

The Pacific Fishery Management Council recommends amendment of the Interim Regulations for Fishery Management and Conservation as published by the U. S. Department of Commerce, National Oceanic and Atmospheric Administration, in the Federal Register for Wednesday, September 15, 1976. The portion to be amended is in Section 202.2 (d)(2) concerning jurisdiction under National Standard 3, and with particular reference to management initiatives with respect to transboundary stocks which range into a neighboring country's contiguous zone.

The new language proposed should be inserted in place of the section which begins "Where a stock's range extends into a neighboring country's contiguous zone. . ." and ends with the phrase ". . . international joint management regime."

The Fishery Management Councils shall have principal responsibility for the management planning of transboundary and boundary stocks. When the framework for this management can only be established by international agreement, the Secretary of State, in cooperation with the Secretary of Commerce, shall support the management plans of the Council(s) in its negotiations for the United States. The procedures for negotiations shall be:

1. The negotiating position and strategy shall be established in consultation by the Council(s) concerned, the Secretary of Commerce, and the Secretary of State;
2. The Council(s) concerned shall recommend two or more members of the Council(s) to be members of the Government negotiating team, and the Council(s) may also recommend other Council members as advisories to the delegation; and
3. The results of these negotiations shall be reviewed by the Council(s) concerned before any resulting agreement is submitted to Congress. The concerned Council(s) shall prepare management plans for the species or stocks the international agreement covers. These management plans shall be developed, reviewed, and have regulations promulgated to implement them using the procedures pursuant to the Fishery Conservation and Management Act.

If the international agreement which is the result of the first negotiations provides for a consultative body or commission to work out, on an annual or on-going basis, the annual total allowable catches (TAC's) and other management provisions for transboundary stocks, two or more of the United States members of this body shall be members of the concerned Council(s). The Council(s) shall designate these members and may appoint other Council members to serve as advisors to that body. The decisions or recommendations of this body shall be incorporated in the management plans and/or regulations that the concerned Council(s) develop, or, as appropriate, in the regulations which the Secretary of Commerce promulgates.