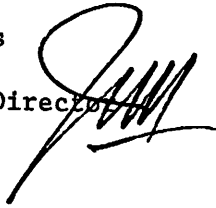


M E M O R A N D U M

TO: Council, AP and SSC Members  
FROM: Jim H. Branson, Executive Director  
DATE: January 8, 1986  
SUBJECT: Legislative Update



ACTION REQUIRED

Information only.

BACKGROUND

Congress is due to convene from their Christmas recess on January 21. Since there is a recess scheduled for February 7-17, the earliest that work can be expected on the pending MFCMA reauthorization legislation is the first of March; however, Congressional staff members are hesitant to predict whether any reauthorization work will be stated before Congress resolves current budget problems.

In addition to the reauthorization bills in both houses, Congress still has before it a foreign fishing fee proposal that was included in the budget reconciliation process at the end of last session. The proposal would allow the Secretary of Commerce to raise foreign fees if the Secretary, in consultation with the Secretary of State, found that a foreign nation receiving a fishery allocation in the U.S. EEZ is, (1) harvesting anadromous species of U.S. origin at a level that is unacceptable to the Secretary; or (2) failing to take sufficient actions to benefit conservation and development of U.S. fisheries. The fee increase could be waived at any time during the year if the Secretary of Commerce, in consultation with the Secretary of State, found that remedial actions were taken by the relevant foreign nation.

The proposal also requires the Secretary of Commerce, in consultation with the Secretary of State, to make a determination each year of performance by foreign nations receiving fishery allocations with respect to whether a foreign nation is harvesting anadromous species of U.S. origin or failing to take sufficient action to benefit the conservation and development of U.S. fisheries. The Secretary's determinations are to be reported to Congress. Any amount of fees collected over and above what would have been collected under the existing formula are to be deposited in the General Fund of the U.S. Treasury.