



September 15, 2015

The Honorable Robert Bishop
Chairman, Committee on Natural Resources
U.S. House of Representatives
Washington, DC 20515

Dear Mr. Chairman:

The Administration is pleased to forward for your consideration the enclosed draft legislation, a bill –

To implement the Convention on the Conservation and Management of High Seas Fisheries Resources in the North Pacific Ocean, to implement the Convention on the Conservation and Management of High Seas Fishery Resources in the South Pacific Ocean, and for other purposes.

This draft legislation will implement two international fisheries conventions relating to the Pacific Ocean –

- 1) the *Convention on the Conservation and Management of High Seas Fisheries Resources in the North Pacific Ocean* (North Pacific Fisheries Resources Convention, or NPFRC), done at Tokyo, Japan, on February 24, 2012, and signed by the United States on May 2, 2012; and
- 2) the *Convention on the Conservation and Management of High Seas Fishery Resources in the South Pacific Ocean* (South Pacific Fishery Resources Convention, or SPFRC), done at Auckland, New Zealand, on November 14, 2009, and which entered into force on August 24, 2012.

On April 22, 2013, President Obama transmitted the NPFRC and SPFRC to the United States Senate, recommending that it give its advice and consent to ratification. On April 3, 2014, the Senate gave its advice and consent to ratification of the NPFRC and the SPFRC. The NPFRC establishes a regional fisheries management organization through which parties will cooperate to promote the long-term conservation and sustainable use of the fisheries resources in the high seas of the north Pacific Ocean while protecting the marine ecosystems in which these resources occur. The SPFRC establishes a similar regional fisheries management organization for the south Pacific Ocean from Australia to South America.

The Administration has reviewed both agreements and determined that implementation will promote the effective management of high seas fisheries in the north and south Pacific Ocean. The Administration's review also indicated that, because they are not self-executing, legislation is necessary to implement the NPFRC and SPFRC. We have drafted the enclosed legislation to address this need.

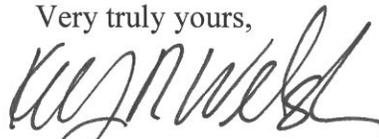
The draft legislation provides the United States, primarily through the Department of Commerce, with authority to administer the North Pacific Fisheries Resources Convention Implementation Act and the South Pacific Fishery Resources Convention Implementation Act and associated regulations. It further authorizes the Department of Commerce to conduct fishing operations and biological experiments for purposes of scientific investigation, issue fishing permits to U.S. vessels to fish in the specified convention areas, and request and use, among other things, the services, personnel, and equipment of other federal agencies, foreign governments or agencies, or international intergovernmental organizations in the conduct of scientific, research and other programs under both of these Acts. Also included, for your reference, are a Statement of Purpose and Need and a Section-by-Section Analysis.

The provisions in the NPFRC and SPFRC and the proposed implementing legislation will advance U.S. interests in the effective management of high seas fisheries. For this reason, the Administration recommends that the proposed bill be sent to the appropriate committees for early and favorable consideration and that it be enacted.

The Statutory Pay-As-You-Go Act of 2010 (Statutory PAYGO Act) provides that revenue and direct spending legislation cannot, in the aggregate, increase the on-budget deficit. If such legislation increases the on-budget deficit and that increase is not offset by the end of the Congressional session, a sequestration must be ordered. This proposal would affect direct spending and revenues, but the effects of this proposal would net to zero; therefore, it is in compliance with the Statutory PAYGO Act.

The Office of Management and Budget has advised that there is no objection to transmittal of this proposal and that its enactment would be in accord with the program of the President. If you have any questions, please contact me or Jim Stowers, Acting Assistant Secretary for Legislative and Intergovernmental Affairs, at (202) 482-3663.

Very truly yours,



Kelly R. Welsh

cc: The Honorable Raul Grijalva
Ranking Member, Committee on Natural Resources
U.S. House of Representatives

Enclosures

Statement of Purpose and Need

The purpose of this draft legislation is to implement –

- the *Convention on the Conservation and Management of High Seas Fisheries Resources in the North Pacific Ocean* (North Pacific Fisheries Resources Convention, or NPFRC) done at Tokyo, Japan, on February 24, 2012, and signed by the United States on May 2, 2012; and
- the *Convention on the Conservation and Management of High Seas Fishery Resources in the South Pacific Ocean* (South Pacific Fishery Resources Convention, or SPFRC) done at Auckland, New Zealand, on November 14, 2009, and which entered into force on August 24, 2012.

The NPFRC and the SPFRC are new instruments that will promote long-term conservation and sustainable use of fisheries resources, while protecting the marine ecosystems in which these resources occur in the north and south Pacific Ocean.

The NPFRC establishes a Regional Fisheries Management Organization (RFMO) through which Parties will cooperate to promote the long-term conservation and sustainable use of fisheries resources in the Convention Area of the North Pacific Ocean while protecting the marine ecosystems of the north Pacific Ocean in which these resources occur. Cooperation under the NPFRC will address fisheries resources not covered under pre-existing international fisheries management instruments and will help to prevent significant adverse impacts on vulnerable marine ecosystems on the high seas that may have impacts on fisheries resources in areas subject to U.S. jurisdiction. The United States was a primary participant in the negotiation of the NPFRC and was the first country to sign the NPFRC.

The SPFRC establishes, through the application of the precautionary approach and an ecosystem approach to fisheries management, a regime to promote the long-term conservation and sustainable use of fishery resources and, in so doing, to safeguard the marine ecosystems in which these resources occur. It establishes an RFMO that includes areas of the south Pacific Ocean outside national jurisdiction, from Australia to South America. The United States also was a primary participant in the negotiation of the SPFRC, which entered into force August 24, 2012. The SPFRC will address fisheries resources not currently under management by pre-existing agreements, such as bottom fisheries and pelagic fisheries.

On April 22, 2013, President Obama transmitted the NPFRC and the SPFRC to the United States Senate, recommending that it give its advice and consent to ratification. On April 3, 2014, the Senate gave its advice and consent to ratification of the NPFRC and the SPFRC.

The United States has worked for many years with other nations to improve the management of fisheries at the international level and to protect vulnerable marine ecosystems from the impacts

of certain fishing practices on the high seas. The NPFRC and the SPFRC will advance U.S. interests in the effective management of high seas fisheries. Adherence to the NPFRC and the SPFRC will also help ensure that measures adopted for fisheries on the high seas of the north and south Pacific Ocean will be compatible with measures adopted by the United States with respect to fisheries in adjacent waters under the fisheries jurisdiction of the United States. In addition, adherence will enable future U.S. fishing interests subject to the NPFRC and the SPFRC to be factored into allocation decisions.

The National Oceanic and Atmospheric Administration within the Department of Commerce is the lead agency for U.S. implementation of the NPFRC and the SPFRC.