

to appear to be a dead end; but it is going to be a dead end, I think, with some unfortunate results if we do not pass the Sequoia protection legislation, which we could do immediately since, again, there is no controversy. But to do it in this fashion as part of this package with the other measures taken out of this package, I think there is a strong likelihood that that will fail to get Senate consideration in a timely fashion.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Utah (Mr. HANSEN) that the House suspend the rules and pass the bill, H.R. 4020, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds of those present have voted in the affirmative.

Mr. GEORGE MILLER of California. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

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

The point of no quorum is considered withdrawn.

SHARK FINNING PROHIBITION ACT

Mr. HANSEN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5461) to amend the Magnuson-Stevens Fishery Conservation and Management Act to eliminate the wasteful and unsportsmanlike practice of shark finning.

The Clerk read as follows:

H.R. 5461

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 "Shark Finning Prohibition Act".

SEC. 2. PURPOSE.

The purpose of this title is to eliminate shark-finning by addressing the problem comprehensively at both the national and international levels.

SEC. 3. PROHIBITION ON REMOVING SHARK FIN AND DISCARDING SHARK CARCASS AT SEA.

Section 307(l) of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1857(l)) is amended—

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

(2) by striking "section 302(j)(7)(A)." in subparagraph (O) and inserting "section 302(j)(7)(A); or"; and

(3) by adding at the end the following:

"(P)(i) to remove any of the fins of a shark (including the tail) and discard the carcass of the shark at sea;

"(ii) to have custody, control, or possession of any such fin aboard a fishing vessel without the corresponding carcass; or

"(iii) to land any such fin without the corresponding carcass.

"For purposes of subparagraph (P) there is a rebuttable presumption that any shark fins landed from a fishing vessel or found on board a fishing vessel were taken, held, or landed in violation of subparagraph (P) if the total weight of shark fins landed or found on board exceeds 5 percent of the total weight of shark carcasses landed or found on board.".

SEC. 4. REGULATIONS.

No later than 180 days after the date of enactment of this Act, the Secretary of Commerce shall promulgate regulations implementing the provisions of section 307(l)(P) of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1857(l)(P)), as added by section 403 of this title.

SEC. 5. INTERNATIONAL NEGOTIATIONS.

The Secretary of Commerce, acting through the Secretary of State, shall—

(1) initiate discussions as soon as possible for the purpose of developing bilateral or multilateral agreements with other nations for the prohibition on shark-finning;

(2) initiate discussions as soon as possible with all foreign governments which are engaged in, or which have persons or companies engaged in shark-finning, for the purposes of—

(A) collecting information on the nature and extent of shark-finning by such persons and the landing or transshipment of shark fins through foreign ports; and

(B) entering into bilateral and multilateral treaties with such countries to protect such species;

(3) seek agreements calling for an international ban on shark-finning and other fishing practices adversely affecting these species through the United Nations, the Food and Agriculture Organization's Committee on Fisheries, and appropriate regional fishery management bodies;

(4) initiate the amendment of any existing international treaty for the protection and conservation of species of sharks to which the United States is a party in order to make such treaty consistent with the purposes and policies of this section;

(5) urge other governments involved in fishing for or importation of shark or shark products to fulfill their obligations to collect biological data, such as stock abundance and by-catch levels, as well as trade data, on shark species as called for in the 1995 Resolution on Cooperation with FAO with Regard to Study on the Status of Sharks and By-Catch of Shark Species; and

(6) urge other governments to prepare and submit their respective National Plan of Action for the Conservation and Management of Sharks to the 2001 session of the FAO Committee on Fisheries, as set forth in the International Plan of Action for the Conservation and Management of Sharks.

SEC. 6. REPORT TO CONGRESS.

The Secretary of Commerce, in consultation with the Secretary of State, shall provide to Congress, by not later than 1 year after the date of enactment of this Act, and every year thereafter, a report which—

(1) includes a list that identifies nations whose vessels conduct shark-finning and details the extent of the international trade in shark fins, including estimates of value and information on harvesting of shark fins, and landings or transshipment of shark fins through foreign ports;

(2) describes the efforts taken to carry out this title, and evaluates the progress of those efforts;

(3) sets forth a plan of action to adopt international measures for the conservation of sharks; and

(4) includes recommendations for measures to ensure that United States actions are consistent with national, international, and re-

gional obligations relating to shark populations, including those listed under the Convention on International Trade in Endangered Species of Wild Flora and Fauna.

SEC. 7. RESEARCH.

The Secretary of Commerce, subject to the availability of appropriations authorized by section 410, shall establish a research program for Pacific and Atlantic sharks to engage in the following data collection and research:

(1) The collection of data to support stock assessments of shark populations subject to incidental or directed harvesting by commercial vessels, giving priority to species according to vulnerability of the species to fishing gear and fishing mortality, and its population status.

(2) Research to identify fishing gear and practices that prevent or minimize incidental catch of sharks in commercial and recreational fishing.

(3) Research on fishing methods that will ensure maximum likelihood of survival of captured sharks after release.

(4) Research on methods for releasing sharks from fishing gear that minimize risk of injury to fishing vessel operators and crews.

(5) Research on methods to maximize the utilization of, and funding to develop the market for, sharks not taken in violation of a fishing management plan approved under section 303 or of section 307(l)(P) of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1853, 1857(l)(P)).

(6) Research on the nature and extent of the harvest of sharks and shark fins by foreign fleets and the international trade in shark fins and other shark products.

SEC. 8. WESTERN PACIFIC LONGLINE FISHERIES COOPERATIVE RESEARCH PROGRAM.

The National Marine Fisheries Service, in consultation with the Western Pacific Fisheries Management Council, shall initiate a cooperative research program with the commercial longlining industry to carry out activities consistent with this title, including research described in section 407 of this title. The service may initiate such shark cooperative research programs upon the request of any other fishery management council.

SEC. 9. SHARK-FINNING DEFINED.

In this Act, the term "shark-finning" means the taking of a shark, removing the fin or fins (whether or not including the tail) of a shark, and returning the remainder of the shark to the sea.

SEC. 10. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to the Secretary of Commerce for fiscal years 2001 through 2005 such sums as are necessary to carry out this title.

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

The Chair recognizes the gentleman from Utah (Mr. HANSEN).

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

Mr. Speaker, H.R. 5461, the Shark Finning Prohibition Act, introduced by the gentleman from California (Mr. CUNNINGHAM) is legislation that amends the Magnuson-Stevens Fishery Conservation and Management Act to prohibit the removal of shark fins, including the tail, and then to discard the carcass into the sea. It also prohibits the custody, control or possession of any such fin aboard a fishing

vessel without the corresponding carcass and prohibits the landing of such fins without the corresponding carcass.

In addition, the bill directs the Secretary of Commerce, through the Secretary of State, to initiate discussions with foreign governments that have fisheries engaged in shark finning and to seek agreements banning the activity.

Finally, H.R. 5461 authorizes research for Pacific and Atlantic sharks and requires the Secretary to report back to Congress 1 year after the date of enactment. The House passed a similar bill on June 6, 2000, and a nonbinding resolution on this issue. We must end this gruesome practice of shark finning, and I hope the other body will quickly approve this compromise version. I urge an aye voted on this legislation.

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

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

(Mr. GEORGE MILLER of California asked and was given permission to revise and extend his remarks.)

Mr. GEORGE MILLER of California. Mr. Speaker, I rise in support of H.R. 5461, the Shark Finning Prohibition Act. Shark finning, as the gentleman from Utah (Mr. HANSEN) has pointed out, is currently one of the most visible and controversial conservation issues in the waters of the Pacific Ocean. While the practice of finning has already been banned in Federal waters of the Atlantic, Gulf of Mexico, and the Caribbean, as well as waters in 11 coastal States, it remains unregulated in the Pacific and this legislation is designed to address that problem.

Again, I support this legislation; but I want to continue to express my concerns about the manner in which these bills are now being presented, given what has happened to the parks package.

Mr. Speaker, I rise in support of H.R. 5461, the Shark Finning Prohibition Act.

Shark finning is currently one of the most visible and controversial conservation issues in the waters of the Pacific Ocean. While the practice of finning has already been banned in the Federal waters of the Atlantic, Gulf of Mexico, and the Caribbean, as well as the waters of 11 coastal states, it remains unregulated in the Pacific.

As a result, and because of the strong demand and high prices for shark fins in Asia, the harvest of shark fins in the Pacific has increased over the past seven years by more than 2000 percent. More than 60,000 sharks were caught and killed in 1998 alone, and 98 percent of those sharks were harvested only for their fins—or less than 5 percent of their body weight—while the remaining 95 percent of the shark was tossed overboard. Not only is this practice wasteful, many critics consider it to be morally and culturally wrong.

In addition, shark finning is inconsistent with U.S. policy both domestically and internationally. In the United States, it is contrary to the Magnuson Act which requires fishermen to reduce bycatch and the mortality of bycatch that cannot be avoided. Given that 85 percent of

the sharks caught are alive when they reach the boats, prohibiting the finning of these sharks will reduce bycatch by significant amounts.

Abroad, the United States has participated in and promoted shark conservation through the United Nation's fisheries committee where specific guidelines on shark conservation have been adopted. Those guidelines include a provision that countries should adopt methods to prohibit finning and encourage the full use of dead sharks. For the United States to promote these measures internationally while continuing to allow shark finning in its own waters would be hypocritical and could undermine our efforts to achieve international conservation.

The Shark Finning Prohibition Act will not prevent United States fishermen from harvesting sharks, bringing them to shore, and then using the fins or any other part of the shark. Instead, it would simply prevent the cutting off of the fins and the disposal of the carcass at sea, or the transport or landing of fins harvested in this manner by another fishing vessel.

It also encourages the Administration to enter into discussions with other nations where shark finning still occurs to try and bring this practice to an end not just in the United States, but around the world. The bill is identical to language that passed the other body earlier this month, and I urge Members to support it.

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

Mr. HANSEN. Mr. Speaker, I yield such time as he may consume to the gentleman from California (Mr. CUNNINGHAM), the author of this legislation.

(Mr. CUNNINGHAM asked and was given permission to revise and extend his remarks.)

Mr. CUNNINGHAM. Mr. Speaker, I will not take very much time. I would like to thank the ranking minority member, the gentleman from California (Mr. GEORGE MILLER). I read in a magazine, an outdoorsman magazine, about the practice of fishermen catching sharks, cutting off their fins just for sale, primarily in the Orient, because of their aphrodisiac effects and other issues with the fin. They were taking the shark, after they cut the fins off, and dumping it back into the water and letting it drown.

I am a hunter. I am a fisherman and a sportsman, and to me I think that this was unspeakable. We have gotten support from the gentleman from New Jersey (Mr. SAXTON), the gentleman from Alaska (Mr. YOUNG), the ranking member, the gentleman from California (Mr. GEORGE MILLER), and his leadership, against this practice.

I would also like to thank the gentleman from Hawaii (Mr. ABERCROMBIE) and the gentlewoman from Hawaii (Mrs. MINK) and the gentleman from the other body from Hawaii, who wrote the compromising language to this to include it in international practices as well.

I rise in strong support of this compromise language.

Mr. Speaker, I rise today to bring before the House my legislation to ban the practice of

shark finning. For those unfamiliar with shark finning, it is the distasteful practice of removing a shark's fins and discarding the carcass into the sea. As an avid sportsman, and as a previous co-chairman of the Congressional Sportsmen's Caucus, I find this practice horrific and wasteful.

Mr. Speaker, this is the fourth time this Congress the House has acted on this issue. Moreover, I want to especially thank Chairman SAXTON, Chairman YOUNG, and Ranking Member GEORGE MILLER for their strong commitment to this legislation and their leadership against this terrible practice of shark finning.

Sharks are among the most biologically vulnerable species in the ocean. Their slow growth, late maturity, and small number of offspring leave them exceptionally vulnerable to overfishing, and they are slow to recover from practices that contribute to their depletion. At the same time, sharks, as top predators, are essential to maintaining the balance of life in the sea.

My colleagues are well aware of my campaign to stop the wasteful and unsportsmanlike practice of shark finning. This will be the fourth time that the House has acted on this issue, and the third version of my legislation. The bill before us today represents a compromise between the House and the Senate. It is important that we pass this legislation today and protect America's fisheries.

The Shark Finning Prohibition Act bans the wasteful practice of removing a shark's fins and discards the remainder of the shark into the ocean. Currently, this practice continues only in the U.S. waters of the Western Pacific. My legislation before us today will ban this terrible practice.

We must also address the massive problem caused by the international trade in shark fins. Last year, the House passed my measure, House Concurrent Resolution 189, which called upon the Secretary of State to continue the U.S. leadership role in banning shark finning worldwide. The bill before us today directs the Secretary of State and Secretary of Commerce to work and stop the global shark fin trade. This will require the active engagement of more than 100 countries, and reduction in the demand for shark fins and other shark products. As my previous resolution stressed, international measures are a critical component of achieving effective shark conservation.

Finally, the bill authorizes a Western Pacific longline fisheries cooperative research program to provide information for shark stock assessments. This includes identifying fishing gear and practices that prevent or minimize incidental catch of sharks and ensure maximum survivorship of released sharks, and providing data on the international shark fin trade. This important provision was included at the request of the Senate to complement our shark conservation efforts.

Mr. Speaker, the United States has always been a leader in fisheries conservation and management. This legislation provides us the opportunity to stand on the world stage and demand that other countries take action to stop this wasteful and unsportsmanlike practice.

The Shark Finning Prohibition Act has broad bipartisan support. It is strongly supported by the Ocean Wildlife Campaign, a coalition that includes the Center for Marine Conservation, National Audubon Society, National Coalition

for Marine Conservation, Natural Resources Defense Council, Wildlife Conservation Society, and the World Wildlife Fund.

In addition, it is supported by the State of Hawaii Office of Hawaiian Affairs, the American Sportfishing Association, the Recreational Fishing Alliance, the Sportfishing Association of California, the Cousteau Society, and the Western Pacific Fisheries Coalition.

Today, we can act to halt the rampant waste resulting from shark finning and solidify our national opposition to this terrible practice. Vote yes on H.R. 5461; vote yes to prohibit shark finning.

Mr. HANSEN. Mr. Speaker, I yield such time as he may consume to the gentleman from Alaska (Mr. YOUNG), the chairman of the Committee on Resources.

(Mr. YOUNG of Alaska asked and was given permission to revise and extend his remarks.)

Mr. YOUNG of Alaska. Mr. Speaker, I do rise in strong support of this legislation. I am a little bit chagrined my good friend, the gentleman from California (Mr. CUNNINGHAM), recognized the gentleman from California (Mr. GEORGE MILLER) and thanked him for his support but forgot the chairman, except later on. There is a priority here, and I always worry about that.

Other than that, this is a good piece of legislation. The gentleman is absolutely correct. The idea that a fish, or a shark, could be caught, and they have enough bad times the way it is, but to take just the fins, et cetera, and return them to sea to die a very hideous death is beyond my comprehension.

Whatever can happen, sometimes these types of pieces of legislation can have good intentions and they are not implemented by the State Department, because we have to recognize we have a lot of rules about how one sees interception now with our salmon in Alaska, and yet we have documentation where the Coast Guard has identified the death curtains at high seas and the Coast Guard tries to implement and enforce our international agreement and the State Department tries to pull them off and say we do not want an international incident.

I will say again, I voted against trading with China and I will say again the Chinese Government is the guiltiest one of all of catching these fish at high seas with these huge, long nets. Until the State Department sees fit to enforce those type of laws, these sound good and feel good on the floor of the House; but we have to have someone with a little backbone and an administration that will say, all right, this is the law, this is an agreement we reached and enforce those laws so that we can stop the heinous-type action with shark finning, and of course, with catching the fish at high seas.

Mr. Speaker, I urge support of the legislation.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Utah (Mr. HANSEN) that the House suspend the rules and pass the bill, H.R. 5461.

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

A motion to reconsider was laid on the table.

NATCHEZ TRACE PARKWAY, MISSISSIPPI BOUNDARY ADJUSTMENT

Mr. HANSEN. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 2020) to adjust the boundary of the Natchez Trace Parkway, Mississippi, and for other purposes.

The Clerk read as follows:

S. 2020

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

SECTION 1. DEFINITIONS.

In this Act:

(1) PARKWAY.—The term “Parkway” means the Natchez Trace Parkway, Mississippi.

(2) SECRETARY.—The term “Secretary” means the Secretary of the Interior.

SEC. 2. BOUNDARY ADJUSTMENT AND LAND ACQUISITION.

(a) IN GENERAL.—The Secretary shall adjust the boundary of the Parkway to include approximately—

(1) 150 acres of land, as generally depicted on the map entitled “Alternative Alignments/Area”, numbered 604-20062A and dated May 1998; and

(2) 80 acres of land, as generally depicted on the map entitled “Emerald Mound Development Concept Plan”, numbered 604-20042E and dated August 1987.

(b) MAPS.—The maps referred to in subsection (a) shall be on file and available for public inspection in the office of the Director of the National Park Service.

(c) ACQUISITION.—The Secretary may acquire the land described in subsection (a) by donation, purchase with donated or appropriated funds, or exchange (including exchange with the State of Mississippi, local governments, and private persons).

(d) ADMINISTRATION.—Land acquired under this section shall be administered by the Secretary as part of the Parkway.

SEC. 3. AUTHORIZATION OF LEASING.

The Secretary, acting through the Superintendent of the Parkway, may lease land within the boundary of the Parkway to the city of Natchez, Mississippi, for any purpose compatible with the Parkway.

SEC. 4. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated such sums as are necessary to carry out this Act.

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

The Chair recognizes the gentleman from Utah (Mr. HANSEN).

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

Mr. Speaker, S. 2020, introduced by Senator LOTT from Mississippi, would adjust the boundary of the Natchez Trace Parkway to include approxi-

mately an additional 230 acres of land to the parkway. The bill also authorizes the Secretary of the Interior to administer the land as part of the parkway. Furthermore, the bill would allow the Secretary to lease land within the boundary of the parkway to the city of Natchez, Mississippi, for any purpose compatible with the parkway.

The Natchez Trace Parkway runs 444 miles from Natchez in southern Mississippi to a point just south of Nashville, Tennessee. The parkway commemorates Native American paths that were later used by white settlers to extend their commerce and trade. It is a scenic road built and maintained by the National Park Service with 15 major interpretive locations, historic sites, camping and picnic facilities.

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Expanding the parkway as proposed by this legislation is a good idea, and I urge my colleagues to support S. 2020.

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

Mr. GEORGE MILLER of California. Mr. Speaker, I yield such time as he may consume to the gentleman from Mississippi (Mr. SHOWS).

Mr. SHOWS. Mr. Speaker, I rise today in support of S. 2020, a bill to adjust the boundary of Natchez Trace Parkway in the City of Natchez, Mississippi.

Mr. Speaker, S. 2020 will allow the Secretary of the Interior to acquire land in the City of Natchez to complete the southern terminus of the Natchez Trace Parkway.

This is a simple, noncontroversial bipartisan measure. S. 2020 was sponsored by Mississippi Senators LOTT and COCHRAN. I appreciate the House leadership agreeing to my request to expedite S. 2020 and place it on the Suspension Calendar.

The Natchez Trace Parkway was established as a unit of the National Park System in 1938. S. 2020 authorizes the acquisition of 150 acres to provide for the completion of the Parkway's southern terminus in the city of Natchez.

In addition, 80 acres would be acquired to provide access to the Emerald Mound, a prehistoric Natchez Indian ceremonial mound. This would accommodate the construction of a short spur road to the mound site and new and improved exhibits, trails and park facilities at the Emerald Mound.

Mr. Speaker, this bill is a win-win for everybody, and I appreciate the spirit of bipartisanship that has made this happen. Indeed, we can do good things for our people when Democrats and Republicans work together.

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

Mr. Speaker, S. 2020 is a noncontroversial bill which the National Park Service supports. It provides for the acquisition of 230 acres of the Natchez Trace National Parkway, and we support this legislation.