

proposed to S. 1072, a bill to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Ms. SNOWE:

S. 2066. A bill to authorize appropriations to the Secretary of Commerce for the Magnuson-Stevens Fishery Conservation and Management Act for fiscal years 2004, 2005, 2006, 2007, and 2008, and for other purposes; to the Committee on Commerce, Science, and Transportation.

Ms. SNOWE. Mr. President, I rise today to introduce the Fishery Conservation and Management Act Amendments of 2004. This bill would reauthorize the Magnuson-Stevens Fisheries Conservation and Management Act, as amended by the 1996 Sustainable Fisheries Act, and update fisheries policy to better satisfy the ever-changing needs of our Nation's fish stocks and fishing communities.

In 1976, the year in which the Magnuson-Stevens Act was written, our commercial fisheries were in grave danger of being exploited beyond their ability to recover. Passage of the Act has provided a more balanced approach in fulfilling our economic needs by also promoting responsible conservation and stewardship of our resources. Even as it sought to provide better management for the Nation's resources as a whole, this law recognized that our fisheries have vastly different regional problems. The result was the creation of a regional management council in each of the country's eight major marine fisheries. These councils, with substantial input from the local community, are responsible for creating the management plans by which their fish stocks are regulated by the National Marine Fisheries Service. This structure has been vital in allowing the active stakeholders in each region to provide meaningful input to the management process.

Since the enactment of this legislation, domestic offshore catches have increased so dramatically that our fisheries now add billions of dollars to the Nation's economy every year, according to the National Marine Fisheries Service. Because of this increase in fishing harvests and the pressure to fish more than could be sustained, in 1996 Congress passed the Sustainable Fisheries Act to amend and enhance the Magnuson-Stevens Act. The new amendments included new guidelines for conservation of both targeted fisheries and bycatch, or incidentally-caught fish and other marine life. The Act required that overfished stocks be rebuilt within a 10 year timeframe. In addition, the provisions added a requirement for the protection of all essential fish habitat for each fishery.

The overarching goal of the Sustainable Fisheries Act was to ensure prosperity for all United States fisheries by

ending overfishing and rebuilding depleted stocks. This goal, and the means for achieving it, are as important today as they were in 1996. I supported the Act, because I saw in it great potential for sustaining fishing communities and the stocks upon which they depend.

In the nearly 8 years since we last renewed and reauthorized the Magnuson-Stevens Act, however, we have witnessed both prosperity and degradation in different fisheries affected by this law. According to the National Marine Fisheries Service's Annual Report in 2003, certain fisheries have thrived; for example, sea scallops on Georges Bank have increased 20-fold from 1994 to 2002, silver hake in the Northeast was declared fully rebuilt in 2002, and recovery of dozens of other stocks is well underway. The National Marine Fisheries Service's most recent survey of young Georges Bank haddock indicates a population boom with the potential to be the largest ever recorded, putting that fishery well on the road to its recovery goal. Conversely, other fisheries have not fared as well, as demonstrated by the fact that overfishing commenced in 13 U.S. fisheries between 1997 and 2002.

As Chair of the Oceans, Fisheries, and Coast Guard Subcommittee of the Commerce Committee, I have sought answers as to why the Magnuson-Stevens Act has apparently worked well for some fisheries, but not others. Representing a state with scores of fishing communities and thousands of fisheries workers, I understand the great importance of making sure that our federal fisheries laws are working for all of our Nation's fisheries.

In seeking these answers, during the 106th Congress I traveled across the country and held a series of hearings on the Magnuson-Stevens Act. In Washington, D.C. Maine, Louisiana, Alaska, Washington, and Massachusetts, I heard official testimony from over 70 witnesses. Our subcommittee received hundreds of comments, views, and recommendations from federal and state officials, regional council chairmen and members, other fisheries managers, commercial and recreational fishermen, members of the conservation community, and many others interested in fisheries management.

What the subcommittee learned during these hearing—and which continues to be reinforced by more recent fisheries events, comments, and recommendations—is that most of the shortcomings in our federal fisheries policy are products of how the Magnuson-Stevens Act has been interpreted and applied to real-life fisheries problems. While the underpinnings of the Act are sound, it has become clear that implementation of the Act has often been inconsistent with Congressional intent. That is the primary challenge before us today: to clarify how the goals of conservation and management can be achieved for our Nation's fisheries, and ensure effective implementation of the Act.

What we need is a federal fisheries policy that can be interpreted and applied in ways that recognize and respond to the unique conditions facing each individual fishery. Of the hundreds of fisheries occurring around our Nation's coastline, no two are exactly alike. The conservation measures that work in one fishery cannot always be transferred to another. The Magnuson-Stevens act must express enough flexibility to accommodate these variations, so that managers can craft unique, innovative solutions based on the conditions and needs of the fish stocks and fishing communities in question.

I first attempted to address these issues when I introduced S. 2832, the Magnuson-Stevens Reauthorization Act of 2000, as well as bills authorizing national standards for fishing quota systems. During the last several years, the need for these amendments—as well as new amendments to meet evolving fisheries needs—has only intensified. It is this fact that underlies the bill I introduce today, the Fishery Conservation and Management Act Amendments of 2004.

This bill contains several specific measures for enhancing management flexibility. First and foremost, this bill would repeal the 10-year timeline for rebuilding fish stocks and the unnecessarily-rigid measures that stem from it. This provision of the Sustainable Fisheries Act is not based on fish population dynamics, but instead imposes a stringent and arbitrary time-frame inappropriate for the diverse needs of each individual fishery. This bill would replace it with a system that allows a more adaptive approach for determining harvest rates. I am proposing that fishing mortality rates simply be limited to the maximum sustainable yield that a stock can produce in any given year. This fishing rate would not permit overfishing; it would allow stocks to rebuild over time to a level that achieves ecosystem balance.

Another new proposal in this bill would improve managers' ability to fairly distribute access to distant-water fish stocks. As is now occurring in the New England groundfishery, fishermen from different states are unevenly impacted by management measures that treat them as if they are all from the same state. Currently, fishermen who live farther away from healthy fish stocks need to expend their extremely limited number of permitted days-at-sea simply steaming to and from these stocks, while those who live closer to the stocks can spend more of their days-at-sea actually fishing. I am proposing that regional fishery management councils analyze these impacts and, if necessary, take action to eliminate such inequities.

Other key features of this Magnuson-Stevens Act reauthorization would address essential fish habitat and areas of particular concern; authorizations for cooperative research, capacity reduction, and fishing quota systems; and

language to improve social and ecological impact assessments, data and information management, public meeting notices, and scientific peer reviews. Individually and collectively, the provisions in this bill present a way forward in improving federal fisheries management. This bill preserves the goal and intent of the Magnuson-Stevens Act, yet it enhances the abilities of managers and fishermen to apply it in a way that can better achieve the Act's objectives and actually achieve sustainability in our fisheries.

Finally, I would like to thank all those fishermen, managers, scientists, and special interest groups that contributed ideas and information to the long process of developing this reauthorization bill. Their countless contributions serve as invaluable pieces to a very complex puzzle, and I am confident that our efforts will improve the state of federal fisheries management.

I look forward to receiving additional fisheries policy comments and recommendations in the weeks and months ahead, including those from the U.S. Commission on Ocean Policy, and I encourage my colleagues throughout Congress to take action in support of this Magnuson-Stevens reauthorization effort. Through our collective efforts, sustainable fisheries in the United States can and will become a reality.

By Mrs. BOXER (for herself and Mrs. FEINSTEIN):

S. 2067. A bill to withdraw the Los Padres National Forest in California from location, entry, and patent under mining laws, and for other purposes; to the Committee on Energy and Natural Resources.

Mrs. BOXER. Mr. President, I am introducing legislation today that would ban oil and gas drilling in the Los Padres National Forest. Congresswoman CAPPS is introducing this legislation in the House of Representatives.

Despite strong local opposition to drilling in the forest, the Forest Service released a Draft Environmental Impact Statement in October 2001 that recommended opening up additional lands in the forest to oil and gas exploration. By failing to consider the irreparable harm these activities would cause to the forest's resources and the recreational opportunities available to both nearby residents and tourists, the Forest Service's proposal is shortsighted and misguided.

The opening of the spectacular, unspoiled lands in Los Padres National Forest to oil and gas drilling threatens one of California's most pristine places. Los Padres National Forest provides habitat for various threatened and endangered wildlife species, including the endangered California condor. Also within the Los Padres National Forest are unexplored archeological sites that contain Native American historical artifacts. These could be damaged or destroyed by oil and gas development.

Los Padres National Forest provides a variety of recreational opportunities, such as fishing, hiking, hunting, and backpacking. These activities would be hindered by new oil and gas exploration and development, as streams and trails are contaminated by runoff and sedimentation and as air pollution is increased.

This legislation is a critical step toward protecting the irreplaceable natural and cultural resources of the Los Padres National Forest. I encourage my colleagues to support this legislation.

#### SUBMITTED RESOLUTIONS

#### SENATE RESOLUTION 298—DESIGNATING MAY 2004 AS “NATIONAL CYSTIC FIBROSIS AWARENESS MONTH”

Mr. CAMPBELL (for himself, Ms. MURKOWSKI, Mrs. LINCOLN, Mrs. MURRAY, Ms. LANDRIEU, Mr. BIDEN, Mr. BUNNING, Mr. DORGAN, Mr. JOHNSON, and Mr. FITZGERALD) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 298

Whereas cystic fibrosis, characterized by chronic lung infections and digestive disorders, is a fatal lung disease;

Whereas cystic fibrosis is 1 of the most common genetic diseases in the United States and 1 for which there is no known cure;

Whereas more than 10,000,000 Americans are unknowing carriers of the cystic fibrosis gene;

Whereas 1 of every 3,500 babies born in the United States is born with cystic fibrosis;

Whereas newborn screening for cystic fibrosis has been implemented by 11 States and facilitates early diagnosis and treatment which improves health and longevity;

Whereas approximately 30,000 people in the United States have cystic fibrosis, many of them children;

Whereas the average life expectancy of an individual with cystic fibrosis is in the early thirties, an improvement from a life expectancy of 10 years in the 1960s, but still unacceptably short;

Whereas prompt, aggressive treatment of the symptoms of cystic fibrosis can extend the lives of people who have the disease;

Whereas recent advances in cystic fibrosis research have produced promising leads in gene, protein, and drug therapies beneficial to people who have the disease;

Whereas this innovative research is progressing faster and is being conducted more aggressively than ever before, due in part to the establishment of a model clinical trials network by the Cystic Fibrosis Foundation; and

Whereas education of the public on cystic fibrosis, including the symptoms of the disease, increases knowledge and understanding of cystic fibrosis and promotes early diagnosis: Now, therefore, be it

Resolved, That the Senate—

(1) designates May 2004 as “National Cystic Fibrosis Awareness Month”;

(2) requests that the President issue a proclamation—

(A) designating the month of May 2004 as “National Cystic Fibrosis Awareness Month”; and

(B) calling on the people of the United States to promote awareness of cystic fibro-

sis and actively participate in support of research to control or cure cystic fibrosis, by observing the month with appropriate ceremonies and activities; and

(3) supports the goals of—

(A) increasing the quality of life for individuals with cystic fibrosis by promoting public knowledge and understanding in a manner that will result in earlier diagnoses;

(B) encouraging increased resources for research; and

(C) increasing levels of support for people who have cystic fibrosis and their families.

Mr. CAMPBELL. Mr. President, today I am submitting a resolution recognizing the month of May, 2004, as National Cystic Fibrosis Awareness Month. I am pleased to be joined by nine of my colleagues who are original cosponsors of the resolution. We are hopeful that greater awareness of cystic fibrosis (CF) will lead to a cure.

The resolution is similar to one which I submitted last year, S. Res. 98, declaring a National Cystic Fibrosis Awareness Week, which was agreed to by unanimous consent on September 25, 2003. Since then, I have received input from the National Cystic Fibrosis Foundation (CFF) and the National Cystic Fibrosis Awareness Committee and have updated the information accordingly.

Cystic fibrosis is one of the most common fatal genetic diseases in the United States and there is no known cure. It affects approximately 30,000 children and adults in the United States. As recently as 25 years ago, most children born with cystic fibrosis died in early childhood and few survived to their teenage years.

Today, the average life expectancy of an individual with cystic fibrosis is in the early thirties, an improvement from a life expectancy of 10 years in the 1960s, but still unacceptably short. The difference stems from productive research which has led to an understanding of the way cystic fibrosis causes life-threatening damage and to the development of preventive techniques and treatments.

While there is no cure, early detection and prompt treatment can significantly improve and extend the lives of those with CF. My home state of Colorado was one of the first States to require CF screening for newborns. Happily, many more States are now performing this simple test.

And, since the discovery of the defective CF gene in 1989, CF research has greatly accelerated. I am proud that Colorado is home to the University of Colorado Health Sciences Center, including the Children's Hospital, the National Jewish Medical and Research Center and the Anschutz Centers for Advanced Medicine, all of which are actively involved in CF research and care. The Children's Hospital is one of a number of innovative Therapeutics Development Centers nationwide performing cutting edge clinical research to develop new treatments for CF.

Currently, the CF Foundation oversees potential CF products in its drug development pipeline, including those