the WTO was being negotiated. We made some progress in protecting the integrity of American law, particularly with regard to dumping. There still remain a number of gray areas, some of which this amendment sheds light upon. But these issues cannot be resolved by simply waving banners or invoking slogans, whether ''free trade'' or any other. They require and deserve much more than a clash of polarized debate.

THE INTRODUCTION OF THE NEOTROPICAL MIGRATORY BIRD HABITAT ENHANCEMENT ACT

HON. DON YOUNG

OF ALASKA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 6, 1998

Mr. YOUNG of Alaska. Mr. Speaker, I am pleased to introduce today the Neotropical Migratory Bird Habitat Enhancement Act.

This important conservation measure is modeled after the highly successful programs that Congress created to assist African and Asian elephants, rhinoceroses, and tigers. In fact, I am hopeful that later this week the President will sign into law my bill, H.R. 39, to extend the African Elephant Conservation Act.

This legislation is very similar to the African Elephant Conservation Act, and I am confident that this small investment of Federal funds will provide the lifeline that neotropical migratory birds need to survive in the wild.

Neotropical birds, like bluebirds, robins, orioles, and goldfinches, travel across international borders and depend upon thousands of miles of suitable habitat. In fact, according to the U.S. Fish and Wildlife Service, neotropical migratory birds typically spend five months of the year at Caribbean/Latin American wintering sites, four months in North American breeding areas, and three months traveling to these sites during spring and autumn migrations.

Sadly, there are 90 North American bird species that are listed as either threatened or endangered under the Endangered Species Act and an additional 124 birds that the U.S. Fish and Wildlife Service has identified on its list of Migratory Nongame Birds of Management Concern.

In North America, an estimated 70 percent of prairie birds are declining. The Government of Mexico lists approximately 390 bird species as endangered, threatened, vulnerable, or rare. What is lacking, however, is a strategic plan for bird conservation, money for on-the-ground projects, public awareness, and any real coordination among the various nations where neotropical migratory birds reside.

While the full extent of the problems facing neotropical migratory birds is unclear, there is no debate over the fact that both bird populations and critical habitat declined significantly in the 1990's. We must act now before more of these species become endangered or extinct. This bill will contribute to the recovery and conservation of migratory birds, without violating private property rights.

There are 60 million adult Americans who enjoy watching and feeding birds at their homes. In fact, these activities generate some $20 billion in economic activity each year. In addition, healthy bird populations are an invaluable asset for farmers and timber interests. By consuming detrimental insects, these birds prevent the loss of millions of dollars each year.

Under the terms of this legislation, an individual or an organization would be able to submit a project proposal to the Secretary of the Interior. While the bill does not limit the type of projects, I would expect that efforts to determine the condition of neotropical migratory bird habitat, implement new or improved conservation plans, undertake population studies, educate the public, and reduce the destruction of essential habitat would be forthcoming. Since these birds migrate between the Caribbean, Latin America, and North America, comprehensive plans must be developed. It does little good if we are successful in conserving suitable habitat in only a portion of their range.

I am confident that a Neotropical Migratory Bird Conservation Fund would provide much-needed support for projects designed to conserve critical habitat for declining migratory bird species in an innovative and cost-effective way.

I urge my colleagues to support the Neotropical Migratory Bird Habitat Enhancement Act.

THE ATLANTIC SWORDFISH MANAGEMENT IMPROVEMENT ACT

HON. JIM SAXTON

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 6, 1998

Mr. SAXTON. Mr. Speaker, the effective management of Atlantic highly migratory species (HMS) and their fisheries is perhaps the most complex challenge facing the National Marine Fisheries Service (NMFS) today. These species range widely throughout international waters and the jurisdictions of many coastal nations with diverse policies and perspectives on resource utilization and management. The fishing practices and marketing priorities for these species are equally diverse. Seriously compounding these challenges is that the biology of these species is not well known and remains difficult to determine.

Congress has recognized the unique and difficult challenges associated with effective conservation and management of HMS and those who fish for them. Fundamental to this recognition is that effective management of these species and fisheries cannot be achieved on a unilateral basis, but instead must be pursued on a multilateral basis throughout their range. Unlike most other U.S. fisheries, effective multilateral management is the goal of U.S. HMS policy. A number of specific provisions in both the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act) and the Atlantic Tunas Convention Act (ATCA) are intended to express this policy.

For example, Congress deliberately placed Atlantic HMS management authority in the hands of the Secretary of Commerce instead of the regional Councils for the purpose of ensuring that the U.S. maintained a multilateral, Atlantic-wide perspective and vision. As U.S. policy and law dictate, the principal purpose and obligation of domestic Atlantic HMS management measures is to faithfully implement and enforce the multilateral ICCAT measures. U.S. law requires such implementation to achieve but not exceed the conservation (fishing mortality) objectives of ICCAT measures and ensure that U.S. fishermen are provided a reasonable opportunity to harvest their allocation. U.S. law and common sense also dictate that domestic HMS management should avoid unnecessary regulatory burdens that serve to increase waste in the fisheries or disadvantage U.S. fishermen relative to their foreign competitors. These are some of the more important aspects of U.S. HMS policy.

As a matter of general fishery policy, section 303(b)(6) of the Magnuson-Stevens Act authorizes the Secretary to include a limited access system in any fishery management plan for any fishery, subject to certain considerations. The establishment of a limited access system is of critical importance in effectively managing fisheries for which U.S. harvesting capacity far exceeds the available resource—particularly if that resource requires rebuilding and is subject to quota reductions. Such is the case with our U.S. pelagic longline fisheries.

A limited access system also provides the opportunity to reduce harvesting capacity in such fisheries through attrition, a buy-back program, phase-out of latent permits, or other means. Such capacity reduction measures can facilitate the establishment of other important management tools designed to protect nursery and spawning areas and reduce bycatch while minimizing the economic consequences on the fishermen. Current Federal regulations provide that virtually any U.S. citizen who can pay a small administrative fee may enter the Atlantic swordfish fishery. This practice of allowing a continuous stream of new and inexperienced fishermen into this fishery has seriously hindered progress in achieving a number of key management objectives.

Although for many years the U.S. Atlantic pelagic longline community has petitioned NMFS to establish a limited access system, the agency has repeatedly failed to move beyond endless deliberation and still has not put such a system into place. This delay has served to exacerbate the problems associated with this overcapitalized industry and has precluded consideration of some of the more important conservation needs facing pelagic longline fisheries. Meanwhile, NMFS has established limited access systems in other overcapitalized fisheries leaving the pelagic longline fishery open to fishermen displaced from these other closed fisheries. There are a large number of unused, latent permits in these fisheries and many new vessels have entered in recent years. The pelagic longline community and fisheries are in a state of emergency and can no longer wait for the agency to respond.

There are two purposes of the legislation I am introducing today. The first is to prevent any new fishing vessels from entering the U.S. Atlantic swordfish pelagic longline fishery by placing a moratorium on the issuance of any new fishing permits for vessels that did not hold a valid permit to fish in the U.S. Atlantic swordfish pelagic longline fishery on August 1, 1998. I would note that although this permit moratorium provision relates specifically to the Atlantic swordfish pelagic longline fishery, it is not intended to preclude or prejudice any possible future consideration of a similar moratorium with respect to other Atlantic swordfish fisheries including the drift gillnet and handgear fisheries.

The second purpose of this legislation is to prevent those latent permits for the U.S. Atlantic swordfish fishery under which no swordfish was reported to NMFS as landed after January 1, 1987, from being used to fish in the U.S. Atlantic swordfish pelagic longline fishery. Again, I would note as before that although this latent permit provision relates specifically to the use of such permits in the Atlantic swordfish pelagic longline fishery, this is not intended to preclude or prejudice any future consideration of a similar latent permit prohibition with respect to other Atlantic swordfish fisheries including the drift gillnet and handgear fisheries.

I believe the combination of these two provisions will go a long way toward addressing the threat of further overcapitalization within the swordfish pelagic longline fisheries and begin moving the fishery in the direction of reduced capacity. However, it is my sincere hope and intent that the NMFS will respond to this wake-up call and move forward expeditiously with the timely implementation of a comprehensive system of limited access for not only the Atlantic swordfish pelagic longline fishery, but also the closely related pelagic longline fisheries for Atlantic tunas and Atlantic sharks.

On a broader note, I would like to take this opportunity to express my increasing concern—and that of a number of my colleagues—over the interpretation by NMFS of U.S. HMS policies and laws relative to the setting of our multilateral objectives at ICCAT, as well as in the context of domestic implementation of our international obligations. We are equally concerned about the ability and efficiency of NMFS to put into place sensible and practicable domestic measures that are fair and equitable to all U.S. fishermen. These concerns are heightened by the impending rebuilding requirements of the Sustainable Fisheries Act and the fact that fishermen are increasingly turning to the judicial branch for solutions.

For example, it remains unclear how NMFS plans to implement the new rebuilding provisions of the Magnuson-Stevens Act as they relate to HMS. Specifically, it is unclear how NMFS plans to coordinate the promulgation of a rebuilding plan for bluefin tuna with the results of the upcoming ICCAT meeting in November which is scheduled to focus on bluefin tuna. Perhaps even more unsettling is how the agency plans to coordinate the promulgation of a rebuilding plan for swordfish with existing ICCAT swordfish management measures, given that ICCAT will not focus on swordfish again until November, 1999.

Another concern is that in 1995, ICCAT recognized the need to further protect juvenile swordfish and authorized ICCAT member nations to prohibit the sale, including importation, of small swordfish less than 33 pounds. This was done with the concurrence of the Office of U.S. Trade Representative. This initiative has been a priority of the U.S. swordfish industry for several years, and earlier this year, the President pledged to impose and fund the implementation of a ban on the importation of undersized swordfish. However, while the NMFS has succeeded in imposing and enforcing the undersize swordfish prohibition on U.S. fishermen, it has failed to impose or fund the enforcement of a equitable restriction on foreign fishermen through the import prohibition authorized by ICCAT and promised by the President. It remains unclear to this day how and when NMFS plans to implement or fund this crucial ICCAT recommendation.

As one further example of concern, there is a great deal of interest in the use of gear modification such as circle hooks in Atlantic HMS fisheries as potential tools to at least partially address one of the most critical problems facing HMS fisheries today including: reducing the mortality of bycatch in commercial HMS fisheries; reducing the mortality of fish that are released in recreational HMS fisheries; and reducing the catch (and mortality) of small swordfish in the pelagic longline fisheries.

Reducing bycatch and minimizing the mortality of bycatch that cannot be avoided is, of course, a strong statutory mandate for NMFS. But, it concerns me that the first and primary approach considered by NMFS for HMS seems to be to shut down pelagic longline fisheries during some rather uncertain times and in some rather uncertain areas based on some very uncertain scientific data. This appears to be a very disruptive approach with a very high cost relative to a very uncertain benefit. It is unclear what alternative steps NMFS plans to take to quickly and efficiently evaluate the benefits of circle hook use as a potentially more effective and certainly less disruptive measure.

As we conclude our consideration of the reauthorization of the ATCA this year and begin our preparations for the reauthorization of the Magnuson-Stevens Act in the next Congress, it may be necessary for us to consider a more comprehensive package of legislative measures intended to improve the management of Atlantic HMS and their fisheries by the NMFS. The legislation I am introducing today represents a good start in that direction and, to the extent a larger package becomes necessary, I look forward to working with my colleagues, the NMFS, the U.S. ICCAT Commissioners, the commercial and recreational fishing industries and other affected parties toward achieving some of the most important goals of HMS fisheries management.

DEPARTMENTS OF COMMERCE, JUSTICE, AND STATE, AND JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS ACT, 1999

SPEECH OF

HON. NEIL ABERCROMBIE

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 5, 1998

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 4276) making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 1999, and for other purposes:

Mr. ABERCROMBIE. Mr. Chairman, today I rise in support of my good friend and colleague, Congresswoman PATSY MINK's amendment. Her amendment increases funding for the U.S. Commission on Civil Rights by $2.26 million, the amount requested in the President's budget.

As my colleagues know, the U.S. Commission on Civil Rights is an independent, bipartisan agency established to monitor, investigate, and report on the status of civil rights protections in the United States. In recent years we have experienced a disturbing trend of increased hate crimes, racial violence, discrimination against the immigrant population, and an intolerance for those who are perceived as ''different'' because of their color, national origin, gender, religion, or disability.

Now is the time to invest in a modest increase in the U.S. Commission on Civil Rights. It is important that we assess the current trends which violate the civil rights of groups and individuals in this Nation. I urge my colleagues to support the Mink amendment to H.R. 4276.

53RD COMMEMORATION OF HIROSHIMA AND NAGASAKI

HON. BARBARA LEE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 6, 1998

Ms. LEE. Mr. Speaker, today, we solemnly commemorate the 53rd anniversary of the uranium bombing of Hiroshima on August 6, 1945 and, three days later, the plutonium bombing of Nagasaki on August 9, 1945.

The August 6th bombing was a shocking and tragic event; the second bombing three days later was no less cataclysmic. Now, 53 years later, for those of us who dare to look into the pit of this, our historical act, we can see the impact and the aftermath of the bombings and their implications in the arenas of defense and arms control, international relations, and human rights. As we commemorate these two events, it is not only to remember; we must also call upon ourselves to say to ourselves, to our neighbors, and to our children: Never again.

Today we must also recognize those heroes and heroines who called our attention to the danger of strontium 90 distributed in our air—strontium 90 released into our atmosphere during the testing of ever more powerful nuclear weapons. These pioneers in the anti-nuclear movement helped to create a force that alerted people all over the world to the incredible menace of an arsenal of over 36,000 nuclear weapons.

Thankfully, the cold war is over. But the danger of nuclear war, of nuclear accidents, or of nuclear terrorism, is as real as it was during the long cold war. The United States had 6 nuclear warheads at the end of 1945. We now have 12,000. The USSR, now Russia and the Ukraine, had one warhead in 1949, and now have 23,000. In 1953, the United Kingdom had its first nuclear weapon; now, the nation has 260.

France built 4 in 1964 and now has 450. China also built its first in 1964, and now has 400. Today we have definitive proof that India and Pakistan have nuclear bombs. Israel, North Korea, Iran, Iraq, and other nations appear poised to inform us that they, too, belong to the ''club.''

It is extremely difficult to contemplate any level of normalcy when we consider the implications and the threat that these weapons pose, the constant and ever-present possibility that something, or a combination of somethings, might go terribly wrong once again.

The New England Journal of Medicine, in its April 30, 1998 issue, gave a special report on