

108TH CONGRESS
1ST SESSION

H. CON. RES. 268

Expressing the sense of the Congress regarding the imposition of sanctions on nations that are undermining the effectiveness of conservation and management measures for Atlantic highly migratory species, including marlin, adopted by the International Commission for the Conservation of Atlantic Tunas and that are threatening the continued viability of United States commercial and recreational fisheries.

IN THE HOUSE OF REPRESENTATIVES

JULY 25, 2003

Mr. SAXTON (for himself and Mr. GILCHREST) submitted the following concurrent resolution; which was referred to the Committee on Resources

CONCURRENT RESOLUTION

Expressing the sense of the Congress regarding the imposition of sanctions on nations that are undermining the effectiveness of conservation and management measures for Atlantic highly migratory species, including marlin, adopted by the International Commission for the Conservation of Atlantic Tunas and that are threatening the continued viability of United States commercial and recreational fisheries.

Whereas some fishing vessels of members and nonmembers of the International Commission for the Conservation of Atlantic Tunas (hereinafter referred to as the “Commission”) that fish in the Commission regulatory area have not conformed with Commission recommendations for

some stocks, including those promoting the live release of Atlantic marlin;

Whereas repeated nonconformance with Commission recommendations by fishing vessels of Commission members and nonmembers undermines the effectiveness of the Commission to establish, maintain, and enforce conservation measures, including rebuilding plans for overfished species of fish that are under the Commission's management authority;

Whereas failure of Commission members to enforce Commission conservation and management measures, including reductions in Atlantic marlin landings, threatens the continued viability of United States commercial and recreational fishing industries and undermines conservation goals;

Whereas the Commission has adopted a resolution that further defines the scope of illegal, unregulated, and unreported fishing activities by large-scale longline vessels in the Commission regulatory area; and

Whereas such resolution includes provisions directing Commission members and cooperating nonmembers to take every possible action, consistent with relevant laws, to prevent the engagement in transaction and transshipment of tunas and tuna-like species from vessels that engage in illegal, unregulated, and unreported fishing activities, including vessels that engage in any fishing that is not in compliance with relevant Commission conservation and management measures: Now, therefore, be it

- 1 *Resolved by the House of Representatives (the Senate*
- 2 *concurring)*, That it is the sense of Congress that—
- 3 (1) the President should—

1 (A) direct the United States Commis-
2 sioners to the International Commission for the
3 Conservation of Atlantic Tunas (in this resolu-
4 tion referred to as the “Commission”) to seek
5 the establishment of effective conservation,
6 management, and enforcement measures for the
7 species under consideration at the 2003 Com-
8 mission meeting, including for Atlantic marlin;

9 (B) continue to encourage members and
10 nonmembers that fish in the Commission regu-
11 latory area to make every effort to end illegal,
12 unregulated, and unreported fishing, including
13 any fishing that is not in conformance with rel-
14 evant conservation recommendations adopted by
15 the Commission, including those concerning At-
16 lantic marlin landing reductions;

17 (C) make full use of all appropriate diplo-
18 matic mechanisms, relevant international laws
19 and agreements, and other appropriate mecha-
20 nisms to ensure conformance with conservation
21 recommendations for all species under the Com-
22 mission’s management authority, including At-
23 lantic marlin; and

24 (D) continue to encourage the Commission
25 to adopt conservation recommendations author-

1 izing the use of enforceable measures to prevent
2 those who fish in the Commission regulatory
3 area from taking actions that would undermine
4 the effectiveness of conservation and manage-
5 ment recommendations of the Commission;

6 (2) if any vessel of a Commission member or
7 nonmember fishes in the Convention area without
8 conforming with the conservation, management, and
9 enforcement recommendations adopted by the Com-
10 mission in such a manner or in such circumstances
11 as would tend to diminish the effectiveness of Com-
12 mission fishery conservation recommendations, then
13 such member or nonmember should be considered to
14 be—

15 (A) subject to the regulations under sec-
16 tions 6(c)(4) and (5) of the Atlantic Tunas
17 Convention Act of 1975 (16 U.S.C. 971d(c)(4)
18 and (5)); and

19 (B) subject to the provisions of the Com-
20 mission's rules that ensure conformance with
21 Commission recommendations by member and
22 nonmembers; and

23 (3) if any vessel fishes in such a manner or in
24 such circumstances as would tend to diminish the ef-
25 fectiveness of international fishery conservation pro-

1 grams, then such action should be considered to be
2 a fact that is certifiable under section 8(a)(1) of the
3 Fishermen's Protective Act of 1967 (22 U.S.C. 1978
4 (a)(1)).

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