam (Ms. BORDALLO) that the House suspend the rules and pass the bill, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

ILLEGAL, UNREPORTED, AND UNREGULATED FISHING ENFORCEMENT ACT OF 2009

Ms. BORDALLO. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1080) to strengthen enforcement mechanisms to stop illegal, unreported, and unregulated fishing, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1080

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 “Illegal, Unreported, and Unregulated Fishing Enforcement Act of 2009”.

SEC. 2. AMENDMENTS TO THE HIGH SEAS DRIFTNET FISHING MORATORIUM PROTECTION ACT.

(a) **ADMINISTRATION AND ENFORCEMENT.**—Section 606 of the High Seas Driftnet Fishing Moratorium Protection Act (16 U.S.C. 1826g) is amended by inserting before the first sentence the following:

“(a) **IN GENERAL.**—The Secretary and the Secretary of the department in which the Coast Guard is operating shall enforce this title, and the Acts to which this section applies, in accordance with this section. Each such Secretary may, by agreement, on a reimbursable basis or otherwise, utilize the personnel services, equipment (including aircraft and vessels), and facilities of any other Federal agency, and of any State agency, in the performance of such duties.

“(b) **ACTS TO WHICH SECTION APPLIES.**—This section applies to—

“(1) the Pacific Salmon Treaty Act of 1985 (16 U.S.C. 3631 et seq.);

“(2) the Dolphin Protection Consumer Information Act (16 U.S.C. 1385);

“(3) the Tuna Conventions Act of 1950 (16 U.S.C. 951 et seq.);

“(4) the North Pacific Anadromous Stocks Act of 1992 (16 U.S.C. 5001 et seq.);

“(5) the South Pacific Tuna Act of 1988 (16 U.S.C. 973 et seq.);

“(6) the Antarctic Marine Living Resources Convention Act of 1984 (16 U.S.C. 2431 et seq.);

“(7) the Atlantic Tunas Convention Act of 1975 (16 U.S.C. 971 et seq.);

“(8) the Northwest Atlantic Fisheries Convention Act of 1995 (16 U.S.C. 5601 et seq.); and

“(9) the Western and Central Pacific Fisheries Convention Implementation Act (16 U.S.C. 6901 et seq.).

“(c) **ADMINISTRATION AND ENFORCEMENT.**—The Secretary shall prevent any person from violating this title, or any Act to which this section applies, in the same manner, by the same means, and with the same jurisdiction, powers, and duties as though sections 308 through 311 of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1858 through 1861) were incorporated into and made a part of and applicable to this title and each such Act.

“(d) SPECIAL RULES.—

“(1) **IN GENERAL.**—Notwithstanding the incorporation by reference of certain sections of the Magnuson-Stevens Fishery Conservation and Management Act under subsection (c), if there is a conflict between a provision of this subsection and the corresponding provision of any section of the Magnuson-Stevens Fishery Conservation and Management Act so incorporated, the provision of this subsection shall apply.

“(2) **ADDITIONAL ENFORCEMENT AUTHORITY.**—In addition to the powers of officers authorized pursuant to subsection (c), any officer who is authorized by the Secretary, or the head of any Federal or State agency that has entered into an agreement with the Secretary under subsection (a), to enforce the provisions of any Act to which this section applies may, with the same jurisdiction, powers, and duties as though section 311 of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1861) were incorporated into and made a part of each such Act—

“(A) search or inspect any facility or conveyance used or employed in, or which reasonably appears to be used or employed in, the storage, processing, transport, or trade of fish or fish products;

“(B) inspect records pertaining to the storage, processing, transport, or trade of fish or fish products;

“(C) detain, for a period of up to 5 days, any shipment of fish or fish product imported into, landed on, introduced into, exported from, or transported within the jurisdiction of the United States, or, if such fish or fish product is deemed to be perishable, sell and retain the proceeds therefrom for a period of up to 5 days;

“(D) make an arrest, in accordance with any guidelines which may be issued by the Attorney General, for any offense under the laws of the United States committed in the person's presence, or for the commission of any felony under the laws of the United States, if the person has reasonable grounds to believe that the person to be arrested has committed or is committing a felony;

“(E) search and seize, in accordance with any guidelines that are issued by the Attorney General; and

“(F) execute and serve any subpoena, arrest warrant, search warrant issued in accordance with rule 41 of the Federal Rules of Criminal Procedure, or other warrant or civil or criminal process issued by any officer or court of competent jurisdiction.

“(3) **DISCLOSURE OF ENFORCEMENT INFORMATION.**—The Secretary may disclose, as necessary and appropriate, information, including information collected under joint authority of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.) and the Atlantic Tunas Convention Act of 1975 (16 U.S.C. 71 et seq.) or the Western and Central Pacific Fisheries Convention Implementation Act (16 U.S.C. 6901 et seq.) or other statutes implementing international fishery agreements, to any other Federal or State government agency, the Food and Agriculture Organization of the United Nations, the secretariat or equivalent of an international fishery management organization or arrangement made pursuant to an international fishery agreement, or a foreign government, if—

“(A) such government, organization, or arrangement has policies and procedures to protect such information from unintended or unauthorized disclosure; and

“(B) such disclosure is necessary—

“(i) to ensure compliance with any law or regulation enforced or administered by the Secretary;

“(ii) to administer or enforce any international fishery agreement to which the United States is a party;

“(iii) to administer or enforce a binding conservation measure adopted by any international organization or arrangement to which the United States is a party;

“(iv) to assist in any investigative, judicial, or administrative enforcement proceeding in the United States; or

“(v) to assist in any law enforcement action undertaken by a law enforcement agency of a foreign government, or in relation to a legal proceeding undertaken by a foreign government.

“(e) **PROHIBITED ACTS.**—It is unlawful for any person—

“(1) to violate any provision of this title or any regulation or permit issued pursuant to this title;

“(2) to refuse to permit any officer authorized to enforce the provisions of this title to board, search, or inspect a vessel, aircraft, vehicle, or shoreside facility subject to such person's control for the purposes of conducting any search, investigation, or inspection in connection with the enforcement of this title, any regulation promulgated under this title, or any Act to which this section applies;

“(3) to forcibly assault, resist, oppose, impede, intimidate, or interfere with any such authorized officer in the conduct of any search, investigation, or inspection described in paragraph (2);

“(4) to resist a lawful arrest for any act prohibited by this section or any Act to which this section applies;

“(5) to interfere with, delay, or prevent, by any means, the apprehension, arrest, or detec-

tion of an other person, knowing that such person has committed any act prohibited by this section or any Act to which this section applies; or

“(6) to forcibly assault, resist, oppose, impede, intimidate, sexually harass, bribe, or interfere with—

“(A) any observer on a vessel under this title or any Act to which this section applies; or

“(B) any data collector employed by the National Marine Fisheries Service or under contract to any person to carry out responsibilities under this title or any Act to which this section applies.

“(f) **CIVIL PENALTY.**—Any person who commits any act that is unlawful under subsection (e) shall be liable to the United States for a civil penalty, and may be subject to a permit sanction, under section 308 of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1858).

“(g) **CRIMINAL PENALTY.**—Any person who commits an act that is unlawful under subsection (e)(2), (e)(3), (e)(4), (e)(5), or (e)(6) is deemed to be guilty of an offense punishable under section 309(b) of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1859(b)).

“(h) **UTILIZATION OF FEDERAL AGENCY ASSETS.**—”.

(b) **ACTIONS TO IMPROVE THE EFFECTIVENESS OF INTERNATIONAL FISHERY MANAGEMENT ORGANIZATIONS.**—Section 608 of such Act (16 U.S.C. 1826i) is amended by—

(1) inserting before the first sentence the following: “(a) **IN GENERAL.**—”;

(2) in subsection (a) (as designated by paragraph (1) of this subsection) in the first sentence, inserting “, or arrangements made pursuant to an international fishery agreement,” after “organizations”; and

(3) adding at the end the following new subsections:

“(b) **DISCLOSURE OF INFORMATION.**—The Secretary may disclose, as necessary and appropriate, information, including information collected under joint authority of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.) and the Atlantic Tunas Convention Act of 1975 (16 U.S.C. 71 et seq.), the Western and Central Pacific Fisheries Convention Implementation Act (16 U.S.C. 6901 et seq.), any other statute implementing an international fishery agreement, to any other Federal or State government agency, the Food and Agriculture Organization of the United Nations, or the secretariat or equivalent of an international fishery management organization or arrangement made pursuant to an international fishery agreement, if such government, organization, or arrangement, respectively, has policies and procedures to protect such information from unintended or unauthorized disclosure.

“(c) **IUU VESSEL LISTS.**—The Secretary may—

“(1) develop, maintain, and make public a list of vessels and vessel owners engaged in illegal, unreported, or unregulated fishing or fishing-related activities in support of illegal, unreported, or unregulated fishing, including vessels or vessel owners identified by an international fishery management organization or arrangement made pursuant to an international fishery agreement, that—

“(A) the United States is party to; or

“(B) the United States is not party to, but whose procedures and criteria in developing and maintaining a list of such vessels and vessel owners are substantially similar to such procedures and criteria adopted pursuant to an international fishery agreement to which the United States is a party; and

“(2) take appropriate action against listed vessels and vessel owners, including action against fish, fish parts, or fish products from such vessels, in accordance with applicable United States law and consistent with applicable international law, including principles,

rights, and obligations established in applicable international fishery management agreements and trade agreements.

“(d) REGULATIONS.—The Secretary may promulgate regulations to implement this section.”.

(c) NOTIFICATION REGARDING IDENTIFICATION OF NATIONS.—Section 609(b) of such Act (16 U.S.C. 1826j(b)) is amended to read as follows:

“(b) NOTIFICATION.—The Secretary shall notify the President and that nation of such an identification.”.

(d) NATIONS IDENTIFIED UNDER SECTION 610.—Section 610(b)(1) of such Act (16 U.S.C. 1826k(b)(1)) is amended to read as follows:

“(1) notify, as soon as possible, the President and nations that have been identified under subsection (a), and also notify other nations whose vessels engage in fishing activities or practices described in subsection (a), about the provisions of this section and this Act.”.

(e) EFFECT OF CERTIFICATION UNDER SECTION 609.—Section 609(d)(3)(A)(i) of such Act (16 U.S.C. 1826j(d)(3)(A)(i)) is amended by striking “that has not been certified by the Secretary under this subsection, or”.

(f) EFFECT OF CERTIFICATION UNDER SECTION 610.—Section 610(c)(5) of such Act (16 U.S.C. 1826k(c)(5)) is amended by striking “that has not been certified by the Secretary under this subsection, or”.

(g) IDENTIFICATION OF NATIONS.—

(1) SCOPE OF IDENTIFICATION FOR ACTIONS OF FISHING VESSELS.—Section 609(a) of such Act (16 U.S.C. 1826j(a)) is amended—

(A) in the matter preceding paragraph (1) by striking “2 years” and inserting “3 years”;

(B) in paragraph (1), by inserting “that undermines the effectiveness of measures required by an international fishery management organization, taking into account whether” after “(1)”; and

(C) in paragraph (1), by striking “vessels of”.

(2) ADDITIONAL GROUNDS FOR IDENTIFICATION.—Section 609(a) of such Act (16 U.S.C. 1826j(a)) is further amended—

(A) by redesignating paragraphs (1) and (2) in order as subparagraphs (A) and (B) (and by moving the margins of such subparagraphs 2 ems to the right);

(B) by inserting before the first sentence the following:

“(1) IDENTIFICATION FOR ACTIONS OF FISHING VESSELS.—”; and

(C) by adding at the end the following:

“(2) IDENTIFICATION FOR ACTIONS OF NATION.—Taking into account the factors described under section 609(a)(1), the Secretary shall also identify, and list in such report, a nation—

“(A) if it is violating, or has violated at any point during the preceding three years, conservation and management measures required under an international fishery management agreement to which the United States is a party and the violations undermine the effectiveness of such measures; or

“(B) if it is failing, or has failed at any point during the preceding three years, to effectively address or regulate illegal, unreported, or unregulated fishing in areas described under paragraph (1)(B).

“(3) APPLICATION TO OTHER ENTITIES.—Where the provisions of this Act are applicable to nations, they shall also be applicable, as appropriate, to other entities that have competency to enter into international fishery management agreements.”.

(3) PERIOD OF FISHING PRACTICES SUPPORTING IDENTIFICATION.—Section 610(a)(1) of such Act (16 U.S.C. 1826k(a)(1)) is amended by striking “calendar year” and replacing with “three years”.

(h) AUTHORIZATION OF APPROPRIATIONS.—

(1) Section 609(f) of such Act (16 U.S.C. 1826j) is amended by—

(A) striking “2007” and inserting “2010”; and

(B) striking “2013” and inserting “2015”.

(2) Section 610(f) of such Act (16 U.S.C. 1826k) is amended by—

(A) striking “2007” and inserting “2010”; and

(B) striking “2013” and inserting “2015”.

(i) TECHNICAL CORRECTIONS.—

(1) Section 607(2) of such Act (16 U.S.C. 1826h(2)) is amended by striking “whose vessels” and inserting “that”.

(2) Section 609(d)(1) of such Act (16 U.S.C. 1826j(d)(1)) is amended by striking “of its fishing vessels”.

(3) Section 609(d)(1)(A) of such Act (16 U.S.C. 1826j(d)(1)(A)) is amended by striking “of its fishing vessels”.

(4) Section 609(d)(2) of such Act (16 U.S.C. 1826j(d)(2)) is amended—

(A) by striking “for certification” and inserting “to authorize”;

(B) by inserting “the importation” after “or other basis”;

(C) by striking “harvesting”; and

(D) by striking “not certified under paragraph (1)” and inserting “issued a negative certification under paragraph (1)”.

(5) Section 610 of such Act (16 U.S.C. 1826k) is amended as follows:

(A) In subsection (a)(1), by striking “practices”; and inserting “practices”.

(B) In subsection (c)(1)(A), by striking “, and which, in the case of pelagic longline fishing, includes mandatory use of circle hooks, careful handling and release equipment, and training and observer programs”.

(C) In subsection (c)(4), by striking all preceding subparagraph (B) and inserting the following:

“(4) ALTERNATIVE PROCEDURE.—The Secretary may establish a procedure to authorize, on a shipment-by-shipment, shipper-by-shipper, or other basis the importation of fish or fish products from a vessel of a nation issued a negative certification under paragraph (1) if the Secretary determines that such imports were harvested by practices that do not result in bycatch of a protected marine species, or were harvested by practices that—

“(A) are comparable to those of the United States, taking into account different conditions; and”.

SEC. 3. AMENDMENTS TO THE HIGH SEAS DRIFTNET FISHERIES ENFORCEMENT ACT.

(a) NEGATIVE CERTIFICATION EFFECTS.—Section 101 of the High Seas Driftnet Fisheries Enforcement Act (16 U.S.C. 1826a) is amended—

(1) in subsection (a)(2), by striking “recognized principles of” after “in accordance with”;

(2) in subsection (a)(2)(A), by inserting “or, as appropriate, for fishing vessels of a nation that receives a negative certification under section 609(d) or section 610(c) of the High Seas Driftnet Fishing Moratorium Protection Act (16 U.S.C. 1826j) after “(1)”; and

(3) in subsection (a)(2)(B), by inserting before the period the following: “, except for the purposes of inspecting such vessel, conducting an investigation, or taking other appropriate enforcement action”;

(4) in subsection (b)(1)(A)(i), by striking “or illegal, unreported, or unregulated fishing” after “driftnet fishing”;

(5) in subsection (b)(1)(B) and subsection (b)(2), by striking “or illegal, unreported, or unregulated fishing” after “driftnet fishing” each place it appears;

(6) in subsection (b)(3)(A)(i), by inserting “or a negative certification under section 609(d) or section 610(c) of the High Seas Driftnet Fishing Moratorium Protection Act (16 U.S.C. 1826j(d), 1826k(c))” after “(1)(A)”; and

(7) in subsection (b)(4)(A), by inserting “or issues a negative certification under section 609(d) or section 610(c) of the High Seas Driftnet Fishing Moratorium Protection Act (16 U.S.C. 1826j(d), 1826k(c))” after “paragraph (1)”; and

(8) in subsection (b)(4)(A)(i), by striking “or illegal, unreported, or unregulated fishing” after “driftnet fishing”; and

(9) in subsection (b)(4)(A)(i), by inserting “, or to address the offending activities for which a

nation received a negative certification under section 609(d) or 610(c) of the High Seas Driftnet Fishing Moratorium Protection Act (16 U.S.C. 1826j(d), 1826k(c))” after “beyond the exclusive economic zone of any nation”.

(b) DURATION OF NEGATIVE CERTIFICATION EFFECTS.—Section 102 of such Act (16 U.S.C. 1826b) is amended by—

(1) striking “or illegal, unreported, or unregulated fishing”; and

(2) inserting “or effectively addressed the offending activities for which the nation received a negative certification under 609(d) or 610(c) of the High Seas Driftnet Fishing Moratorium Protection Act (16 U.S.C. 1826j(d), 1826k(c))” before the period at the end.

SEC. 4. AMENDMENTS TO THE TUNA CONVENTIONS ACT OF 1950.

Section 8 of the Tuna Conventions Act of 1950 (16 U.S.C. 957) is amended—

(1) in subsection (a) by striking “knowingly”; and

(2) by striking subsections (d) through (g) and inserting the following:

“(d) ADDITIONAL PROHIBITIONS AND ENFORCEMENT.—For additional prohibitions relating to this Act and enforcement of this Act, see section 606 of the High Seas Driftnet Fishing Moratorium Protection Act (16 U.S.C. 1826g).”; and

(3) by redesignating subsection (h) as subsection (e).

SEC. 5. AMENDMENTS TO NORTH PACIFIC ANADROMOUS STOCKS ACT OF 1992.

(a) UNLAWFUL ACTIVITIES.—Section 810 of the North Pacific Anadromous Stocks Act of 1992 (16 U.S.C. 5009) is amended—

(1) in paragraph (5), by inserting “, investigation,” after “search”; and

(2) in paragraph (6), by inserting “, investigation,” after “search”.

(b) ADDITIONAL PROHIBITIONS AND ENFORCEMENT.—Section 811 of the Northern Pacific Anadromous Stocks Act of 1992 (16 U.S.C. 5010) is amended to read as follows:

“SEC. 811. ADDITIONAL PROHIBITIONS AND ENFORCEMENT.

“For additional prohibitions relating to this Act and enforcement of this Act, see section 606 of the High Seas Driftnet Fishing Moratorium Protection Act (16 U.S.C. 1826g).”.

SEC. 6. AMENDMENTS TO THE PACIFIC SALMON TREATY ACT OF 1985.

Section 8 of the Pacific Salmon Treaty Act of 1985 (16 U.S.C. 3637) is amended—

(1) in subsection (a)(2)—

(A) by inserting “, investigation,” after “search”; and

(B) by striking “this title,” and inserting “this Act”; and

(2) in subsection (a)(3)—

(A) by inserting “, investigation,” after “search”; and

(B) by striking “subparagraph (2) ;” and inserting “paragraph (2) ;”;

(3) in subsection (a)(5), by striking “this title; or” and inserting “this Act”; and

(4) by striking subsections (b) through (f) and inserting the following:

“(b) ADDITIONAL PROHIBITIONS AND ENFORCEMENT.—For additional prohibitions relating to this Act and enforcement of this Act, see section 606 of the High Seas Driftnet Fishing Moratorium Protection Act (16 U.S.C. 1826g).”.

SEC. 7. AMENDMENTS TO THE WESTERN AND CENTRAL PACIFIC FISHERIES CONVENTION IMPLEMENTATION ACT.

The Western and Central Pacific Fisheries Convention Implementation Act (title V of Public Law 109-479) is amended—

(1) in section 503(a) (16 U.S.C. 6902(a)), by striking “one of whom shall be the chairman or a member of the Western Pacific Fishery Management Council and the Pacific Fishery Management Council” and inserting “one of whom shall be a member of the Western Pacific Fishery Management Council, and one of whom shall be a member of the Pacific Fishery Management Council”;

(2) in section 503(c)(1) (16 U.S.C. 6902(c)(1)), by striking “shall be considered to be Federal employees” and all that follows through the end of the sentence and inserting “shall not be considered Federal employees except for purposes of injury compensation and tort claims liability as provided in chapter 81 of title 5, United States Code, and chapter 171 of title 28, United States Code.”;

(3) in section 503(d)(2)(B) (16 U.S.C. 6902(d)(2)(B)), by amending clause (ii) to read as follows:

“(ii) shall not be considered Federal employees while performing service except for the purposes of injury compensation and tort claims liability as provided in chapter 81 of title 5, United States Code, and chapter 171 of title 28, United States Code.”;

(4) by amending section 506(c) (16 U.S.C. 6905(c)) to read as follows:

“(c) **ADDITIONAL PROHIBITIONS AND ENFORCEMENT.**—For additional prohibitions relating to this Act and enforcement of this Act, see section 606 of the High Seas Driftnet Fishing Moratorium Protection Act (16 U.S.C. 1826g).”; and

(5) in section 507(a)(2) (16 U.S.C. 6906(a)(2)) by striking “suspension, on” and inserting “suspension, of”.

SEC. 8. AMENDMENTS TO THE SOUTH PACIFIC TUNA ACT OF 1988.

The South Pacific Tuna Act of 1988 is amended—

(1) in section 5(a) (16 U.S.C. 973c(a))—
(A) in paragraph (8), by inserting “, investigation,” after “search”; and

(B) in paragraph (10), by inserting “, investigation,” after “search”; and

(2) by striking sections 7 and 8 (16 U.S.C. 973e and 973f) and inserting the following:

“SEC. 7. ADDITIONAL PROHIBITIONS AND ENFORCEMENT.

“For additional prohibitions relating to this Act and enforcement of this Act, see section 606 of the High Seas Driftnet Fishing Moratorium Protection Act (16 U.S.C. 1826g).”.

SEC. 9. AMENDMENTS TO THE ANTARCTIC MARINE LIVING RESOURCES CONVENTION ACT.

The Antarctic Marine Living Resources Convention Act of 1984 is amended—

(1) in section 306 (16 U.S.C. 2435)—

(A) in paragraph (3), by striking “which he knows, or reasonably should have known, was”; and

(B) in paragraph (4), by inserting “, investigation,” after “search”; and

(C) in paragraph (5), by inserting “, investigation,” after “search”;

(2) in section 307 (16 U.S.C. 2436)—

(A) by inserting “(a) **IN GENERAL.**—” before the first sentence; and

(B) by adding at the end the following:

“(b) **REGULATIONS TO IMPLEMENT CONSERVATION MEASURES.**—

“(1) **IN GENERAL.**—Notwithstanding subsections (b), (c), and (d) of section 553 of title 5, United States Code, the Secretary of Commerce may publish in the Federal Register a final regulation to implement any conservation measure for which the Secretary of State notifies the Commission under section 305(a)(1)—

“(A) that has been in effect for 12 months or less;

“(B) that is adopted by the Commission; and

“(C) with respect to which the Secretary of State does not notify Commission in accordance with section 305(a)(1) within the time period allotted for objections under Article IX of the Convention.

“(2) **ENTERING INTO FORCE.**—Upon publication of such regulation in the Federal Register, such conservation measure shall enter into force with respect to the United States.”; and

(3) by striking sections 308 and 309 (16 U.S.C. 2437 and 2438) and inserting the following:

“SEC. 308. ADDITIONAL PROHIBITIONS AND ENFORCEMENT.

“For additional prohibitions relating to this Act and enforcement of this Act, see section 606

of the High Seas Driftnet Fishing Moratorium Protection Act (16 U.S.C. 1826g).”.

SEC. 10. AMENDMENTS TO THE ATLANTIC TUNAS CONVENTION ACT.

The Atlantic Tunas Convention Act of 1975 is amended—

(1) in section 6(c)(2) (16 U.S.C. 971d(c)(2)(2))—

(A) by striking “(A)” and inserting “(i)”;

(B) by striking “(B)” and inserting “(ii)”;

(C) by inserting “(A)” after “(2)”;

(D) by adding at the end the following:

“(B) Notwithstanding the requirements of subparagraph (A) and subsections (b) and (c) of section 553 of title 5, United States Code, the Secretary may issue final regulations to implement Commission recommendations referred to in paragraph (1) concerning trade restrictive measures against nations or fishing entities.”;

(2) in section 7 (16 U.S.C. 971e) by striking subsections (e) and (f) and redesignating subsection (g) as subsection (e);

(3) in section 8 (16 U.S.C. 971f)—

(A) by striking subsections (a) and (c); and

(B) by inserting before subsection (b) the following:

“(a) For additional prohibitions relating to this Act and enforcement of this Act, see section 606 of the High Seas Driftnet Fishing Moratorium Protection Act (16 U.S.C. 1826g).”;

(4) in section 8(b) by striking “the enforcement activities specified in section 8(a) of this Act” each place it appears and inserting “enforcement activities with respect to this Act that are otherwise authorized by law”; and

(5) by striking section 11 (16 U.S.C. 971j) and redesignating sections 12 and 13 as sections 11 and 12, respectively.

SEC. 11. AMENDMENTS TO THE HIGH SEAS FISHING COMPLIANCE ACT OF 1965.

Section 104(f) of the High Seas Fishing Compliance Act of 1995 (16 U.S.C. 5503(f)) is amended to read as follows:

“(f) **VALIDITY.**—A permit issued under this section for a vessel is void if—

“(1) any other permit or authorization required for the vessel to fish is expired, revoked, or suspended; or

“(2) the vessel is no longer documented under the laws of the United States or eligible for such documentation.”.

SEC. 12. AMENDMENTS TO THE PACIFIC WHITING ACT OF 2006.

(a) **SCIENTIFIC EXPERTS ON JOINT TECHNICAL COMMITTEE.**—Section 605(a)(1) of the Pacific Whiting Act of 2006 (16 U.S.C. 7004(a)(1)) is amended to read as follows:

“(1) **IN GENERAL.**—The Secretary, in consultation with the Secretary of State, shall appoint no more than two individuals to serve as scientific experts on the joint technical committee, at least one of whom shall be an official of the National Oceanic and Atmospheric Administration.”; and

(b) **TREATMENT AS FEDERAL EMPLOYEES.**—Section 609(a) of the Pacific Whiting Act of 2006 (16 U.S.C. 7008(a)) is amended by striking “shall be considered to be Federal employees while performing such service, only for purposes of—” and all that follows and inserting “shall not be considered Federal employees while performing such service, except for purposes of injury compensation or tort claims liability as provided in chapter 81 of title 5, United States Code, and chapter 171 of title 28, United States Code.”.

SEC. 13. AMENDMENTS TO THE DOLPHIN PROTECTION CONSUMER INFORMATION ACT.

The Dolphin Protection Consumer Information Act (16 U.S.C. 1385) is amended by amending subsection (e) to read as follows:

“(e) **ADDITIONAL PROHIBITIONS AND ENFORCEMENT.**—For additional prohibitions relating to this Act and enforcement of this Act, see section 606 of the High Seas Driftnet Fishing Moratorium Protection Act (16 U.S.C. 1826g).”.

SEC. 14. AMENDMENTS TO THE NORTHERN PACIFIC HALIBUT ACT OF 1982.

(a) **PROHIBITED ACTS.**—Section 7 of the Northern Pacific Halibut Act of 1982 (16 U.S.C. 773e) is amended—

(1) in paragraph (a) by redesignating subparagraphs (1) through (6) as subparagraphs (A) through (F);

(2) by redesignating paragraphs (a) and (b) as paragraphs (1) and (2), respectively;

(3) by in paragraph (1)(B), as so redesignated, by inserting “, investigation,” before “or inspection”;

(4) by in paragraph (1)(C), as so redesignated, by inserting “, investigation,” before “or inspection”;

(5) in paragraph (1)(E), as so redesignated, by striking “or” after the semicolon; and

(6) in paragraph (1)(F), as so redesignated, by striking “section.” and inserting “section; or”.

(b) **ENFORCEMENT POWERS.**—Section 11 of the Northern Pacific Halibut Act of 1982 (16 U.S.C. 773i) is amended by adding at the end the following:

“(g) In addition to the powers of officers authorized pursuant to subsection (b), any officer who is authorized by the Secretary, or by the head of any Federal or State agency that has entered into an agreement with the Secretary under subsection (a), to enforce the Convention, this Act, or any regulation adopted under this Act, may—

“(1) search or inspect any facility or conveyance used or employed in, or which reasonably appears to be used or employed in, the storage, processing, transport, or trade of fish or fish products;

“(2) inspect records pertaining to the storage, processing, transport, or trade of fish or fish products; and

“(3) detain, for a period of up to 5 days, any shipment of fish or fish product imported into, landed on, introduced into, exported from, or transported within the jurisdiction of the United States, or, if such fish or fish product is deemed to be perishable, sell and retain the proceeds therefrom for a period of up to 5 days.”.

SEC. 15. AMENDMENTS TO THE NORTHWEST ATLANTIC FISHERIES CONVENTION ACT OF 1995.

Section 207 of the Northwest Atlantic Fisheries Convention Act of 1995 (16 U.S.C. 5606) is amended—

(1) in the section heading, by striking “**AND PENALTIES**” and inserting “**AND ENFORCEMENT**”;

(2) in subsection (a)(2), by inserting “, investigation,” before “or inspection”;

(3) in subsection (a)(3), by inserting “, investigation,” before “or inspection”; and

(4) by striking subsections (b) through (f) and inserting the following:

“(b) **ADDITIONAL PROHIBITIONS AND ENFORCEMENT.**—For additional prohibitions relating to this Act and enforcement of this Act, see section 606 of the High Seas Driftnet Fishing Moratorium Protection Act (16 U.S.C. 1826g).”.

SEC. 16. AMENDMENT TO THE MAGNUSON-STEVENS FISHERY CONSERVATION AND MANAGEMENT ACT.

Section 307(1)(Q) of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1857(1)(Q)) is amended by inserting before the semicolon the following: “or any treaty or in contravention of any binding conservation measure adopted by an international agreement or organization to which the United States is a party”.

SEC. 17. INTERNATIONAL COOPERATION AND ASSISTANCE PROGRAM.

(a) **INTERNATIONAL COOPERATION AND ASSISTANCE PROGRAM.**—The Secretary of Commerce, acting through the National Marine Fisheries Service, may establish an international cooperation and assistance program, including grants, to provide assistance for sustainable fishery management capacity building efforts.

(b) **AUTHORIZED ACTIVITIES.**—In carrying out the program, the Secretary may—

(1) provide funding and technical expertise to other nations to assist them in addressing illegal, unreported, or unregulated fishing activities;

(2) provide funding and technical expertise to other nations to assist them in reducing the loss and environmental impacts of derelict fishing gear, reducing the bycatch of living marine resources, and promoting international marine resource conservation;

(3) provide funding, technical expertise, and training to other nations to aid them in building capacity for enhanced fisheries management, fisheries monitoring, catch and trade tracking activities, enforcement, and international marine resource conservation;

(4) establish partnerships with other Federal agencies or non-governmental organizations, as appropriate, to ensure that fisheries development assistance to other nations is directed toward projects that promote sustainable fisheries; and

(5) conduct outreach and education efforts in order to promote public and private sector awareness of international fisheries sustainability issues, including the need to combat illegal, unreported, or unregulated fishing activity and to promote international marine resource conservation.

(c) **GUIDELINES.**—The Secretary may establish guidelines necessary to implement the program.

(d) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated to the Secretary \$5,000,000 for each of fiscal years 2010 through 2015 to carry out this section.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Guam (Ms. BORDALLO) and the gentleman from Utah (Mr. CHAFFETZ) each will control 20 minutes.

The Chair recognizes the gentlewoman from Guam.

GENERAL LEAVE

Ms. BORDALLO. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Guam?

There was no objection.

Ms. BORDALLO. Mr. Speaker, I rise in support of my bill, H.R. 1080, the Illegal, Unreported, and Unregulated Fishing Enforcement Act of 2009. The United States demonstrates strong leadership in fisheries management both nationally and internationally. However, despite these efforts, many marine fish stocks around the world are exploited or depleted, which is driven, in part, by the persistence of illegal, unreported, and unregulated (or IUU) fishing. With an annual global value of over \$10 billion, IUU fishing undermines the United States' fisheries management efforts and its fishermen, as well as efforts to sustainably manage fisheries in other countries.

IUU fishing in recent years has impinged, for example, the U.S. Exclusive Economic Zone surrounding my district of Guam and our neighboring Mariana Islands. This is a problem, Mr. Speaker, that has increasingly evidenced itself elsewhere in the U.S. EEZ and must be addressed. H.R. 1080 would strengthen and improve the enforcement authorities of various U.S. fisheries acts and would authorize a cooperation-and-assistance program to help other countries develop the technical expertise to confront IUU fishing.

The bill is strongly supported by the U.S. fishing industry, the administration, and marine conservation interests.

With that, Mr. Speaker, I ask Members on both sides to support its passage.

I reserve the balance of my time.

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

H.R. 1080 will give the United States more tools to combat illegal, unregulated, and unreported (or IUU) fishing. This pirate fishing has had a negative impact on important fisheries and has hurt those fishermen and fishing nations that play by the rules. The only concern I have with this legislation is that we need to make sure our government, in setting the example to the world for transparency, does not sacrifice proprietary information from our domestic industries that would erode our competitiveness in the world's seafood market. This legislation walks that fine line, but we need to keep an eye on those who will implement this legislation.

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

Ms. BORDALLO. Mr. Speaker, I yield the gentleman from Washington (Mr. BAIRD) as much time as he may consume.

Mr. BAIRD. I thank the gentlelady. I rise in strong support of H.R. 1080, and I also would like to speak in support of the prior bill on coral reefs. In the marine sciences, there is a phenomenon known as the shifting baseline, which is where you look today and say, What's the status of this ecosystem?

You tend to look 10 years back, on the assumption that that's a good window of time. The fact, however, is that the 10-years-back window may be substantially degraded from 10 years prior, which was degraded from 10 years prior, et cetera. So as we try to restore these ecosystems, we need to understand that many of them have been profoundly degraded over time, this shifting baseline is going in a negative direction, and it's very hard to know where we're at.

This legislation, H.R. 1080, and the prior legislation regarding coral reefs, is a shift in a positive direction. We are actually improving the protection of our marine resources, which are so critical. I would say to my colleagues that if they learn and remember nothing else about our marine ecosystems, it would be the following number: 50 percent. As we speak today, 50 percent of the oxygen we are breathing comes from the oceans—every other breath. Yet the oceans are subject to assault, ranging from ocean acidification to temperature increase, to overfishing, which this legislation deals with, to runoff, to harmful algal blooms, to hypoxia, et cetera.

I commend the gentlelady and gentleman for their leadership on this. I urge passage. We must make preservation of our oceans a much higher priority, not only for this body but for

this country. I urge passage of both this and the prior bill.

□ 1430

Mr. CHAFFETZ. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. FALEOMAVAEGA. Mr. Speaker, I rise today in support of H.R. 1080, legislation to strengthen enforcement mechanisms to stop illegal, unreported, and unregulated fishing. I thank the Chairwoman of the Subcommittee on Insular Affairs, Wildlife, and Oceans for her leadership on this important issue. I also want to thank Chairman RAHALL and members of the Natural Resources Committee for bringing this important bill for House consideration.

Mr. Speaker, the practice of illegal, unreported, and unregulated fishing (IUU) poses serious threats to our marine ecosystems and undermines our efforts to conserve and manage our ocean resources, and our fishing industry. Estimated at an annual global value of \$10 to \$23.5 million, IUU affects fish migration between the U.S. Exclusive Economic Zone (EEZ) and the high seas, and adversely impact the catch for our own fishing boats and subsequently restricts our fish supply. Overall the increasing problem of IUU clearly compromises any benefits from our domestic fisheries management efforts.

This bill, H.R. 1080, provides the framework to better track and monitor IUU. On an international level, the publication of vessels who have engaged in IUU and identifying and listing nations who have not complied with terms of the international fisheries agreements, will ensure that nations will make it a high priority to improve their efforts in the conservation and management of fisheries resources. It also strengthens the cooperation between the U.S. and the international fisheries organizations throughout the world by providing the necessary technical expertise and funding in collaborative efforts to build capacity and to better enforcement. Importantly, this legislation authorizes and provides funding for a stronger enforcement mechanism to ensure that the U.S. complies with the many international fisheries treaties and agreements that the U.S. is a part of.

I know for a fact that this has had great impact on the island nations in the Pacific where fishing vessels from other nations or pirate ships who illegally entered their waters and fished and then transport and exchanged their catch in the high seas. Illegal fishing as such has had a great impact on the local communities and the cultures that heavily rely on subsistence fishing. I have personally witnessed in my District the fact that more and more local fishermen have returned from long trips without any catch. This depletion is evident in the short supply of fish for our struggling local canneries which is the largest private employer in American Samoa. This is a clear example of the impacts of IUU and without the strong enforcement and regulation of our fisheries treaties and agreements, we will lose our fish stocks, thus, impacting our marine ecosystems and for most in the Pacific, their way of life.

This legislation reinforces the fact that U.S. will not tolerate the ongoing onslaught of illegal fishing on our fisheries worldwide. I urge my colleagues to support H.R. 1080.

Mr. SABLON. Mr. Speaker, I rise today in support of H.R. 1080, the Illegal, Unreported,

and Unregulated Fishing Enforcement Act of 2009.

This act provides much-needed, new tools to law enforcement to protect our fisheries and other marine resources and increases the penalties for environmental crimes.

Unfortunately, we continue to see illegal fishing in the Exclusive Economic Zone (EEZ) around the Mariana Islands. Just last month NOAA and the coast guard apprehended a Taiwanese vessel illegally fishing in the EEZ of the Mariana Islands with ten tons of shark on board.

The owner was fined \$500,000 dollars, but only had to pay \$200,000 now. After three years, if the owner can show an inability to pay the remaining \$300,000, NOAA may waive the fine.

More amazing, the owner was allowed to keep the illegal catch.

This is neither a punishment nor a deterrent.

Mr. Speaker, I want to thank Chairwoman BORDALLO for her extraordinary leadership on this legislation and ensuring our fisheries and marine resources are protected. I urge my colleagues to support H.R. 1080. Let's send a strong message to high seas criminals that their actions will have real consequences. And let's help our enforcement personnel with the tools they need to do their jobs.

Ms. BORDALLO. Mr. Speaker, I again urge Members to support the bill, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Guam (Ms. BORDALLO) that the House suspend the rules and pass the bill, H.R. 1080, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

JOHN ADAMS MEMORIAL FOUNDATION AUTHORITY EXTENSION

Ms. BORDALLO. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2802) to provide for an extension of the legislative authority of the Adams Memorial Foundation to establish a commemorative work in honor of former President John Adams and his legacy, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2802

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

SECTION 1. EXTENSION OF LEGISLATIVE AUTHORITY FOR MEMORIAL ESTABLISHMENT.

(a) LEGISLATIVE AUTHORITY.—Section 1(c) of Public Law 107-62 is amended by striking “accordance with” and all that follows through the period at the end and inserting the following: “accordance with chapter 89 of title 40, United States Code, except that any reference in section 8903(e) of that chapter to the expiration at the end of or extension beyond a seven-year period shall be considered to be a reference to an expiration on or extension beyond December 2, 2013.”.

(b) TECHNICAL AMENDMENTS.—Public Law 107-62 is amended—

(1) in section 1(e), by striking “(40 U.S.C. 1001, et seq.)” and inserting “(40 U.S.C. 8901, et seq.)”; and

(2) in section 2, by striking “(40 U.S.C. 1002)” and inserting “(40 U.S.C. 8902(a))”.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Guam (Ms. BORDALLO) and the gentleman from Utah (Mr. CHAFFETZ) each will control 20 minutes.

The Chair recognizes the gentlewoman from Guam.

GENERAL LEAVE

Ms. BORDALLO. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Guam?

There was no objection.

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

Among the many statues and monuments in this city, there are none that honor our second President, John Adams, nor the contributions made by his family to our Nation's history.

In 2001, Congress authorized the Adams Memorial Foundation to establish a memorial in the District of Columbia and its environs. This authority will expire on December 2, 2009, but several more years are required to complete fundraising, final design, and construction.

H.R. 2802, introduced by our distinguished colleague from Massachusetts, Representative DELAHUNT, would extend the legislative authority necessary for this important endeavor for 4 additional years, as recommended by the administration.

Mr. Speaker, we commend Representative DELAHUNT for his efforts in this legislation. We support passage of H.R. 2802 and urge its adoption by the House today.

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

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

H.R. 2802 has been adequately explained by the majority, and we support the legislation. We commend the work of Mr. DELAHUNT and the gentleman that he is.

Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Ms. BORDALLO. Mr. Speaker, I again urge Members to support the bill, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Guam (Ms. BORDALLO) that the House suspend the rules and pass the bill, H.R. 2802, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

UPPER ELK RIVER WILD AND SCENIC STUDY ACT

Ms. BORDALLO. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3113) to amend the Wild and Scenic Rivers Act to designate a segment of the Elk River in the State of West Virginia for study for potential addition to the National Wild and Scenic Rivers System, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3113

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 “Upper Elk River Wild and Scenic Study Act”.

SEC. 2. DESIGNATION FOR STUDY.

Section 5(a) of the Wild and Scenic Rivers Act (16 U.S.C. 1276(a)) is amended by adding at the end the following:

“() ELK RIVER, WEST VIRGINIA.—The approximate 5-mile segment of the Elk River from the confluence of the Old Field Fork and the Big Spring Fork in Pocahontas County to the Pocahontas and Randolph County line.”.

SEC. 3. STUDY AND REPORT.

Section 5(b) of the Wild and Scenic Rivers Act (16 U.S.C. 1276(b)) is amended by adding at the end the following:

“() ELK RIVER, WEST VIRGINIA.—Not later than 3 years after funds are made available to carry out this paragraph, the Secretary of Agriculture shall complete the study of the 5-mile segment of the Elk River, West Virginia, designated for study in subsection (a), and shall submit to Congress a report containing the results of the study. The report shall include an analysis of the potential impact of the designation on private lands within the 5-mile segment of the Elk River, West Virginia, or abutting that area.”.

SEC. 4. EFFECT.

(a) EFFECT ON ACCESS FOR RECREATIONAL ACTIVITIES.—Consistent with section 13 of the Wild and Scenic Rivers Act (16 U.S.C. 1284), nothing in the designation made by the amendment in section 2 shall be construed as affecting access for recreational activities otherwise allowed by law or regulation, including hunting, fishing, or trapping.

(b) EFFECT ON STATE AUTHORITY.—Consistent with section 13 of the Wild and Scenic Rivers Act (16 U.S.C. 1284), nothing in the designation made by the amendment in section 2 shall be construed as affecting the authority, jurisdiction, or responsibility of the several States to manage, control, or regulate fish and resident wildlife under State law or regulations, including the regulation of hunting, fishing, and trapping.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Guam (Ms. BORDALLO) and the gentleman from Utah (Mr. CHAFFETZ) each will control 20 minutes.

The Chair recognizes the gentlewoman from Guam.

GENERAL LEAVE

Ms. BORDALLO. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the bill under consideration.