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[Report No. 104-373]

To amend the Marine Mammal Protection Act of 1972 to support the International Dolphin Conservation Program in the eastern tropical Pacific Ocean, and for other purposes.

IN THE SENATE OF THE UNITED STATES

NOVEMBER 17 (legislative day, NOVEMBER 16), 1995

Mr. STEVENS (for himself, Mr. BREAUX, Mr. CHAFEE, Mr. JOHNSTON, Mr. MURKOWSKI, Ms. MOSELEY-BRAUN, Mr. THURMOND, and Mr. SIMPSON) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

SEPTEMBER 30, 1996

Reported by Mr. PRESSLER, with amendments

[Omit the part struck through and insert the part printed in *italic*]

A BILL

To amend the Marine Mammal Protection Act of 1972 to support the International Dolphin Conservation Program in the eastern tropical Pacific Ocean, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE; REFERENCES.**

2 (a) SHORT TITLE.—This Act may be cited as the
3 “International Dolphin Conservation Program Act”.

4 (b) REFERENCES TO MARINE MAMMAL PROTECTION
5 ACT.—Except as otherwise expressly provided, whenever
6 in this Act an amendment or repeal is expressed in terms
7 of an amendment to, or repeal of, a section or other provi-
8 sion, the reference shall be considered to be made to a
9 section or other provision of the Marine Mammal Protec-
10 tion Act of 1972 (16 U.S.C. 1361 et seq.).

11 **SEC. 2. PURPOSE AND FINDINGS.**

12 (a) PURPOSE.—The purpose of this Act is to give ef-
13 fect to the Declaration of Panama, signed October 4,
14 1995, by the Governments of Belize, Colombia, Costa
15 Rica, Ecuador, France, Honduras, Mexico, Panama,
16 Spain the United States of America, Vanuatu, and Ven-
17 ezuela, including the establishment of the International
18 Dolphin Conservation Program, relating to the protection
19 of dolphins and other species, and the conservation and
20 management of tuna in the eastern tropical Pacific Ocean.

21 (b) FINDINGS.—The Congress finds that twelve na-
22 tions, including the United States, agreed in the Declara-
23 tion of Panama to, among other things—

24 (1) require that the total annual dolphin mor-
25 tality in the purse seine fishery for yellowfin tuna in
26 the eastern tropical Pacific Ocean not exceed 5,000,

1 with the commitment and objective of progressively
2 reduce dolphin mortality to levels approaching zero
3 through the setting of annual limits;

4 (2) establish a per-stock per-year mortality
5 limit up to the year 2001 of between 0.2 percent and
6 0.1 percent of the minimum population estimate;

7 (3) starting with the year 2001, require that
8 the per-stock per-year mortality of dolphin not ex-
9 ceed 0.1 percent of the minimum population esti-
10 mate;

11 (4) require that in the event that the mortality
12 limits in paragraph (1), (2), or (3) are exceeded, all
13 sets on dolphins in the case of paragraph (1), or sets
14 on such stock and any mixed schools containing
15 members of such stock in the case of paragraph (2)
16 or (3), shall cease for that fishing year; in the case
17 of paragraph (2), to conduct a scientific review and
18 assessment in 1998 of progress toward the year
19 2000 objective and consider recommendations as ap-
20 propriate; and, in the case of paragraph (3), to con-
21 duct a scientific review and assessment regarding
22 that stock or those stocks and consider further rec-
23 ommendations;

1 (5) establish a per-vessel maximum annual dol-
2 phin mortality limit consistent with the established
3 per-year mortality caps; and

4 (6) provide a system of incentives to vessel cap-
5 tains to continue to reduce dolphin mortality, with
6 the goal of eliminating dolphin mortality.

7 (a) *PURPOSES.*—*The purposes of this Act are—*

8 (1) *to give effect to the Declaration of Panama,*
9 *signed October 4, 1995, by the Governments of Belize,*
10 *Colombia, Costa Rica, Ecuador, France, Honduras,*
11 *Mexico, Panama, Spain, the United States of Amer-*
12 *ica, Vanuatu, and Venezuela, including the establish-*
13 *ment of the International Dolphin Conservation Pro-*
14 *gram, relating to the protection of dolphins and other*
15 *species, and the conservation and management of*
16 *tuna in the eastern tropical Pacific Ocean;*

17 (2) *to recognize that nations fishing for tuna in*
18 *the eastern tropical Pacific Ocean have achieved sig-*
19 *nificant reductions in dolphin mortality associated*
20 *with that fishery; and*

21 (3) *to eliminate the ban on imports of tuna from*
22 *those nations in compliance with the International*
23 *Dolphin Conservation Program.*

24 (b) *FINDINGS.*—*The Congress finds that—*

1 (1) *the nations that fish for tuna in the eastern*
2 *tropical Pacific Ocean have achieved significant re-*
3 *ductions in dolphin mortality associated with the*
4 *purse seine fishery from hundreds of thousands annu-*
5 *ally to fewer than 5,000 annually;*

6 (2) *the provisions of the Marine Mammal Protec-*
7 *tion Act of 1972 that impose a ban on imports from*
8 *nations that fish for tuna in the eastern tropical Pa-*
9 *cific Ocean have served as an incentive to reduce dol-*
10 *phin mortalities;*

11 (3) *tuna canners and processors of the United*
12 *States have led the canning and processing industry*
13 *in promoting a dolphin-safe tuna market; and*

14 (4) *12 signatory nations to the Declaration of*
15 *Panama, including the United States, agreed under*
16 *that Declaration to require that the total annual dol-*
17 *phin mortality in the purse seine fishery for yellowfin*
18 *tuna in the eastern tropical Pacific Ocean not exceed*
19 *5,000, with a commitment and objective to progres-*
20 *sively reduce dolphin mortality to a level approaching*
21 *zero through the setting of annual limits.*

22 **SEC. 3. DEFINITIONS.**

23 Section 3 (16 U.S.C. 1362) is amended by adding
24 at the end the following new paragraphs:

1 ~~“(28) The term ‘International Dolphin Con-~~
2 ~~serva- tion Program’ means the international program~~
3 ~~established by the agreement signed in La Jolla,~~
4 ~~California, in June 1992, as formalized, modified,~~
5 ~~and enhanced in accordance with the Declaration of~~
6 ~~Panama.~~

7 “(28) *The term ‘International Dolphin Conserva-*
8 ~~*tion Program’ means the international program es-*~~
9 ~~*tablished by the agreement signed in LaJolla, Califor-*~~
10 ~~*nia, in June, 1992, as formalized, modified, and*~~
11 ~~*enhanced in accordance with the Declaration of Pan-*~~
12 ~~*ama, that requires—*~~

13 “(A)(i) *that the total annual dolphin mor-*
14 ~~*tality in the purse seine fishery for yellow fin*~~
15 ~~*tuna in the eastern tropical Pacific Ocean be*~~
16 ~~*limited to 5,000; and*~~

17 “(i) *a commitment and objective to pro-*
18 ~~*gressively reduce dolphin mortality to a level ap-*~~
19 ~~*proaching zero through the setting of annual*~~
20 ~~*limits;*~~

21 “(B) *the establishment of a per stock per*
22 ~~*year mortality limit of dolphin at a level be-*~~
23 ~~*tween 0.2 percent and 0.1 percent of the mini-*~~
24 ~~*imum population estimate to be in effect through*~~
25 ~~*calendar year 2000;*~~

1 “(C) the establishment of a per stock per
2 year mortality limit of dolphin at a level less
3 than or equal to 0.1 percent of the minimum
4 population estimate beginning with the calendar
5 year 2001;

6 “(D) that if a mortality limit is exceeded
7 under—

8 “(i) subparagraph (A), all sets on dol-
9 phins shall cease for the applicable fishing
10 year; and

11 “(ii) subparagraph (B) or (C), all sets
12 on the stocks covered under subparagraph
13 (B) or (C) and any mixed schools that con-
14 tain any of those stocks shall cease for the
15 applicable fishing year;

16 “(E) a scientific review and assessment to
17 be conducted in calendar year 1998 to—

18 “(i) assess progress in meeting the ob-
19 jectives set for calendar year 2000 under
20 subparagraph (B); and

21 “(ii) as appropriate, consider rec-
22 ommendations for meeting these objectives;

23 “(F) a scientific review and assessment to
24 be conducted—

1 “(i) to review the stocks covered under
2 subparagraph (C); and

3 “(ii) as appropriate to consider rec-
4 ommendations to further the objectives set
5 under that subparagraph;

6 “(G) the establishment of a per vessel maxi-
7 mum annual dolphin mortality limit consistent
8 with the applicable per year mortality caps, as
9 determined under subparagraphs (A) through
10 (C); and

11 “(H) the provision of a system of incentives
12 to vessel captains to continue to reduce dolphin
13 mortality, with the goal of eliminating dolphin
14 mortality.

15 “(29) The term ‘Declaration of Panama’ means
16 the declaration signed in Panama City, Republic of
17 Panama, on October 4, 1995.”.

18 **SEC. 4. AMENDMENTS TO TITLE I.**

19 (a) Section 101(a)(2) (16 U.S.C. 1371(a)(2)) is
20 amended—

21 (1) by inserting in the first sentence “, and au-
22 thorizations may be granted under title III with re-
23 spect to the yellowfin tuna fishery of the eastern
24 tropical Pacific Ocean, subject to regulations pre-

1 scribed under that title by the Secretary without re-
 2 gard to section 103” before the period; and

3 (2) by striking the semicolon in the second sen-
 4 tence and all that follows through “practicable”.

5 (b) Section 101(a)(2)(B) (16 U.S.C. 1371(a)(2)(B))
 6 is amended to read as follows:

7 “(B) In the case of yellowfin tuna har-
 8 vested with purse seine nets in the eastern trop-
 9 ical Pacific Ocean, and products therefrom, to
 10 be exported to the United States, shall require
 11 that the government of the exporting nation
 12 provide documentary evidence that—

13 “(i)(I) the tuna or products therefrom
 14 were not banned from importation under
 15 ~~section 101(a)(2)~~ *this paragraph* before the
 16 effective date of ~~this section~~; *the Inter-*
 17 *national Dolphin Conservation Program*
 18 *Act*; or

19 “(ii) (II) the tuna or products there-
 20 from were harvested after the effective
 21 date of ~~this section~~ *the International Dol-*
 22 *phin Conservation Program Act* by vessels
 23 of a nation which participates in the Inter-
 24 national Dolphin Conservation Program,
 25 and such harvesting nation is either a

1 member of the Inter-American Tropical
2 Tuna Commission or has initiated (*and*
3 *within 6 months thereafter completed*) all
4 steps, in accordance with article V, para-
5 graph 3 of the Convention establishing the
6 Inter-American Tropical Tuna Commission
7 *necessary*, to become a member of that ~~or-~~
8 ~~ganization~~, *organization*;

9 “(ii) *such nation is meeting the obliga-*
10 *tions of the International Dolphin Con-*
11 *servation Program and the obligations of*
12 *membership in the Inter-American Tropical*
13 *Tuna Commission, including all financial*
14 *obligations; and*

15 “(iii) *the total dolphin mortality lim-*
16 *its, and per stock per year mortality limits*
17 *permitted for that nation’s vessels under the*
18 *International Dolphin Conservation Pro-*
19 *gram do not exceed those levels determined*
20 *for 1996, or in any year thereafter, consist-*
21 *ent with requirements of the International*
22 *Dolphin Conservation Program, including*
23 *the goal of eliminating dolphin mortality,*

1 except that the Secretary shall not accept such
2 documentary evidence as satisfactory proof for
3 purposes of this paragraph if—

4 ~~“(I) the government of the har-~~
5 ~~vesting nation does not authorize the~~
6 ~~Inter-American Tropical Tuna Com-~~
7 ~~mission to release sufficient informa-~~
8 ~~tion to the Secretary to allow a deter-~~
9 ~~mination of compliance with the Inter-~~
10 ~~national Dolphin Conservation Pro-~~
11 ~~gram; or~~

12 *“(I) the government of the har-*
13 *vesting nation does not provide di-*
14 *rectly or authorize the Inter-American*
15 *Tropical Tuna Commission to release*
16 *complete and accurate information to*
17 *the Secretary in a timely manner to*
18 *allow determination of compliance*
19 *with the International Dolphin Con-*
20 *servation Program;*

21 *“(II) the government of the har-*
22 *vesting nation does not provide di-*
23 *rectly or authorize the Inter-American*
24 *Tropical Tuna Commission to release*
25 *complete and accurate information to*

1 *the Secretary in a timely manner for*
2 *the purposes of tracking and verifying*
3 *compliance with the minimum require-*
4 *ments established by the Secretary in*
5 *regulations promulgated under sub-*
6 *section (f) of the Dolphin Protection*
7 *Consumer Information Act (16 U.S.C.*
8 *1385(f)); or*

9 “~~(H)~~ (III) after taking into con-
10 sideration this information, findings
11 of the Inter-American Tropical Tuna
12 Commission, and any other relevant
13 information, including ~~but not limited~~
14 ~~to~~ information that a nation is con-
15 sistentlly failing to take enforcement
16 actions on violations which diminish
17 the effectiveness of the International
18 Dolphin Conservation Program, the
19 Secretary, in consultation with the
20 Secretary of State, finds that the har-
21 vesting nation is not in compliance
22 with the International Dolphin Con-
23 servation Program.”.

24 (c) Section 101 (16 U.S.C. 1371) is amended by add-
25 ing at the end the following new subsection:

1 “(d) *ACT NOT TO APPLY TO INCIDENTAL TAKINGS BY*
 2 *UNITED STATES CITIZENS EMPLOYED ON FOREIGN VES-*
 3 *SELS OUTSIDE THE UNITED STATES EEZ.*—The provi-
 4 sions of this Act shall not apply to a citizen of the United
 5 States ~~when such citizen~~ *who* incidentally takes any ma-
 6 rine mammal during fishing operations outside the United
 7 States exclusive economic zone (*as defined in section 3 of*
 8 *the Magnuson Fishery Conservation and Management Act*
 9 *(16 U.S.C. 1802)* when employed on a foreign fishing ves-
 10 sel of a harvesting nation which is in compliance with the
 11 International Dolphin Conservation Program.”.

12 (d) Section 104(h) (*16 U.S.C. 1374(h)*) is amended
 13 to read as follows:

14 (h) *GENERAL PERMITS.*—

15 ~~“(h)~~ (1) Consistent with the regulations pre-
 16 scribed pursuant to section 103 of this title and to
 17 the requirements of section 101 of this title, the Sec-
 18 retary may issue an annual permit to a United
 19 States vessel for the taking of such marine mam-
 20 mals, ~~together with~~ *and shall issue* regulations to
 21 cover the use of any such annual permits.

22 “(2) Such annual permits for the incidental
 23 taking of marine mammals in the course of commer-
 24 cial purse seine fishing for yellowfin tuna in the
 25 eastern tropical Pacific Ocean shall be governed by

1 section ~~304~~, 304 of this Act, subject to the regula-
2 tions issued pursuant to section ~~302~~. 302 of this
3 Act.”.

4 (e) Section 108(a)(2) (16 U.S.C. 1378(a)(2)) is amend-
5 ed—

6 (1) by striking “and” at the end of subpara-
7 graph (A);

8 (2) by inserting after subparagraph (B) the fol-
9 lowing:

10 “(C) negotiations to revise the Convention
11 for the Establishment of an Inter-American
12 Tropical Tuna Commission (1 U.S.T. 230; TIAS
13 2044) which will incorporate—

14 “(i) the conservation and management
15 provisions agreed to by the nations which
16 have signed the Declaration of Panama and
17 in the Straddling Fish Stocks and Highly
18 Migratory Fish Stocks Agreement, as
19 opened for signature and ratification on
20 December 4, 1995; and

21 “(ii) a revised schedule of annual con-
22 tributions to the expenses of the Inter-Amer-
23 ican Tropical Tuna Commission that is eq-
24 uitable to participating nations; and

1 “(D) discussions with those countries par-
2 ticipating, or likely to participate, in the Inter-
3 national Dolphin Conservation Program, for the
4 purpose of identifying sources of funds needed for
5 research and other measures promoting effective
6 protection of dolphins, other marine species, and
7 the marine ecosystem;”.

8 ~~(e)~~ Section 110 (16 U.S.C. 1380) is amended—

9 ~~(1)~~ by redesignating subsection ~~(a)(1)~~ as sub-
10 section ~~(a)~~; and

11 ~~(2)~~ by striking subsection ~~(a)(2)~~.

12 ~~(f)~~ Section 110(a) (16 U.S.C. 1380(a)) is amended—

13 ~~(1)~~ by striking “(1)” in paragraph (1); and

14 ~~(2)~~ by striking paragraph (2).

15 ~~(f)~~(g) Subsection (d)(1) of the Dolphin Protection
16 Consumer Information Act (16 U.S.C. 1385(d)(1)) is
17 amended to read as follows:

18 “(1) It is a violation of section 5 of the Federal
19 Trade Commission Act for any producer, importer,
20 exporter, distributor, or seller of any tuna product
21 that is exported from or offered for sale in the
22 United States to include on the label of that product
23 the term ‘Dolphin Safe’ or any other term or symbol
24 that falsely claims or suggests that the tuna con-
25 tained in the product was harvested using a method

1 of fishing that is not harmful to dolphins if the
2 product contains—

3 “(A) tuna harvested on the high seas by a
4 vessel engaged in driftnet fishing;

5 “(B) tuna harvested in the eastern tropical
6 Pacific Ocean by a vessel using purse seine nets
7 which do not meet the requirements of being
8 considered dolphin safe under paragraph (2); or

9 “(C) tuna harvested outside the eastern
10 tropical Pacific Ocean by a vessel using purse
11 seine nets which do not meet the requirements
12 for being considered dolphin safe under para-
13 graph (3).”.

14 (g) Subsection (d)(2) of the Dolphin Protection
15 Consumer Information Act (16 U.S.C. 1385(d)(2)) is
16 amended to read as follows:

17 “(2) For purposes of paragraph (1)(B), a tuna
18 product that contains tuna harvested in the eastern
19 tropical Pacific Ocean by a vessel using purse seine
20 nets is dolphin safe if—

21 “(A) the vessel is of a type and size that
22 the Secretary has determined, consistent with
23 the International Dolphin Conservation Pro-
24 gram, is not capable of deploying its purse seine
25 nets on or to encircle dolphins; or

1 “(B)(i) the product is accompanied by a
2 written statement executed by the captain of
3 the vessel which harvested the tuna certifying
4 that no dolphins were killed during the sets in
5 which the tuna were caught; ~~and~~

6 “(ii) the product is accompanied by a writ-
7 ten statement executed by—

8 “(I) the Secretary or the Secretary’s
9 designee;

10 “(II) a representative of the Inter-
11 American Tropical Tuna Commission; or

12 “(III) an authorized representative of
13 a participating nation whose national pro-
14 gram meets the requirements of the Inter-
15 national Dolphin Conservation Program,

16 which states that there was an observer ap-
17 proved by the International Dolphin Conserva-
18 tion Program on board the vessel during the
19 entire trip and ~~documents~~ *that such observer*
20 *documented* that no dolphins were killed during
21 the sets in which the tuna in the tuna product
22 were caught; and

23 “(iii) the statements referred to in clauses
24 (i) and (ii) are endorsed in writing by each ex-

1 porter, importer, and processor of the product;
2 and

3 “(C) the written statements and endorse-
4 ments referred to in subparagraph (B) comply
5 with regulations promulgated by the Secretary
6 which would provide for the verification of tuna
7 products as dolphin safe.”.

8 (h) Subsection (d) of the Dolphin Protection
9 Consumer Information Act (16 U.S.C. 1385(d)) is amend-
10 ed further by adding the following new paragraphs:

11 “(3) For purposes of paragraph (1)(C), tuna or
12 a tuna product that contains tuna harvested outside
13 the eastern tropical Pacific Ocean by a fishing vessel
14 using purse seine nets is dolphin safe if—

15 “(A) it is accompanied by a written state-
16 ment executed by the captain of the vessel cer-
17 tifying that no purse seine net was intentionally
18 deployed on or to encircle dolphins during the
19 particular voyage on which the tuna was har-
20 vested; or

21 “(B) in any fishing in which the Secretary
22 has determined that a regular and significant
23 association occurs between marine mammals
24 and tuna, it is accompanied by a written state-
25 ment executed by the captain of the vessel and

1 an observer, certifying that no purse seine net
2 was intentionally deployed on or to encircle ma-
3 rine mammals during the particular voyage on
4 which the tuna was harvested.

5 “(4) No tuna product may be labeled with any
6 reference to dolphins, porpoises, or marine mam-
7 mals, except as dolphin safe in accordance with this
8 subsection.”.

9 (i) Subsection (f) of the Dolphin Protection
10 Consumer Information Act (16 U.S.C.1385(f)) is amend-
11 ed to read as follows:

12 ~~“(f) The Secretary, in consultation with the Secretary~~
13 ~~of the Treasury, shall issue regulations to implement this~~
14 ~~section not later than three months after the effective date~~
15 ~~of this section, including including, but not limited to, in-~~
16 ~~cluding regulations addressing the use of weight calcula-~~
17 ~~tion and well location, and which require that tuna prod-~~
18 ~~ucts are labeled in accordance with subsection (d).”.~~

19 *“(f) REGULATIONS.—The Secretary, in consultation*
20 *with the Secretary of the Treasury, shall issue regulations*
21 *to implement this section not later than 3 months after the*
22 *date of enactment of the International Dolphin Conserva-*
23 *tion Program Act. In the development of these regulations,*
24 *the Secretary shall establish appropriate procedures for en-*
25 *sureing the confidentiality of proprietary information the*

1 *submission of which is voluntary or mandatory. The regula-*
2 *tions shall establish a domestic tracking and verification*
3 *program that provides for the effective tracking of tuna la-*
4 *beled under subsection (d), including provisions that ad-*
5 *dress each of the following items:*

6 “(1) *the use of weight calculation for purposes of*
7 *tracking tuna caught, landed, processed, and exported;*

8 “(2) *additional measures to enhance current ob-*
9 *server coverage, including the establishment of criteria*
10 *for training, and for improving monitoring and re-*
11 *porting capabilities and procedures;*

12 “(3) *the designation of well location, procedures*
13 *for sealing holds, procedures for monitoring and cer-*
14 *tifying both above and below deck, or through equally*
15 *effective methods, the tracking and verification of*
16 *tuna labeled under subsection (d);*

17 “(4) *the reporting, receipt, and database storage*
18 *of radio and facsimile transmittals from fishing ves-*
19 *sels containing information related to the tracking*
20 *and verification of tuna, and the definition of set;*

21 “(5) *the shore-based verification and tracking*
22 *throughout the fishing, transshipment, and canning*
23 *process by means of Inter-American Tropical Tuna*
24 *Commission trip records or otherwise;*

1 “(6) the use of periodic audits and spot checks
2 for caught, landed, and processed tuna products la-
3 beled in accordance with subsection (d); and

4 “(7) the provision of timely access to data re-
5 quired under this subsection by the Secretary from
6 harvesting nations to undertake the actions required
7 in paragraph (6) of this subsection.

8 *The Secretary may make such adjustments as may be ap-
9 propriate to the regulations promulgated under this sub-
10 section to implement an international tracking and ver-
11 ification program that meets or exceeds the minimum re-
12 quirements established by the Secretary under this sub-
13 section.”.*

14 **SEC. 5. AMENDMENTS TO TITLE III.**

15 (a) The heading of title III is amended to read as
16 follows:

17 “TITLE III—INTERNATIONAL DOLPHIN
18 CONSERVATION PROGRAM”.

19 (b) Section 301 (16 U.S.C. 1411) is amended—

20 ~~(1) in subsection (a), by striking paragraph (4)~~
21 ~~and inserting in lieu thereof:~~

22 (1) *by striking paragraph (4) of subsection (a)*
23 *and inserting the following:*

24 “(4) Nations harvesting yellowfin tuna in the
25 eastern tropical Pacific Ocean have demonstrated

1 their willingness to participate in appropriate multi-
2 lateral agreements to reduce, with the goal of elimi-
3 nating, dolphin mortality in that fishery. Recognition
4 of the International Dolphin Conservation Program
5 will assure that the existing trend of reduced dolphin
6 mortality continues; that individual stocks of dol-
7 phins are adequately protected; and that the goal of
8 eliminating all dolphin mortality continues to be a
9 priority.”; and

10 ~~(2) in subsection (b), by striking paragraphs~~
11 ~~(2) and (3) and inserting in lieu thereof:~~

12 *(2) by striking paragraphs (2) and (3) of sub-*
13 *section (b) and inserting the following:*

14 “(2) support the International Dolphin Con-
15 servation Program and efforts within the Program
16 to reduce, with the goal of eliminating, the mortality
17 referred to in paragraph (1);

18 “(3) ensure that the market of the United
19 States does not act as an incentive to the harvest of
20 tuna caught with driftnets or caught by purse seine
21 vessels in the eastern tropical Pacific Ocean not op-
22 erating in compliance with the International Dolphin
23 Conservation Program;”.

24 (c) Section 302 (16 U.S.C. 1412) is amended to read
25 as follows:

1 **“SEC. 302. AUTHORITY OF THE SECRETARY.**2 “(a) *REGULATIONS.*—3 “~~(a)~~ *REGULATIONS.*— (1) The Secretary shall
4 issue regulations to implement the International
5 Dolphin Conservation Program.6 “(2)(A) Not later than ~~three~~ *3 months after the*
7 *effective date of this section, the International Dol-*
8 *phin Conservation Program Act*, the Secretary shall
9 issue regulations to authorize and govern the inci-
10 dental taking of marine ~~mammal~~ *mammals* in the
11 eastern tropical Pacific Ocean, including any species
12 of marine mammal designated as depleted under this
13 Act but not listed as endangered or threatened
14 under the Endangered Species Act (16 U.S.C. 1531
15 et seq.), by vessels of the United States participating
16 in the International Dolphin Conservation Program.17 “(B) Regulations issued under this section
18 shall include provisions—19 “(i) requiring observers on each ves-
20 sel;21 “(ii) requiring use of the backdown
22 procedure or other procedures equally or
23 more effective in avoiding mortality of ma-
24 rine mammals in fishing operations;25 “(iii) prohibiting intentional sets on
26 stocks and schools in accordance with the

1 International Dolphin Conservation Pro-
2 gram;

3 “(iv) requiring the use of special
4 equipment, ~~including, but not limited to,~~
5 including dolphin safety panels in nets,
6 *monitoring devices as identified by the*
7 *International Dolphin Conservation Pro-*
8 *gram to detect unsafe fishing conditions*
9 *that may cause high incidental dolphin*
10 *mortality before nets are deployed by a tuna*
11 *vessel, operable rafts, speedboats with tow-*
12 *ing bridles, floodlights in operable condi-*
13 *tion, and diving masks and snorkels;*

14 “(v) ensuring that the backdown pro-
15 cedure during sets of purse seine net on
16 marine mammals is completed and rolling
17 of the net to sack up has begun no later
18 than ~~thirty~~ 30 minutes after sundown;

19 “(vi) banning the use of explosive de-
20 vices in all purse seine operations;

21 “(vii) establishing per vessel maxi-
22 mum annual dolphin mortality limits, total
23 dolphin mortality limits and per-stock per-
24 year mortality limits in accordance with

1 the International Dolphin Conservation
2 Program;

3 “(viii) preventing the making of inten-
4 tional sets on dolphins after reaching ei-
5 ther the vessel maximum annual dolphin
6 mortality limits, total dolphin mortality
7 limits, or per-stock per-year mortality lim-
8 its;

9 “(ix) preventing the fishing on dol-
10 phins by a vessel without an assigned ves-
11 sel dolphin mortality limit;

12 “(x) allowing for the authorization
13 and conduct of experimental fishing oper-
14 ations, under such terms and conditions as
15 the Secretary may prescribe, for the pur-
16 pose of testing proposed improvements in
17 fishing techniques and equipment that may
18 reduce or eliminate dolphin mortality or do
19 not require the encirclement of dolphins in
20 the course of commercial yellowfin tuna
21 fishing; and

22 “(xi) containing such other restric-
23 tions and requirements as the Secretary
24 determines are necessary to implement the
25 International Dolphin Conservation Pro-

1 gram with respect to vessels of the United
2 States; *States*.

3 except that the Secretary may make such ad-
4 justments as may be appropriate to provisions
5 that pertain to fishing gear and fishing practice
6 requirements in order to carry out the Inter-
7 national Dolphin Conservation Program.

8 “(C) *ADJUSTMENTS TO REQUIREMENTS*.—
9 *The Secretary may make such adjustments as*
10 *may be appropriate to requirements of subpara-*
11 *graph (B) that pertain to fishing gear, vessel*
12 *equipment, and fishing practices to the extent the*
13 *adjustments are consistent with the International*
14 *Dolphin Conservation Program.*

15 “(b) *CONSULTATION*.—In developing any regulation
16 under this section, the Secretary shall consult with the
17 Secretary of State, the Marine Mammal Commission and
18 the United States Commissioners to the Inter-American
19 Tropical Tuna Commission appointed under section 3 of
20 the Tuna Conventions Act of 1950 (16 U.S.C. 952).

21 “(c) *EMERGENCY REGULATIONS*.—

22 “(e) *EMERGENCY REGULATIONS*.—(1) If the
23 Secretary determines, on the basis of the best sci-
24 entific information available (including that obtained
25 under the International Dolphin Conservation Pro-

1 gram) that the incidental mortality and serious in-
 2 jury of marine mammals authorized under this title
 3 is having, or is likely to have, a significant adverse
 4 effect on a marine mammal stock or species, the
 5 Secretary shall take actions as follows— *shall*—

6 “(A) notify the Inter-American Tropical
 7 Tuna Commission of his or her findings, along
 8 with recommendations to the Commission as to
 9 actions necessary to reduce incidental mortality
 10 and serious injury and mitigate such adverse
 11 impact; and

12 “(B) prescribe emergency regulations to
 13 reduce incidental mortality and serious injury
 14 and mitigate such adverse impact.

15 “(2) ~~Prior to taking action under paragraph (1)~~
 16 ~~(A) or (B)~~, *Before taking action under subparagraph*
 17 *(A) or (B) of paragraph (1)*, the Secretary shall con-
 18 sult with the Secretary of State, the Marine Mam-
 19 mal Commission, and the United States Commis-
 20 sioners to the Inter-American Tropical Tuna Com-
 21 mission.

22 “(3) Emergency regulations prescribed under
 23 this subsection—

24 “(A) shall be published in the Federal
 25 Register, together with an explanation thereof;

1 “(B) shall remain in effect for the duration
2 of the applicable fishing year; and

3 “(C) may be terminated by the Secretary
4 at an earlier date by publication in the Federal
5 Register of a notice of ~~termination~~, *termination*
6 *if the Secretary determines that the reasons for*
7 *the emergency action no longer exist.*

8 “(4) If the Secretary finds that the incidental
9 mortality and serious injury of marine mammals in
10 the yellowfin tuna fishery in the eastern tropical Pa-
11 cific Ocean is continuing to have a significant ad-
12 verse impact on a stock or species, the Secretary
13 may extend the emergency regulations for such addi-
14 tional periods as may be necessary.

15 “(d) RESEARCH.—The Secretary shall, in coopera-
16 tion with the nations participating in the International
17 Dolphin Conservation Program and with the Inter-Amer-
18 ican Tropical Tuna Commission, undertake or support ap-
19 propriate scientific research to further the goals of the
20 International Dolphin Conservation Program, ~~including~~,
21 ~~but not limited to~~ *including*—

22 “(1) devising cost-effective fishing methods and
23 gear so as to reduce, with the goal of eliminating,
24 the incidental mortality and serious injury of marine

1 mammals in connection with commercial purse seine
2 fishing in the eastern tropical Pacific Ocean;

3 “(2) developing cost-effective methods of fishing
4 for mature yellowfin tuna without setting nets on
5 dolphins or other marine mammals;

6 “(3) carrying out a ~~scientific research program~~
7 ~~as described in section 117~~ *stock assessments* for
8 those marine mammal species and *marine mammal*
9 stocks taken in the purse seine fishery for yellowfin
10 tuna in the eastern tropical Pacific Ocean, including
11 species or stocks not within waters under the juris-
12 diction of the United States; ~~and~~

13 “(4) studying the effect of chase and encircle-
14 ment on the health and biology of dolphin and dol-
15 phin populations incidentally taken in the course of
16 purse seine fishing for yellowfin tuna in the eastern
17 tropical Pacific ~~Ocean.~~ *Ocean; and*

18 “(5) *determining the extent to which the inciden-*
19 *tal take of nontarget species, including juvenile tuna,*
20 *occurs in the course of purse seine fishing for yellow-*
21 *fin tuna in the eastern tropical Pacific Ocean, the ge-*
22 *ographic location of the incidental take, and the*
23 *impact of that incidental take on tuna stocks, and*
24 *nontarget species.*

1 *There are authorized to be appropriated to the Secretary*
 2 *\$1,000,000 to be used by the Secretary, acting through the*
 3 *National Marine Fisheries Service, to carry out paragraph*
 4 *(4). Upon completion of the study required by that para-*
 5 *graph, the Secretary shall submit a report containing the*
 6 *results of the study and any recommendations the Secretary*
 7 *may have to offer on the basis of the study to the Committee*
 8 *on Commerce, Science, and Transportation of the Senate*
 9 *and the Committee on Commerce of the House of Represent-*
 10 *atives, and to the Inter-American Tropical Tuna Commis-*
 11 *sion. The Secretary shall include a description of the an-*
 12 *nual results of research carried out under this subsection*
 13 *in the report required under section 303.”.*

14 (d) Section 303 (16 U.S.C. 1413) is hereby repealed.

15 (e) Section 304 (16 U.S.C. 1414) is hereby redesignated as section 303, and amended to read as follows:

17 **“SEC. 303. REPORTS BY THE SECRETARY.**

18 “Notwithstanding section 103(f), the Secretary shall
 19 submit annual reports to the Congress which include—

20 “(1) results of research conducted pursuant to
 21 section 302;

22 “(2) a description of the status and trends of
 23 stocks of tuna;

1 “(3) a description of the efforts to assess,
2 avoid, reduce, and minimize the bycatch of juvenile
3 yellowfin tuna and bycatch of nontarget species;

4 “(4) a description of the activities of the Inter-
5 national Dolphin Conservation Program and of the
6 efforts of the United States in support of the Pro-
7 gram’s goals and objectives, including the protection
8 of dolphin populations in the eastern tropical Pacific
9 Ocean, and an assessment of the effectiveness of the
10 Program;

11 “(5) actions taken by the Secretary under sec-
12 tion ~~101(a)(2)(B)(iii) (I) and (II);~~ 101(a)(2)(B);

13 “(6) copies of any relevant resolutions and deci-
14 sions of the Inter-American Tropical Tuna Commis-
15 sion, and any regulations promulgated by the Sec-
16 retary under this title; and

17 “(7) any other information deemed relevant by
18 the Secretary.”.

19 (f) Section 305 (16 U.S.C. 1415) is hereby repealed.

20 (g) Section 306 (16 U.S.C. 1416) is hereby redesi-
21 gnated as section 304, and amended to read as follows:

22 **“SEC. 304. PERMITS.**

23 “(a) *IN GENERAL.*—

24 ~~“(a) *IN GENERAL.*—~~ (1) Consistent with the
25 regulations issued pursuant to section 302, the Sec-

1 retary shall issue a permit to a vessel of the United
2 States authorizing participation in the International
3 Dolphin Conservation Program and may require a
4 permit for the person actually in charge of and con-
5 trolling the fishing operation of the vessel. The Sec-
6 retary shall prescribe such procedures as are nec-
7 essary to carry out this subsection, ~~including, but~~
8 ~~not limited to,~~ *including* requiring the submission
9 of—

10 “(A) the name and official number or
11 other identification of each fishing vessel for
12 which a permit is sought, together with the
13 name and address of the owner thereof; and

14 “(B) the tonnage, hold capacity, speed,
15 processing equipment, and type and quantity of
16 gear, including an inventory of special equip-
17 ment required under section 302, with respect
18 to each vessel.

19 “(2) The Secretary is authorized to charge a
20 fee for granting an authorization and issuing a per-
21 mit under this section. The level of fees charged
22 under this paragraph may not exceed the adminis-
23 trative cost incurred in granting an authorization
24 and issuing a permit. Fees collected under this para-
25 graph shall be available to the Under Secretary of

1 Commerce for Oceans and Atmosphere for expenses
2 incurred in granting authorizations and issuing per-
3 mits under this section.

4 “(3) After the effective date of ~~this section~~, *the*
5 *International Dolphin Conservation Program Act*, no
6 vessel of the United States shall operate in the yel-
7 lowfin tuna fishery in the eastern tropical Pacific
8 Ocean without a valid permit issued under this sec-
9 tion.

10 “(b) PERMIT SANCTIONS.—

11 ~~“(b) PERMIT SANCTIONS.—~~ (1) In any case in
12 which—

13 “(A) a vessel for which a permit has been
14 issued under this section has been used in the
15 commission of an act prohibited under section
16 305;

17 “(B) the owner or operator of any such
18 vessel or any other person who has applied for
19 or been issued a permit under this section has
20 acted in violation of section 305; or

21 “(C) any civil penalty or criminal fine im-
22 posed on a vessel, owner or operator of a vessel,
23 or other person who has applied for or been is-
24 sued a permit under this section has not been
25 paid or is overdue,

1 the Secretary may—

2 “(i) revoke any permit with respect to
3 such vessel, with or without prejudice to
4 the issuance of subsequent permits;

5 “(ii) suspend such permit for a period
6 of time considered by the Secretary to be
7 appropriate;

8 “(iii) deny such permit; or

9 “(iv) impose additional conditions or
10 restrictions on any permit issued to, or ap-
11 plied for by, any such vessel or person
12 under this section.

13 “(2) In imposing a sanction under this sub-
14 section, the Secretary shall take into account—

15 “(A) the nature, circumstances, extent,
16 and gravity of the prohibited acts for which the
17 sanction is imposed; and

18 “(B) with respect to the violator, the de-
19 gree of culpability, any history of prior offenses,
20 and other such matters as justice requires.

21 “(3) Transfer of ownership of a vessel, by sale
22 or otherwise, shall not extinguish any permit sanc-
23 tion that is in effect or is pending at the time of
24 transfer of ownership. Before executing the transfer
25 of ownership of a vessel, by sale or otherwise, the

1 owner shall disclose in writing to the prospective
 2 transferee the existence of any permit sanction that
 3 will be in effect or pending with respect to the vessel
 4 at the time of transfer.

5 “(4) In the case of any permit that is sus-
 6 pended for the failure to pay a civil penalty or crimi-
 7 nal fine, the Secretary shall reinstate the permit
 8 upon payment of the penalty or fine and interest
 9 thereon at the prevailing rate.

10 “(5) No sanctions shall be imposed under this
 11 section unless there has been a prior opportunity for
 12 a hearing on the facts underlying the violation for
 13 which the sanction is imposed, either in conjunction
 14 with a civil penalty proceeding under this title or
 15 otherwise.”.

16 (h) Section 307 (16 U.S.C. 1417) is hereby redesi-
 17 gnated as section 305, and amended—

18 ~~(1) in subsection (a)—~~

19 ~~(A) by amending paragraph (1) to read as~~
 20 ~~follows:~~

21 *(1) by striking paragraphs (1), (2), and (3) of*
 22 *subsection (a) and inserting the following:*

23 “(1) for any person to sell, purchase, offer for
 24 sale, transport, or ship, in the United States, any
 25 tuna or tuna product unless the tuna or tuna prod-

1 uct is either dolphin safe or has been harvested in
 2 compliance with the International Dolphin Conserva-
 3 tion Program by a country that is a member of the
 4 Inter-American Tropical Tuna Commission or has
 5 initiated steps, in accordance with Article V, para-
 6 graph 3 of the Convention establishing the Inter-
 7 American Tropical Tuna Commission, to become a
 8 member of that ~~organization;~~” *organization;*

9 (B) ~~by striking paragraph (2) and insert-~~
 10 ~~ing in lieu thereof the following:~~

11 “(2) except as provided for in subsection
 12 101(d), for any person or vessel subject to the juris-
 13 diction of the United States intentionally to set a
 14 purse seine net on or to encircle any marine mam-
 15 mal in the course of tuna fishing operations in the
 16 eastern tropical Pacific Ocean except in accordance
 17 with this title and regulations issued under pursuant
 18 to this ~~title;~~” ~~and title; and~~

19 (C) ~~by amending paragraph (3) to read as~~
 20 ~~follows:~~

21 “(3) for any person to import any yellowfin
 22 tuna or yellowfin tuna product or any other fish or
 23 fish product in violation of a ban on importation im-
 24 posed under section 101(a)(2);”

1 ~~(2) in subsection (b)(2), by inserting “(a)(5)~~
 2 ~~and” before “(a)(6)”;~~ and

3 ~~(3) by deleting subsection (d).~~

4 (2) *by inserting “(a)(5) or” before “(a)(6)” in*
 5 *subsection (b)(2); and*

6 (3) *by striking subsection (d).*

7 (i) Section 308 (16 U.S.C. 1418) is redesignated as
 8 section 306, and amended by striking “303” and inserting
 9 in lieu thereof “302(d)”.

10 (j) CLERICAL AMENDMENTS.—The table of contents
 11 in the first section of the Marine Mammal Protection Act
 12 of 1972 is amended by striking the items relating to title
 13 III and inserting in lieu thereof the following:

“TITLE III—INTERNATIONAL DOLPHIN CONSERVATION PROGRAM

“Sec. 301. Findings and policy.

“Sec. 302. Authority of the Secretary.

“Sec. 303. Reports by the Secretary.

“Sec. 304. Permits.

“Sec. 305. Prohibitions.

“Sec. 306. Authorization of appropriations.”

14 **SEC. 6. AMENDMENTS TO THE TUNA CONVENTIONS ACT.**

15 (a) Section 3(c) of the Tuna Conventions Act (16
 16 U.S.C. 952(c)) is amended to read as follows:

17 “(c) at least one shall be either the Director, or an
 18 appropriate regional director, of the National Marine
 19 Fisheries Service; and”.

20 (b) Section 4 of the Tuna Conventions Act (16 U.S.C.
 21 953) is amended to read as follows:

1 **“SEC. 4. GENERAL ADVISORY COMMITTEE AND SCIENTIFIC**
 2 **ADVISORY SUBCOMMITTEE.**

3 *“(a) APPOINTMENTS; PUBLIC PARTICIPATION; COM-*
 4 *PENSATION.—*The Secretary, in consultation with the
 5 United States Commissioners, shall—

6 *“(1) appoint a General Advisory Committee*
 7 *which shall be composed of not less than ~~five~~ 5 nor*
 8 *more than ~~fifteen~~ 15 persons with balanced represen-*
 9 *tation from the various groups participating in the*
 10 *fisheries included under the conventions, and from*
 11 *nongovernmental conservation ~~organizations.~~ The*
 12 *General Advisory Committee shall be invited to have*
 13 *representatives attend all nonexecutive meetings of*
 14 *the United States sections and shall be given full op-*
 15 *portunity to examine and to be heard on all pro-*
 16 *posed programs of investigations, reports, rec-*
 17 *ommendations, and regulations of the commission.*
 18 *The General Advisory Committee may attend all*
 19 *meetings of the international commissions to which*
 20 *they are invited by such ~~commissions;~~ organizations;*

21 *“(2) appoint a Scientific Advisory Subcommit-*
 22 *tee which shall be composed of not less than ~~five~~ 5*
 23 *nor more than ~~fifteen~~ 15 qualified scientists with*
 24 *balanced representation from the public and private*
 25 *sectors, including nongovernmental conservation ~~or-~~*
 26 *ganizations. The Scientific Advisory Subcommittee*

1 shall advise the General Advisory Committee and the
2 Commissioners on matters including the conserva-
3 tion of ecosystems; the sustainable uses of living ma-
4 rine resources related to the tuna fishery in the east-
5 ern Pacific Ocean; and the long-term conservation
6 and management of stocks of living marine resources
7 in the eastern tropical Pacific Ocean. In addition,
8 the Scientific Advisory Subcommittee shall, as re-
9 quested by the General Advisory Committee, the
10 United States Commissioners or the Secretary, per-
11 form functions and provide assistance required by
12 formal agreements entered into by the United States
13 for this fishery, including the International Dolphin
14 Conservation Program. These functions may include:
15 (1) the review of data from the Program, including
16 data received from the Inter-American Tropical
17 Tuna Commission; (2) recommendations on research
18 needs, including ecosystems, fishing practices, and
19 gear technology research, including the development
20 and use of selective, environmentally safe and cost-
21 effective fishing gear, and on the coordination and
22 facilitation of such research; (3) recommendations
23 concerning scientific reviews and assessments re-
24 quired under the Program and engaging, as appro-
25 priate, in such reviews and assessments; (4) consult-

1 ing with other experts as needed; and (5) rec-
 2 ommending measures to assure the regular and
 3 timely full exchange of data among the parties to
 4 the Program and each nation's National Scientific
 5 Advisory Committee (or equivalent); *organizations*;

6 “(3) establish procedures to provide for appro-
 7 priate public participation and public meetings and
 8 to provide for the confidentiality of confidential busi-
 9 ness data. The Scientific Advisory Subcommittee
 10 shall be invited to have representatives attend all
 11 nonexecutive meetings of the United States sections
 12 and the General Advisory Subcommittee and shall be
 13 given full opportunity to examine and to be heard on
 14 all proposed programs of scientific investigation, sci-
 15 entific reports, and scientific recommendations of
 16 the commission. Representatives of the Scientific
 17 Advisory Subcommittee may attend meetings of the
 18 ~~Inter-American Tropical Tuna Commission in ac-~~
 19 ~~cordance with the rules of such Commission; and~~
 20 ~~data; and~~

21 “(4) fix the terms of office of the members of
 22 the General Advisory Committee and Scientific Advi-
 23 sory Subcommittee, who shall receive no compensa-
 24 tion for their services as such ~~members.~~” *members.*

25 “(b) *FUNCTIONS.*—

1 “(1) *GENERAL ADVISORY COMMITTEE.*—*The Gen-*
2 *eral Advisory Committee shall be invited to have rep-*
3 *resentatives attend all nonexecutive meetings of the*
4 *United States sections and shall be given full oppor-*
5 *tunity to examine and to be heard on all proposed*
6 *programs of investigations, reports, recommendations,*
7 *and regulations of the Commission. The General Ad-*
8 *visory Committee may attend all meetings of the*
9 *international commissions to which they are invited*
10 *by such commissions.*

11 “(2) *SCIENTIFIC ADVISORY SUBCOMMITTEE.*—

12 “(A) *ADVICE.*—*The Scientific Advisory*
13 *Subcommittee shall advise the General Advisory*
14 *Committee and the Commissioners on matters*
15 *including—*

16 “(i) *the conservation of ecosystems;*

17 “(ii) *the sustainable uses of living ma-*
18 *rine resources related to the tuna fishery in*
19 *the eastern Pacific Ocean; and*

20 “(iii) *the long-term conservation and*
21 *management of stocks of living marine re-*
22 *sources in the eastern tropical Pacific*
23 *Ocean.*

24 “(B) *OTHER FUNCTIONS AND ASSIST-*
25 *ANCE.*—*The Scientific Advisory Subcommittee*

1 shall, as requested by the General Advisory Com-
2 mittee, the United States Commissioners, or the
3 Secretary, perform functions and provide assist-
4 ance required by formal agreements entered into
5 by the United States for this fishery, including
6 the International Dolphin Conservation Pro-
7 gram. These functions may include—

8 “(i) the review of data from the Pro-
9 gram, including data received from the
10 Inter-American Tropical Tuna Commission;

11 “(ii) recommendations on research
12 needs, including ecosystems, fishing prac-
13 tices, and gear technology research, includ-
14 ing the development and use of selective, en-
15 vironmentally safe and cost-effective fishing
16 gear, and on the coordination and facilita-
17 tion of such research;

18 “(iii) recommendations concerning sci-
19 entific reviews and assessments required
20 under the Program and engaging, as appro-
21 priate, in such reviews and assessments;

22 “(iv) consulting with other experts as
23 needed; and

24 “(v) recommending measures to assure
25 the regular and timely full exchange of data

1 among the parties to the Program and each
2 nation's National Scientific Advisory Com-
3 mittee (or its equivalent).

4 “(3) *ATTENDANCE AT MEETINGS.*—*The Scientific*
5 *Advisory Subcommittee shall be invited to have rep-*
6 *resentatives attend all nonexecutive meetings of the*
7 *United States sections and the General Advisory Sub-*
8 *committee and shall be given full opportunity to ex-*
9 *amine and to be heard on all proposed programs of*
10 *scientific investigation, scientific reports, and sci-*
11 *entific recommendations of the Commission. Rep-*
12 *resentatives of the Scientific Advisory Subcommittee*
13 *may attend meetings of the Inter-American Tropical*
14 *Tuna Commission in accordance with the rules of*
15 *such Commission.”.*

16 **SEC. 7. EFFECTIVE DATE.**

17 Sections 3 through 6 of this Act shall become effec-
18 tive upon certification by the Secretary of State to Con-
19 gress that a binding resolution of the Inter-American
20 Tropical Tuna Commission or other legally binding instru-
21 ment establishing the International Dolphin Conservation
22 Program has been adopted and is in effect.

Calendar No. 637

104TH CONGRESS
2^D SESSION

S. 1420

[Report No. 104-373]

A BILL

To amend the Marine Mammal Protection Act of 1972 to support the International Dolphin Conservation Program in the eastern tropical Pacific Ocean, and for other purposes.

SEPTEMBER 30, 1996

Reported with amendments