

Michigan (Mrs. DINGELL) that the House suspend the rules and pass the bill, S. 3051.

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

A motion to reconsider was laid on the table.

#### DIRECT ENHANCEMENT OF SNAPPER CONSERVATION AND THE ECONOMY THROUGH NOVEL DEVICES ACT OF 2020

Mrs. DINGELL. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5126) to require individuals fishing for Gulf reef fish to use certain descending devices, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5126

*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 “Direct Enhancement of Snapper Conservation and the Economy through Novel Devices Act of 2020” or the “DESCEND Act of 2020”.

#### SEC. 2. SENSE OF CONGRESS.

It is the sense of Congress that commercial and recreational fishermen (which, for the purpose of this Act shall include charter fishing) for Gulf reef fish are expected to use a venting tool or a descending device required for possession under section 3 when releasing fish that are exhibiting signs of barotrauma. The Secretary of Commerce (referred to in this Act as the “Secretary”), in coordination with the Gulf of Mexico Fishery Management Council, should develop and disseminate to fishermen education and outreach materials related to proper use of venting tools and descending devices, and strongly encourage their use by commercial and recreational fishermen when releasing fish that are exhibiting signs of barotrauma.

#### SEC. 3. REQUIRED POSSESSION OF DESCENDING DEVICES.

(a) **REQUIRED GEAR IN THE GULF REEF FISH FISHERY.**—Title III of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1851 et seq.) is amended by adding at the end the following:

#### “SEC. 321. REQUIRED POSSESSION OF DESCENDING DEVICES.

“(a) **REQUIRE GEAR IN THE GULF REEF FISH FISHERY.**—It shall be unlawful for a person on board a commercial or recreational vessel to fish for Gulf reef fish in the Gulf of Mexico Exclusive Economic Zone without possessing on board the vessel a venting tool or a descending device that is rigged and ready for use while fishing is occurring.

“(b) **SAVINGS CLAUSE.**—No provision of this section shall be interpreted to affect any program or activity carried out by the Gulf Coast Ecosystem Restoration Council established by the Resources and Ecosystems Sustainability, Tourist Opportunities, and Revived Economies of the Gulf Coast States Act of 2012 (33 U.S.C. 1321 note), or any project contained in an approved Restoration Plan developed by any Natural Resources Damage Assessment Trustee Implementation Group to reduce post-release mortality from barotrauma in Gulf of Mexico Reef Fish Recreational Fisheries.

“(c) **DEFINITIONS.**—In this section:

“(1) **DESCENDING DEVICE.**—The term ‘descending device’ means an instrument that—

“(A) will release fish at a depth sufficient for the fish to be able to recover from the effects of barotrauma;

“(B) is a weighted hook, lip clamp, or box that will hold the fish while it is lowered to depth, or another device determined to be appropriate by the Secretary; and

“(C) is capable of—

“(i) releasing the fish automatically;

“(ii) releasing the fish by actions of the operator of the device; or

“(iii) allowing the fish to escape on its own.

“(2) **VENTING TOOL.**—The term ‘venting tool’ has the meaning given to it by the Gulf of Mexico Fishery Management Council.

“(3) **GULF REEF FISH.**—The term ‘Gulf reef fish’ means any fish chosen by the Gulf of Mexico Fishery Management Council that is in the reef Fishery Management Plan for the purposes of this Act.”.

(b) **CIVIL PENALTIES.**—Section 308(a) of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1858(a)) is amended by inserting “or section 321” after “section 307”.

(c) **EFFECTIVE DATE.**—The amendments made by this Act shall take effect 1 year after the date of the enactment of this Act.

(d) **CONFORMING AMENDMENT.**—Title III of the table of contents of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1851 et seq.) is amended by striking the item relating to section 305 and all that follows through the end of the items relating to such title and inserting the following:

“Sec. 305. Other requirements and authority.

“Sec. 306. State jurisdiction.

“Sec. 307. Prohibited acts.

“Sec. 308. Civil penalties and permit sanctions.

“Sec. 309. Criminal offenses.

“Sec. 310. Civil forfeitures.

“Sec. 311. Enforcement.

“Sec. 312. Transition to sustainable fisheries.

“Sec. 313. North Pacific fisheries conservation.

“Sec. 314. Northwest Atlantic Ocean fisheries reinvestment program.

“Sec. 315. Regional Coastal Disaster Assistance, Transition, and Recovery Program.

“Sec. 316. Bycatch Reduction Engineering Program.

“Sec. 317. Shark Feeding.

“Sec. 318. Cooperative Research and Management Program.

“Sec. 319. Herring Study.

“Sec. 320. Restoration Study.

“Sec. 321. Required possession of descending devices.”.

(e) **SUNSET.**—Five years after the date of the enactment of this Act, the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1851 et seq.) is amended—

(1) in the table of contents, by striking the item relating to section 321;

(2) in section 308(a), by striking “or section 321”; and

(3) by striking section 321.

#### SEC. 4. IMPROVING DISCARD MORTALITY DATA.

(a) **AGREEMENT.**—Not later than 60 days after the date of the enactment of this Act, the Secretary shall enter into an agreement with the National Academy of Sciences to conduct a study and produce a report on discard mortality in the Gulf of Mexico reef fish fisheries. The study shall include—

(1) assessment of gaps and biases in reporting of discards and associated discard mortality;

(2) assessment of uncertainty and likely impacts of such uncertainty in discard mortality;

(3) assessment of the effectiveness and usage rates of barotrauma-reducing devices;

(4) recommendations for future research priorities; and

(5) recommendations for standardized reporting and quantification of discards in the same metric as landings for fisheries under the Gulf of Mexico Reef Fish Fishery Management Plan.

(b) **DEADLINES.**—Not later than 2 years after the date of the enactment of this Act, the National Academy of Sciences shall complete the study required under subsection (a) and transmit the final report to the Secretary. Not later than 3 months after receiving the study and report in accordance with this subsection, the Secretary shall submit the study and report to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Natural Resources of the House of Representatives.

(c) **PLAN.**—Not later than 1 year after the Secretary receives the study and report required under subsection (a), Secretary and the Gulf of Mexico Fishery Management Council shall develop—

(1) guidance for minimum standards for quantifying and reporting discards and associated mortality in the Gulf of Mexico Reef Fish Fishery Management Plan; and

(2) a plan to assess and monitor the effectiveness and usage of barotrauma-reducing devices and the impact on discard mortality rates in Gulf of Mexico reef fish fisheries.

(d) **FOLLOW-UP REPORT.**—Not later than 3 years after developing minimum standards and developing the assessment and monitoring plan under subsection (c), the Secretary shall provide a detailed report on implementation to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Natural Resources of the House of Representatives.

#### SEC. 5. DETERMINATION OF BUDGETARY EFFECTS.

The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined by reference to the latest statement titled “Budgetary Effects of PAYGO Legislation” for this Act, submitted for printing in the Congressional Record by the Chairman of the House Budget Committee, provided that such statement has been submitted prior to the vote on passage.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Michigan (Mrs. DINGELL) and the gentleman from Louisiana (Mr. GRAVES) each will control 20 minutes.

The Chair recognizes the gentlewoman from Michigan.

GENERAL LEAVE

Mrs. DINGELL. 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 measure under consideration.

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

There was no objection.

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

Mr. Speaker, I rise in support of H.R. 5126, the creatively and aptly named Direct Enhancement of Snapper Conservation and the Economy Through Novel Devices Act, or the DESCEND Act.

This bill requires every commercial and recreational fisherman to possess a venting tool or a descending device

when fishing for reef fish, like the prized red snapper, in the Gulf of Mexico EEZ.

In addition, the bill requires the Department of Commerce to contract with the National Academy of Sciences for a report on discard mortality in Gulf reef fish fisheries.

The bill also requires Commerce and the Gulf Fishery Management Council to develop guidance for reporting discards and associated mortality and to develop a plan to assess the effectiveness and usage of barotrauma-reducing devices.

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The United States has some of the most sustainable fisheries in the world, but the issue of bycatch is still a very serious concern. Anglers sometimes catch fish that they don't want or are allowed to keep, so they need to be returned to the ocean. According to some estimates, global bycatch may amount to 10 percent of the world's total catch.

However, deepwater reef fish like snapper and grouper experience pressure changes when they are brought to the surface. This can damage the fish's swim bladder and even cause death, and it can also leave injured fish exposed to predators at the surface. If the fish are just thrown back, it is very likely that they will die, which is both a waste and unhelpful for promoting healthy fish populations.

Fishers can help reduce this mortality by using a venting tool or a descending device, which is inexpensive, and ease the pressure changes in these fish. Similar requirements exist in other parts of the country but have been held up in the Gulf.

The DESCEND Act would get around the bureaucratic roadblock and implement this commonsense, proconservation practice. This bill offers a simple path forward for reducing the mortality of some of the most prized reef fish in this country, which will serve to create the more sustainable, profitable, and enjoyable fisheries for anglers in this Nation.

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

Mr. GRAVES of Louisiana. Mr. Speaker, I yield myself such time as I may consume.

I thank my friend from Michigan, and I want to thank Chairman GRIJALVA and Ranking Member BISHOP for their work on this legislation, the DESCEND Act.

Mr. Speaker, years ago, the Federal Government tried to tell our communities—all of us grew up fishing and, many, for sustenance and for recreation. It is our outdoors. The Federal Government told us that we would only get 3 to 9 days to fish for red snapper.

Mr. Speaker, when I was a kid, we did it year-round. That is our recreation. As much as I would love to have them, we don't have mountains and the other recreational opportunities that go along with those types of elevation changes.

I will say it again: Fishing is our outdoors. It is what we do at home, and that was being taken away from us.

Congressman HUFFMAN from California and I will tell you, Mr. Speaker, we totally disagreed on the solution there. He and I butted heads for years trying to work through a solution. On this bill, my most-of-the-time friend Mr. HUFFMAN and I are in lockstep. We are joined as cosponsors on this bill and are moving this one together because we believe this is the right solution, as you heard Mrs. DINGELL just explain.

What happens is that we do have a season on red snapper. You can only fish for a certain number of days a year, yet you can't tell which fish is going to bite your line when it is down under the water.

Red snapper spend the majority of their life at 100 feet or below. They have a swim bladder, as was explained, that operates somewhat like a ballast and allows them to stay at certain depths. When they are caught and reeled in, they are brought up too fast. The ballast does not exhaust, and, therefore, you have a fish that cannot go back down.

They have technologies, Mr. Speaker, as simple as ones like this, a descending device like this, where you can release the fish back down at the proper depth. They have venting tools that look like a fortified straw that also can help release the pressure. They are very easy tools to use.

Mr. Speaker, we are talking about 2½ million fish every 5 years that are discarded or lost. If we are having conflicts between recreational and commercial fishers in terms of the access to the fisheries, the pounds, the days, and we are discarding 2½ million fish every 5 years, it is a huge opportunity for us to actually grow the pie, and, as my friend from Michigan (Mrs. DINGELL) stated, to actually ensure the sustainability of these fisheries not just for us, but for our children and grandchildren for generations to come. It is a better management tool, and it is successfully used in other areas.

This legislation would provide for the use of descending and venting tools as well as freeing up additional research dollars associated with red snapper and descending tool use and the further management of the fisheries.

So I want to thank, again, Chairman GRIJALVA and Ranking Member BISHOP for their work. I want to thank Bill Ball, Christine Sur, Lora Snyder, and all the staff that did a great job working on this, as well as Dustin Davidson in our office.

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

Mrs. DINGELL. Mr. Speaker, I have no further requests for time, and I would inquire whether my colleague has any remaining speakers.

Mr. GRAVES of Louisiana. Mr. Speaker, I yield 3 minutes to the gentleman from Georgia (Mr. CARTER).

Mr. CARTER of Georgia. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I thank my colleagues for allowing me the time to speak on an issue that is important to my district and something I want other parts of the country to benefit from as well.

As you can see, Mr. Speaker, I know a thing or two about fishing. In fact, Mr. Speaker, it has been said that fish tremble at the mention of my name. Mr. Speaker, it has been said that, if you put me in water, I will catch fish.

This is a red snapper. This is a red snapper. It was not caught on the Gulf Coast; it was caught on the Atlantic Coast. You see, Mr. Speaker, I represent the best district in the Nation, the entire coast of Georgia, and this was caught off the coast of Georgia.

But in our district fishing, is not just a hobby, it is a way of life. In fact, it is an essential part of coastal economies. That is why it is critical that we maintain and manage our fisheries in a sustainable way.

This bill that we are discussing today, the DESCEND Act, would help do just that by expanding mandatory use of descending devices in the Gulf of Mexico when fishing for popular reef fish. We use these devices on the Atlantic Coast now. In fact, I have used them before when I have fished.

Reef fish, like red snapper that you see here, are very popular fish to fish for, but they are mostly caught, as was pointed out earlier, near the bottom of the ocean, and often they must be released because they are out of season or because of size restrictions.

Unfortunately, though, when they are reeled to the surface, as Representative GRAVES so accurately described, when they are reeled to the surface, the decreased water pressure on the fish's internal organs allow for gases to expand faster than their bodies can compensate. This makes it nearly impossible for the fish to return to the bottom, where their organs can function normally, resulting in the death of the fish that are caught and released.

Descending devices like was shown earlier by Representative GRAVES fix this issue by releasing the fish into depths sufficient enough for the fish to be able to recover from these damaging effects. This is an effective conservation practice supported by fishermen and regulators alike, and it has been successful in places like my district along the coast of Georgia in the south Atlantic and the West Coast.

I support this effort to bring this to the Gulf Coast, and I urge my colleagues to as well. It is a simple and effective approach to improve the survival of fish that are caught and released that will help maintain healthy populations going forward.

Mr. Speaker, we want to help our partners in the Gulf Coast so that perhaps, possibly, they could catch a fish this big, and certainly that is the intent, and this will certainly help them.

Mrs. DINGELL. I am prepared to close if the gentleman is, Mr. Speaker.

Mr. GRAVES of Louisiana. Mr. Speaker, I yield myself the balance of my time.

I want to thank my friend from Georgia. I appreciate him bringing that cute little picture of the fish for us to see the size. Of course, that fish was actually born in Louisiana and swam over there.

I did notice, Mr. Speaker, in the picture, my friend from Georgia appeared to be more slim than he is today, and so my explanation earlier of the swim bladder, perhaps my friend from Georgia's swim bladder is a little elevated right now from not being able to go to the gym.

In any case, Mr. Speaker, I do seriously want to thank my friend from Georgia, all the Republicans and Democrats, and Mr. WITTMAN from Virginia, everyone, for coming together and working on this legislation.

Mr. Speaker, I include in the RECORD a letter from the American Sportfishing Association, Angler Action Association, BoatUS, Center for Sportfishing Policy, Coastal Conservation Association, Congressional Sportsmen's Foundation, Guy Harvey Ocean Foundation, International Game Fish Association, Marine Retailers Association of the Americas, National Marine Manufacturers Association, Theodore Roosevelt Conservation Partnership, and Wild Oceans that expresses support for the legislation.

SEPTEMBER 29, 2020.

Hon. NANCY PELOSI,  
*Speaker of the House,*  
*Washington, DC.*

Hon. KEVIN MCCARTHY,  
*Republican Leader of the House,*  
*Washington, DC.*

DEAR SPEAKER PELOSI AND REPUBLICAN LEADER MCCARTHY: On behalf of the nation's recreational fishing and boating community, thank you for bringing H.R. 5126, Direct Enhancement of Snapper Conservation and the Economy through Novel Devices Act of 2020 (DESCEND Act), to the floor of the U.S. House of Representatives. The DESCEND Act unanimously passed the Committee on Natural Resources on March 11. We urge final passage of this bill sponsored by Congressmen GARRET GRAVES (R-La.) and JARED HUFFMAN (D-Calif.) and thank them for their leadership in support of Gulf of Mexico reef fish conservation.

The Gulf of Mexico's recreational fisheries contribute \$13.5 billion to the economy annually and support 138,817 jobs. The region's recreational fishing community is comprised of 2.6 million saltwater anglers and thousands of fishing-dependent businesses who strongly support healthy marine resources. Part of this commitment to conservation includes minimizing bycatch and maximizing survival of released fish to ensure the health of our fisheries for generations to come.

Red snapper and other reef fish are often thrown overboard for a variety of reasons (e.g., being caught out of season or undersized). Due to the rapid change in pressure from being brought to the surface from depth many of these fish cannot swim back down and end up dying at the surface. As a result, hundreds of thousands of Gulf red snapper are wasted each year. This is an economic and conservation travesty. Unfortunately, a bureaucratic roadblock related to an important oil spill recovery-funded project has prevented regulation from moving forward at the Gulf of Mexico Fishery Management Council that would address this problem.

For fisheries as important and valuable as Gulf reef fish, we should be doing everything

we can to conserve these fish stocks. By requiring reef fish fishermen in the Gulf of Mexico to possess devices that help fish avoid the fatal effects of barotrauma, and by clarifying that oil spill recovery funds can be used for related projects, the DESCEND Act would be a tremendous step toward reducing wasteful discard mortality and ensuring the sustainability of the iconic Gulf red snapper and other reef fish. Furthermore, it would align Gulf regulations with several West Coast states and South Atlantic federal waters where descending devices are required on board.

We are grateful for the many victories during this Congress benefiting natural resource conservation, and we hope you will add to that legacy by passing the science-based conservation measures included in the DESCEND Act.

Sincerely,

American Sportfishing Association, Angler Action Foundation, BoatU.S., Center for Sportfishing Policy, Coastal Conservation Association, Congressional Sportsmen's Foundation.

Guy Harvey Ocean Foundation, International Game Fish Association, Marine Retailers Association of the Americas, National Marine Manufacturers Association, Theodore Roosevelt Conservation Partnership, Wild Oceans.

Mr. GRAVES of Louisiana. Lastly, Mr. Speaker, I want to thank a number of people who were really instrumental in helping us to strike this bipartisan balance: Mike Leonard with the American Sportfishing Association; Cmac, with the Theodore Roosevelt Conservation Partnership; David Cresson and Rad Trascher with the Coastal Conservation Association; and Jeff Angers with the Center for Sportfishing Policy.

Mr. Speaker, I urge adoption of the legislation, and I yield back the balance of my time.

Mrs. DINGELL. Mr. Speaker, I yield myself the balance of my time.

I want to thank my colleague, Mr. GRAVES, for all of the work that he has done.

There was a lot of discussion that we had in committee on snapper. I want to thank both of my Republican colleagues and suggest that we go fishing, because there was a trip with several colleagues here who all thought I would catch nothing, and I caught more than they all caught together, so I think we need a bipartisan fishing trip.

Having said that, Mr. Speaker, I would like to thank all of, again, the leadership of the Natural Resources Committee, the sportsmen's groups, and everybody who worked on this to try to find consensus on something that does matter.

The DESCEND Act will help safeguard our reef ecosystems and help eliminate bycatch in a sustainable way.

I thank my colleagues for the good work. Some of it got tense. I also want to thank Representative HUFFMAN for his work on the bill.

Mr. Speaker, I urge my colleagues to support this legislation, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by

the gentlewoman from Michigan (Mrs. DINGELL) that the House suspend the rules and pass the bill, H.R. 5126, 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.

#### WOMEN WHO WORKED ON THE HOME FRONT WORLD WAR II MEMORIAL ACT

Mrs. DINGELL. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5068) to authorize the Women Who Worked on the Home Front Foundation to establish a commemorative work in the District of Columbia and its environs, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5068

*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 "Women Who Worked on the Home Front World War II Memorial Act".

#### SEC. 2. AUTHORIZATION TO ESTABLISH COMMEMORATIVE WORK.

(a) IN GENERAL.—The Women Who Worked on the Home Front Foundation may establish a commemorative work on Federal land in the District of Columbia and its environs to commemorate the commitment and service represented by women who worked on the home front during World War II.

(b) COMPLIANCE WITH STANDARDS FOR COMMEMORATIVE WORKS.—The establishment of the commemorative work under this section shall be in accordance with chapter 89 of title 40, United States Code (commonly known as the "Commemorative Works Act").

(c) PROHIBITION ON THE USE OF FEDERAL FUNDS.—

(1) IN GENERAL.—Federal funds may not be used to pay any expense of the establishment of the commemorative work under this section.

(2) RESPONSIBILITY OF WOMEN WHO WORKED ON THE HOME FRONT FOUNDATION.—The Women Who Worked on the Home Front Foundation shall be solely responsible for acceptance of contributions for, and payment of the expenses of, the establishment of the commemorative work under this section.

(d) DEPOSIT OF EXCESS FUNDS.—

(1) IN GENERAL.—If upon payment of all expenses for the establishment of the memorial (including the maintenance and preservation amount required by section 8906(b)(1) of title 40, United States Code), there remains a balance of funds received for the establishment of the commemorative work, the Women Who Worked on the Home Front Foundation shall transmit the amount of the balance to the Secretary of the Interior for deposit in the account provided for in section 8906(b)(3) of title 40, United States Code.

(2) ON EXPIRATION OF AUTHORITY.—If upon expiration of the authority for the commemorative work under section 8903(e) of title 40, United States Code, there remains a balance of funds received for the establishment of the commemorative work, the Women Who Worked on the Home Front Foundation shall transmit the amount of the