

by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶127.11 HIGHER EDUCATION TECHNICAL AMENDMENTS

Mr. FORD of Michigan moved to suspend the rules and pass the bill (H.R. 3376) to make certain technical and conforming amendments to the Higher Education Act of 1965; as amended.

The SPEAKER pro tempore, Mr. HAMBURG, recognized Mr. FORD of Michigan and Mr. BALLENGER, each for 20 minutes.

After debate,

The question being put, *viva voce*,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. HAMBURG, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

On motion of Mr. FORD of Michigan, by unanimous consent, the bill of the Senate (S. 1507) to make technical amendments to the Higher Education Amendments of 1992 and the Higher Education Act of 1965, and for other purposes; was taken from the Speaker's table.

When said bill was considered and read twice.

Mr. FORD of Michigan submitted the following amendment, which was agreed to:

Strike out all after the enacting clause and insert the provisions of H.R. 3376, as passed by the House.

The bill, as amended, was ordered to be read a third time, was read a third time by title, and passed.

By unanimous consent, the title was amended so as to read: "An Act to make certain technical and conforming amendments to the Higher Education Act of 1965."

A motion to reconsider the votes whereby said bill, as amended, was passed and the title was amended was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said amendments.

By unanimous consent, H.R. 3376, a similar House bill, was laid on the table.

¶127.12 RECESS—12:37 P.M.

The SPEAKER pro tempore, Mr. HAMBURG, pursuant to clause 12 of rule I, declared the House in recess at 12 o'clock and 37 minutes p.m., until 3:30 p.m.

¶127.13 AFTER RECESS—3:30 P.M.

The SPEAKER pro tempore, Mr. HAMBURG, called the House to order.

¶127.14 SEA OF OKHOTSK FISHERIES ENFORCEMENT

Mr. STUDDS moved to suspend the rules and pass the bill (H.R. 3188) to

amend the Central Bering Sea Fisheries Enforcement Act of 1992; as amended.

The SPEAKER pro tempore, Mr. HAMBURG, recognized Mr. STUDDS and Mr. YOUNG of Alaska, each for 20 minutes.

After debate,

The question being put, *viva voce*,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. HAMBURG, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

By unanimous consent, the title was amended so as to read: "An Act to prohibit fishing in the Central Sea of Okhotsk, and for other purposes."

A motion to reconsider the votes whereby the rules were suspended and said bill, as amended, was passed and the title was amended was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶127.15 FISH & WILDLIFE FOUNDATION REAUTHORIZATION

Mr. STUDDS moved to suspend the rules and pass the bill (H.R. 2684) to reauthorize and amend the National Fish and Wildlife Foundation Establishment Act; as amended.

The SPEAKER pro tempore, Mr. HAMBURG, recognized Mr. STUDDS and Mr. YOUNG of Alaska, each for 20 minutes.

After debate,

The question being put, *viva voce*,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. HAMBURG, announced that two-thirds of the Members present had voted in the affirmative.

Mr. THOMAS of Wyoming demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. HAMBURG, pursuant to clause 5, rule I, announced that further proceedings on the motion were postponed until Wednesday, November 3, 1993, pursuant to the prior announcement of the Chair.

¶127.16 DONUT HOLE FISHING

Mr. STUDDS moved to suspend the rules and agree to the following concurrent resolution (H. Con. Res. 135):

Whereas there exists a small, central enclave in the Bering Sea known as the Donut Hole that is more than two hundred nautical miles seaward of the baselines from which the breadth of the territorial seas of the United States and the Russian Federation are measured and that encompasses less than 10 percent of the Bering Sea;

Whereas the Donut Hole and surrounding areas have been part of one of the world's most productive regions of fishing for important commercial species;

Whereas one of the most highly valued fisheries is the Aleutian Basin pollock stock

which straddles the United States and Russian exclusive economic zones and the Donut Hole but spawns only inside the exclusive economic zones;

Whereas fishing in the Donut Hole for the Aleutian Basin pollock stock began only in the mid-1980's and does not constitute a traditional high seas fishery;

Whereas the past productivity of these fishery resources has resulted in their overuse and their subsequent dramatic declines exemplified by the harvest of Aleutian Basin pollock by fishermen from distant-water fishing nations which has recently plummeted from a peak of approximately one million four hundred thousand metric tons in 1989 to a low of approximately ten thousand metric tons in 1992;

Whereas in an effort to prevent the commercial extinction of the Aleutian Basin pollock stock, the Russian Federation and the United States substantially reduced, then suspended, domestic fisheries inside their respective exclusive economic zones;

Whereas conservation of the fishery resources in the exclusive economic zones has little success if similar conservation measures are not achieved in the Donut Hole;

Whereas the United States and the Russian Federation have made significant efforts with the distant-water fishing nations to negotiate effective conservation and management arrangements for the Donut Hole;

Whereas the distant-water fishing nations refused to suspend operations until the fishery collapsed and was no longer economically viable;

Whereas international law attempts to balance freedom of fishing in international waters with the interests of the coastal states in conserving and developing fish stocks within their own exclusive economic zones and the interests of all nations in conserving the living marine resources, but these efforts may not succeed due to the inherent difficulty associated with establishing effective conservation, management, and enforcement controls in international waters;

Whereas international negotiations have not yet succeeded in reaching a permanent means to control fishing in the Donut Hole despite continuing attempts to resolve the issues since the 1980's;

Whereas on April 4, 1993, at the Vancouver Summit, the Presidents of the United States and the Russian Federation agreed, *inter alia*, "to develop bilateral fisheries cooperation in the Bering Sea, the North Pacific, and the Sea of Okhotsk for the purpose of preservation and reproduction of living marine resources and of monitoring the ecosystem of the North Pacific Ocean";

Whereas the Congress of the United States has passed the Central Bering Sea Fisheries Enforcement Act of 1992 (Public Law 102-582) which denies port privileges to those vessels that violate international agreements concerning Central Bering Sea fishery resources;

Whereas the collaborative conservation efforts of the United States, Russian Federation, and distant-water fishing nations will provide enhanced fishery resources;

Whereas delegates from the People's Republic of China, Japan, the Republic of Korea, the Republic of Poland, the Russian Federation, and the United States signed a joint resolution at the Fifth Conference on the Conservation and Management of the Living Marine Resources of the Central Bering Sea on August 14, 1992, which provided for a temporary suspension of all commercial fishing in the Donut Hole during 1993 and 1994;

Whereas these delegations met most recently in Tokyo in June, 1993, to negotiate a long-term management agreement for the Donut Hole and were not able to finalize such an agreement;

Whereas delegates from each of these nations have expressed their consensus con-

cerns for the long-term conservation and management of the fishery resources of the Donut Hole; Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That it is the sense of the Congress that—

(1) the United States should take appropriate measures to conserve the resources of the Donut Hole;

(2) the United States should continue its pursuit of an international agreement, consistent with its rights as a coastal state, to ensure proper management for future commercial viability of these natural resources;

(3) the United States, working closely with the Russian Federation should, in accordance with international law and through multilateral consultations or through other means, promote effective international programs for the implementation and enforcement of regulations of the fisheries by those nations that fish in the Donut Hole;

(4) the United States nonetheless should be mindful of its management responsibility in this regard and of its rights in accordance with international law to fully utilize the stock within its own exclusive economic zone;

(5) the United States should accept as an urgent duty the need to conserve for future generations the Aleutian Basin pollock stock and should carry out that duty by taking all necessary measures, in accordance with international law; and

(6) the United States should foster further multilateral cooperation leading to international consensus on management of the Donut Hole resources through the fullest use of diplomatic channels and appropriate domestic and international law and should explore all other available options and means for conservation and management of these living marine resources.

The SPEAKER pro tempore, Mr. HAMBURG, recognized Mr. STUDDS and Mr. YOUNG of Alaska, each for 20 minutes.

After debate,

The question being put, *viva voce*,

Will the House suspend the rules and agree to said concurrent resolution?

The SPEAKER pro tempore, Mr. HAMBURG, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said concurrent resolution was agreed to.

A motion to reconsider the vote whereby the rules were suspended and said concurrent resolution was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said concurrent resolution.

¶127.17 ATLANTIC BLUEFIN TUNA

Mr. STUDDS moved to suspend the rules and agree to the following concurrent resolution (H. Con. Res. 169); as amended:

Whereas Atlantic bluefin tuna are a valuable commercial and recreational fishery of the United States;

Whereas many countries, including the United States, fish for Atlantic bluefin tuna and other highly migratory species in the Atlantic Ocean and the Mediterranean Sea;

Whereas the International Commission for the Conservation of Atlantic Tunas (hereinafter referred to as the "Commission"), is the international entity established to adopt

recommendations and develop international agreements for the conservation and management of Atlantic bluefin tuna and other highly migratory species in the Atlantic Ocean and the Mediterranean Sea;

Whereas in the last 25 years Atlantic bluefin tuna stocks have declined from historic levels;

Whereas, for management purposes, the Commission has adopted a working hypothesis of 2 stocks of Atlantic bluefin tuna: a western stock found in the Atlantic Ocean west of 45 degrees west longitude (hereinafter referred to as the "45 degree line"), and an eastern stock found in the Atlantic Ocean east of the 45 degree line and in the Mediterranean Sea;

Whereas the existing scientific evidence is inconclusive with respect to the working hypothesis of 2 stocks, the extent to which each of the hypothesized stocks migrates across the 45 degree line is unknown, and the 45 degree line is considered to be arbitrary;

Whereas the Commission adopted conservation and management recommendations in 1974 to ensure the recovery and sustainability of all Atlantic bluefin tuna throughout the Atlantic Ocean and the Mediterranean Sea;

Whereas, in recent years, the Commission has adopted additional, more restrictive conservation and management recommendations for Atlantic bluefin tuna, for countries that fish for Atlantic bluefin tuna west of the 45 degree line;

Whereas the United States and other countries that are members of the Commission and that fish west of the 45 degree line have implemented all conservation and management recommendations for Atlantic bluefin tuna adopted by the Commission that apply west of the 45 degree line;

Whereas many other countries that are members of the Commission do not comply with conservation and management recommendations for Atlantic bluefin tuna adopted by the Commission that apply east of the 45 degree line and in the Mediterranean Sea;

Whereas this continuing failure to comply east of the 45 degree line and in the Mediterranean Sea by countries that are members of the Commission will undermine the recovery of Atlantic bluefin tuna stocks;

Whereas recent large increases in the catch of Atlantic bluefin tuna within 100 miles east of the 45 degree line by countries that are members of the Commission could be having a negative impact on the recovery of Atlantic bluefin tuna and probably do not comply with recommendations of the Commission; and

Whereas countries that are not members of the Commission are having a negative impact on the recovery of Atlantic bluefin tuna stocks by fishing throughout the Atlantic Ocean and the Mediterranean Sea without regard for conservation and management recommendations adopted by the Commission; Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That it is the sense of the Congress that—

(1) the United States and the International Commission for the Conservation of Atlantic Tunas (hereinafter referred to as the "Commission") should continue to promote the conservation and management of highly migratory species, including Atlantic bluefin tuna, throughout the Atlantic Ocean and the Mediterranean Sea;

(2) The United States should obtain commitments through the Commission, from all countries that are signatories to the International Convention for the Conservation of Atlantic Tunas and that are not in compliance with all of the conservation and management recommendations and agreements for Atlantic bluefin tuna and other highly

migratory species that have been adopted by the Commission, that those countries will immediately comply with those recommendations and agreements;

(3) the United States should continue to encourage all other countries that fish for Atlantic bluefin tuna or other highly migratory species in the Atlantic Ocean or the Mediterranean Sea to comply with the conservation and management recommendations and agreements adopted for those species by the Commission;

(4) if a country fishes in the Atlantic Ocean or the Mediterranean Sea for Atlantic bluefin tuna or another highly migratory species without complying with the conservation and management recommendations and agreements adopted by the Commission for that species, such fishing will be considered by the Congress to diminish the effectiveness of an international fishery conservation program, and as such will be considered by the Congress to be certifiable under section 8(a)(1) of the Fishermen's Protective Act of 1967 (22 U.S.C. 1978(a)(1));

(5) the United States should encourage countries that have significant markets for Atlantic bluefin tuna to prohibit the importation of that species from other countries that fish for that species without regard for the conservation and management recommendations and agreements adopted by the Commission;

(6) the United States should continue to explore, through the Commission, the appropriateness of working hypotheses of the Commission that stocks of highly migratory species in the Atlantic Ocean can be delineated by lines of latitude or longitude, including specifically that there are 2 stocks of Atlantic bluefin tuna delineated by the line 45 degrees west longitude; and

(7) the United States should seek, through the Commission, an agreement to ensure that if the Commission uses any line to divide the stock of Atlantic bluefin tuna for management purposes and adopts for that stock any conservation and management recommendation or agreement for one side of the line that is more restrictive than the conservation and management recommendations and agreements adopted by the Commission for that stock for the other side of the line, then any fishing for Atlantic bluefin tuna within 10 degrees of the line shall be conducted in compliance with that more restrictive recommendation or agreement.

The SPEAKER pro tempore, Mr. HAMBURG, recognized Mr. STUDDS and Mr. YOUNG of Alaska, each for 20 minutes.

After debate,

The question being put, *viva voce*,

Will the House suspend the rules and agree to said concurrent resolution, as amended?

The SPEAKER pro tempore, Mr. HAMBURG, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said concurrent resolution was agreed to.

By unanimous consent, the title was amended so as to read: "Concurrent resolution to express the sense of the Congress that the United States should seek compliance by all countries with the conservation and management recommendations and agreements adopted for Atlantic bluefin tuna and other highly migratory species by the International Commission for the Conserva-