113TH CONGRESS 2D SESSION

S. 2991

To amend the Magnuson-Stevens Fishery Conservation and Management Act to promote sustainable conservation and management for the Nation’s fisheries and the communities that rely on them, and for other purposes.

IN THE SENATE OF THE UNITED STATES

DECEMBER 9, 2014

Mr. Begich introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

A BILL

To amend the Magnuson-Stevens Fishery Conservation and Management Act to promote sustainable conservation and management for the Nation’s fisheries and the communities that rely on them, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the “Magnuson-Stevens Fishery Conservation and Management Reauthorization Act of 2014”.

(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:
Sec. 1. Short title; table of contents.
Sec. 2. References to the Magnuson-Stevens Fishery Conservation and Management Act.
Sec. 3. Changes in findings, purposes, and policy.
Sec. 4. Definitions.
Sec. 5. Authorization of appropriations.

TITLE I—CONSERVATION AND MANAGEMENT

Sec. 101. Regional fishery management councils.
Sec. 102. Contents of fishery management plans.
Sec. 103. Action by the Secretary.
Sec. 104. Other requirements and authority.
Sec. 105. Prohibited acts.
Sec. 106. Penalties.
Sec. 107. Enforcement.
Sec. 108. Transition to sustainable fisheries.
Sec. 110. Regional fishery conservation and management authorities.
Sec. 111. Summer flounder management.
Sec. 112. Study of allocations in mixed-use fisheries.

TITLE II—FISHERY INFORMATION, RESEARCH, AND DEVELOPMENT

Sec. 201. Integrated data collection program and electronic technologies.
Sec. 203. Fisheries research.
Sec. 204. Improving science.
Sec. 205. Focusing assets for improved fisheries outcomes.
Sec. 206. Seafood marketing.

TITLE III—REAUTHORIZATION OF OTHER FISHERY STATUTES

Sec. 301. Anadromous Fish Conservation Act.
Sec. 303. Atlantic Coastal Fisheries Cooperative Management Act.
Sec. 306. State authority for Dungeness crab fishery management.

TITLE IV—INTERNATIONAL CONSERVATION AND MANAGEMENT

Sec. 401. Secretarial representative for international fisheries.
Sec. 405. Amendments to the High Seas Driftnet Fishing Moratorium Protection Act.

TITLE V—MISCELLANEOUS

Sec. 501. Technical amendments.
Sec. 502. Pacific insular areas; marine conservation plans.
Sec. 503. Repeal of Gulf of Mexico red snapper catch limits.
SEC. 2. REFERENCES TO THE MAGNUSON-STEVENS FISHERY CONSERVATION AND MANAGEMENT ACT.

Except as otherwise expressly provided, wherever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.).

SEC. 3. CHANGES IN FINDINGS, PURPOSES, AND POLICY.

(a) FINDINGS.—Section 2(a) (16 U.S.C. 1801(a)) is amended—

(1) in paragraph (3) by striking “at an ever-increasing rate over the past decade”;

(2) in paragraph (6), by inserting “and marine ecosystems” after “essential fish habitats”;

(3) in paragraph (11), by striking “have demonstrated” and inserting “are demonstrating”;

(4) by redesignating paragraphs (7) through (12) as paragraphs (10) through (15), respectively;

(5) by inserting before paragraph (10), as redesignated, the following:

“(8) By establishing mechanisms, under authority of this Act, for specifying science-based annual catch limits in fishery management plans at levels such that overfishing does not occur in fish-
eries, including measures to ensure accountability, the Nation’s fishery resources are now being managed sustainably to prevent overfishing and respond quickly if overfishing occurs.

“(9) It is of critical importance to the health of the Nation’s fishery resources and the coastal communities that depend on them that the United States maintain its progress in preventing overfishing and rebuilding overfished stocks.”;

(6) by redesignating paragraphs (4) through (6) as paragraphs (5) through (7), respectively; and

(7) by inserting after paragraph (3) the following:

“(4) Subsistence fishing is an integral part of life in many communities throughout the United States, and the Nation’s marine and anadromous fish are important sources of nutrition, sustenance, and the cultural heritage of those communities.”.

(b) PURPOSES.—Section 2(b) (16 U.S.C. 1801(b)) is amended—

(1) in paragraph (3), by striking “and recreational” and inserting “, recreational, and subsistence”;

(2) in paragraph (5), by striking “the State” and inserting “the States, tribal governments,”; and
(3) in paragraph (7), by striking “the review of projects” and inserting “projects and activities”.

(e) POLICY.—Section 2(c)(3) (16 U.S.C. 1801(c)(3)) is amended—

(1) by inserting “, tribes,” after “affected States”; and

(2) by inserting “tribal,” after “State,”.

SEC. 4. DEFINITIONS.

(a) IN GENERAL.—Section 3 (16 U.S.C. 1802) is amended—

(1) by inserting after paragraph (8) the following:

“(8A) The terms ‘depleted’ and ‘depletion’ mean, with respect to a stock of fish in a fishery, that the stock is of a size that jeopardizes the capacity of the fishery to produce the maximum sustainable yield on a continuing basis.”;

(2) in paragraph (33)(C), by inserting “or otherwise depleted” after “overfished”;

(3) in paragraph (36), by inserting “, tribal,” after “State,”;

(4) by inserting after paragraph (43) the following:

“(43A) The term ‘subsistence fishing’ means fishing in which the fish harvested are intended for
customary and traditional uses, including for direct
personal or family consumption as food or clothing;
for the making or selling of handcraft articles out
of nonedible byproducts taken for personal or family
consumption, for barter, or sharing for personal or
family consumption; and for customary exchange or
trade. In this paragraph, the term—

“(A) ‘family’ means all persons related by
blood, marriage, or adoption, or any person liv-
ing within the household on a permanent basis;
and

“(B) ‘barter’ means the exchange of a fish
or fish part—

“(i) for another fish or fish part; or

“(ii) for other food or for nonedible
items other than money if the exchange is
of a limited and noncommercial nature.”;

(5) by inserting after paragraph (44) the fol-
lowing:

“(44A) The terms ‘tribal’ and ‘tribe’ mean an
Indian tribe as defined in section 102 of the Feder-
ally Recognized Indian Tribe List Act of 1994 (25
U.S.C. 479a).”; and
(6) by striking “(33) The term ‘waters of a foreign nation’ means” and inserting “(51) The term ‘waters of a foreign nation’ mean”.

(b) REDENOMINATION.—Paragraphs (1) through (51) of section 3 (16 U.S.C. 1802), as amended by subsection (a) of this section, are redesignated as paragraphs (1) through (54), respectively.

(c) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) TITLE 10.—Section 7306b(b) of title 10, United States Code, is amended by striking “defined in section 3(14)” and inserting “defined in section 3”.

(2) WHALE CONSERVATION AND PROTECTION STUDY ACT.—Section 3 of the Whale Conservation and Protection Study Act (16 U.S.C. 917a) is amended by striking “including the fishery conservation zone as defined in section 3(8)” and inserting “including the exclusive economic zone as defined in section 3”.

(3) MARINE MAMMAL PROTECTION ACT OF 1972.—Section 114(o) of the Marine Mammal Protection Act of 1972 (16 U.S.C. 1383a(o)) is amended—

(A) in paragraph (1), by striking “section 3(8)” and inserting “section 3”; and
(B) in paragraph (4), by striking “section 3(27)” and inserting “section 3”.

(4) **LACEY ACT AMENDMENTS OF 1981.**—Section 8(b)(2) of the Lacey Act Amendments of 1981 (16 U.S.C. 3377(b)(2)) is amended—

(A) by striking “as defined in paragraph (14) of section 3” and inserting “as defined in section 3”; and

(B) by striking “as defined in paragraph (13) of such section 3” and inserting “as defined in such section 3”.

(5) **ATLANTIC SALMON CONVENTION ACT OF 1982.**—Section 302 of the Atlantic Salmon Convention Act of 1982 (16 U.S.C. 3601) is amended—

(A) in paragraph (6), by striking “in section 3(10)” and inserting “in section 3”; and

(B) in paragraph (8), by striking “in section 3(19)” and inserting “in section 3”.

(6) **ATLANTIC STRIPED BASS CONSERVATION ACT.**—Section 3(6) of the Atlantic Striped Bass Conservation Act (16 U.S.C. 5152(6)) is amended by striking “in section 3(6)” and inserting “in section 3”.

(7) **COMPACT OF FREE ASSOCIATION ACT OF 1985.**—Section 104(f)(4)(B) of the Compact of Free
Association Act of 1985 (48 U.S.C. 1904(f)(4)(B)) is amended by striking “have the same meanings as provided in paragraphs (10) and (14), respectively, of section 3” and inserting “have the same meanings as provided in section 3”.

SEC. 5. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—Section 4 (16 U.S.C. 1803) is amended to read as follows:

“SEC. 4. AUTHORIZATION OF APPROPRIATIONS.

“There are authorized to be appropriated to the Secretary to carry out the provisions of this Act—

“(1) $532,909,000 for fiscal year 2015;
“(2) $541,167,000 for fiscal year 2016;
“(3) $549,590,000 for fiscal year 2017;
“(4) $558,182,000 for fiscal year 2018;
“(5) $566,946,000 for fiscal year 2019;
“(6) $575,885,000 for fiscal year 2020; and
“(7) $584,810,202 for fiscal year 2021.”.

(b) CONFORMING AMENDMENT.—The table of contents is amended by inserting after the item relating to section 3 the following:

“Sec. 4. Authorization of appropriations.”.
TITLE I—CONSERVATION AND
MANAGEMENT

SEC. 101. REGIONAL FISHERY MANAGEMENT COUNCILS.

(a) VOTING MEMBERS.—Section 302(b)(2) (16
U.S.C. 1852(b)(2)) is amended—

(1) in subparagraph (A), by striking “or the
commercial or recreational harvest” and inserting
“or the commercial, recreational, or subsistence fish-
ing harvest”; 

(2) in subparagraph (B), by striking “in the
commercial and recreational fisheries” and inserting
“in the commercial, recreational, and subsistence
fisheries”;

(3) in subparagraph (C), by striking “commer-
cial and recreational fishing interests” and inserting
“commercial, recreational, and subsistence fishing
interests”; and

(4) in subparagraph (D)—

(A) in clause (i)—

(i) by striking “Fisheries” and insert-
ing “Fishery”; and

(ii) by inserting “or the South Atlant-
ic Fishery Management Council” after
“Council”; and

(B) by striking clause (iv).
(b) ADDITION OF RHODE ISLAND TO THE MID-ATLANTIC FISHERY MANAGEMENT COUNCIL.—Section 302(a)(1)(B) (16 U.S.C. 1852(a)(1)(B)) is amended—

(1) by inserting “Rhode Island,” after “States of”;

(2) by inserting “Rhode Island,” after “except North Carolina,”;

(3) by striking “21” and inserting “23”; and

(4) by striking “13” and inserting “14”.

(c) COMMITTEES AND ADVISORY PANELS.—Section 302(g)(1)(B) (16 U.S.C. 1852(g)(1)(B)) is amended to read as follows:

“(B) Each scientific and statistical committee shall—

“(i) provide its Council ongoing scientific advice for fishery management decisions, including recommendations for acceptable biological catch, preventing overfishing, maximum sustainable yield, achieving rebuilding targets, and reports on stock status and health, bycatch, habitat status, social and economic impacts of management measures, and sustainability of fishing practices; and
“(ii) carry out the requirements of this subparagraph in a transparent manner, allowing for public involvement in the process.”

(d) FUNCTIONS.—Section 302(h) (16 U.S.C. 1852(h)) is amended—

(1) in paragraph (7)(C), by striking “; and” and inserting a semicolon;

(2) by redesignating paragraph (8) as paragraph (9); and

(3) by inserting after paragraph (7) the following:

“(8) have the authority to use alternative fishery management measures in a recreational fishery (or the recreational component of a mixed-use fishery), including extraction rates, fishing mortality, and harvest control rules, to the extent they are in accordance with the requirements of this Act; and”.

(e) WEBCASTS OF COUNCIL MEETINGS.—Section 302(i)(2) (16 U.S.C. 1852(i)(2)) is amended by adding at the end the following:

“(G) Unless closed in accordance with paragraph (3), each Council shall, where practicable, make available on the Internet website of the Council a video or audio webcast of each
meeting of the Council and each meeting of the scientific and statistical committee of the Council not later than 30 days after the date of the conclusion of such meeting.”.

(f) REGIONAL FISHERY MANAGEMENT COUNCILS; PROCEDURAL MATTERS.—Section 302(i) (16 U.S.C. 1852(i)) is amended—

(1) in paragraph (4), by striking “or State authorities” and inserting “, State, or tribal authorities”; and

(2) in paragraph (6), by striking “Federal agency or from a” and inserting “Federal agency, tribal government, or”.

(g) COUNCIL TRAINING PROGRAM; TRAINING COURSE.—Section 302(k)(1) (16 U.S.C. 1852(k)(1)) is amended—

(1) by striking “Within 6 months after the date of enactment of the Magnuson-Stevens Fishery Conservation and Management Reauthorization Act of 2006, the” and inserting “The”;

(2) in subparagraph (H), by striking “; and” and inserting a semicolon;

(3) in subparagraph (I), by striking the period at the end and inserting “; and”; and

(4) by adding at the end the following:
“(J) ecosystem-based fishery manage-
ment.”.

SEC. 102. CONTENTS OF FISHERY MANAGEMENT PLANS.

(a) REQUIRED PROVISIONS.—Section 303 (16 U.S.C. 1853) is amended—

(1) in subsection (a)—

(A) in paragraph (5), by inserting “, and
subsistence” after “charter”;

(B) in paragraph (13), by striking “and
charter fishing sectors” each place it appears
and inserting “charter, and subsistence fishing
components”;

(C) in paragraph (14)—

(i) by striking “each sector” and in-
serting “each component in the fishery”;

and

(ii) by striking “and charter fishing
sectors in the fishery and;” and inserting
“charter, and subsistence fishing compo-
ments in the fishery; and”; and

(D) in paragraph (15), by striking “estab-
lish a mechanism” and inserting “subject to
subsection (d), establish a mechanism”; and

(2) by adding at the end the following:

“(d) LIMITATIONS.—
“(1) IN GENERAL.—The requirements under subsection (a)(15) shall not—

“(A) apply to a species in a fishery that has a mean life cycle of 18 months or less, or to a species in a fishery with respect to which all spawning and recruitment occurs beyond State waters and the exclusive economic zone, unless the Secretary has determined the fishery is subject to overfishing of that species; and

“(B) limit or otherwise affect the requirements of section 301(a)(1) or 304(e) of this Act.

“(2) CONSTRUCTION.—Nothing in this subsection shall be construed to affect any effective date regarding the requirements under subsection (a)(15) otherwise provided for under an international agreement in which the United States participates.”.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) MAGNUSON-STEVENS FISHERY CONSERVATION AND MANAGEMENT REAUTHORIZATION ACT OF 2006.—Section 104 of the Magnuson-Stevens Fishery Conservation and Management Reauthorization Act of 2006 (16 U.S.C. 1853 note) is amended by striking subsection (b) and inserting the following:

“(b) [Reserved].”.
(2) Bycatch reduction incentives.—Section 313(g)(2) (16 U.S.C. 1862(g)(2)) is amended by striking “Notwithstanding section 303(d)” and inserting “Notwithstanding section 303A”.

(3) Gulf of Mexico red snapper research.—Section 407(b) (16 U.S.C. 1883(b)) is amended by inserting “as in effect on December 21, 2000,” after “In addition to the restrictions under section 303(d)(1)(A)”.

(4) Loans and guarantees; eligible purposes of obligations.—Section 53706(a)(7)(A) of title 46, United States Code, is amended by striking “section 303(d)(4)” and inserting “section 303A”.

SEC. 103. ACTION BY THE SECRETARY.

(a) Updated agency procedures.—Not later than 90 days after the date of enactment of this Act, the Secretary of Commerce shall issue a notice of proposed rulemaking to revise and update agency procedures under the mandate of section 304(i) of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1854(i)), as added by section 107 of the Magnuson-Stevens Fishery Conservation and Management Reauthorization Act of 2006 (120 Stat. 3594).

(b) Establishment of fees.—Section 304(d) (16 U.S.C. 1854(d)) is amended—
(1) in paragraph (2)(A)—

(A) by striking “actual costs directly related to” and inserting “net incremental costs attributable to”;

(B) in clause (i), by striking “; and” and inserting a semicolon;

(C) in clause (ii), by striking the period at the end and inserting “; and”; and

(D) by adding at the end the following:

“(iii) management program that allocates a percentage of the total allowable catch to individuals who have formed a sector (for purposes of this subparagraph, as defined in section 648.2 of title 50, Code of Federal Regulations).”;

(2) by adding at the end the following:

“(3) The Secretary may not collect any fee under this section or section 313(a) before preparing an analysis that identifies the costs that will be recovered by the fee and the costs that will not be recovered by the fee. The analysis shall be included in the applicable fishery management plan.”.

(e) Rebuilding Overfished and Depleted Fisheries.—Section 304(e) (16 U.S.C. 1854(e)) is amended—
(1) by amending the heading to read as follows:

“(e) **REBUILDING OVERFISHED AND OTHERWISE DEPLETED FISHERIES.——**

(2) by amending paragraph (1) to read as follows:

“(1) The Secretary shall report annually to the Congress and the Councils on the status of fisheries within each Council’s geographical area of authority and identify those fisheries that are overfished or otherwise depleted, or are approaching a condition of being overfished or otherwise depleted. For those fisheries managed under a fishery management plan or international agreement, the status shall be determined using the criteria for overfishing (or depletion, where applicable) specified in the plan or agreement. A fishery shall be classified as approaching a condition of being overfished or otherwise depleted if, based on trends in fishing effort, fishery resource size, and other appropriate factors, the Secretary estimates that the fishery will become overfished or otherwise depleted within 2 years.”;

(3) in paragraph (2), by inserting “or otherwise depleted” after “overfished”;

(4) in paragraph (3)(B), by inserting “or otherwise depleted” after “overfished”;
(5) by amending paragraph (4)(A) to read as follows:

“(A) specify a time period for rebuilding the fishery that—

“(i) shall be as short as possible, taking into account the status and biology of any overfished stocks of fish, the needs of fishing communities, recommendations by international organizations in which the United States participates, and the interaction of the overfished stock of fish within the marine ecosystem; and

“(ii) except where management measures under an international agreement with the United States participates dictate otherwise, shall not exceed—

“(I) 10 years, except in cases where the biology of the stock of fish or other environmental conditions dictate otherwise; or

“(II) the sum of the time in which the affected stock of fish is expected to rebuild to its maximum sustainable yield biomass level in the absence of any fishing mortality, and the
mean generation of time of the affected stock of fish, if those time values are the best scientific information available;”; and

(6) in paragraph (5), by striking “that a fishery is overfished” and inserting “that a fishery is overfished or otherwise depleted”.

(d) INTERNATIONAL OVERFISHING.—Section 304 (16 U.S.C. 1854) is amended—

(1) by striking “(i) INTERNATIONAL OVERFISHING.—” and inserting “(j) INTERNATIONAL OVERFISHING.—”; and

(2) in subsection (j)(1), as redesignated by paragraph (1) of this subsection, by inserting “shall” after “State,.”.

(e) ANNUAL REPORT ON SPECIAL FUNDS.—Section 304 (16 U.S.C. 1854), as amended by subsection (d) of this section, is further amended by adding at the end the following:

“(k) ANNUAL REPORT ON SPECIAL FUNDS.—

“(1) ANNUAL REPORT.—Not later than 30 days after the last day of each fiscal year, the Secretary shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the
Committee on Natural Resources of the House of Representatives a report for that fiscal year on—

“(A) the Western Pacific Sustainable Fisheries Fund established under section 204(c)(7);

“(B) the Limited Access System Administration Fund established under section 305(h)(5)(B);

“(C) the North Pacific Fishery Observer Fund established under section 313(d); and

“(D) the Fisheries Conservation and Management Fund established under section 208(a) of the Magnuson-Stevens Fishery Conservation and Management Reauthorization Act of 2006 (16 U.S.C. 1891b(a)).

“(2) REQUIRED INFORMATION.—The annual report required under paragraph (1) shall include a detailed accounting of—

“(A) all moneys in each fund at the start of the fiscal year;

“(B) all moneys deposited in each fund during the fiscal year;

“(C) all moneys paid out of each fund during the fiscal year; and

“(D) all projects, programs, and activities funded by each fund during the fiscal year.”.
1 **SEC. 104. OTHER REQUIREMENTS AND AUTHORITY.**
2  
3 (a) Fish Habitat.—Section 305(b) (16 U.S.C. 1855(b)) is amended—
4  
5 (1) in paragraph (3), by inserting “or tribal government” after “or State agency” each place it appears; and
6  
7 (2) in paragraph (4)—
8  
9 (A) by striking “from a Council or Federal or State agency” and inserting “from a Council, Federal or State agency, or tribal government”; and
10  
11 (B) by inserting “or tribal government” after “by any State or Federal agency”.
12  
13 (b) Judicial Review.—Section 305(f)(2) (16 U.S.C. 1855(f)(2)) is amended by striking “including, actions that establish the date of closure of a fishery to commercial or recreational fishing” and inserting “including but not limited to actions that establish the date of closure of a fishery to commercial, recreational, or subsistence fishing”.
14  
15 (c) Consumer Information Regarding Sustainably Caught Fish.—Section 305 (16 U.S.C. 1855) is amended by adding at the end the following:
16  
17 “(l) Sustainability Standard.—
18  
19 “(1) In general.—For the purpose of this Act, fish is sustainability caught if—
“(A) the fish is harvested in accordance
with—
“(i) a fishery management plan pre-
pared and approved under this Act; or
“(ii) equivalent conservation and man-
agement measures of a State or tribe, or
under an international agreement to which
the United States is a party, as determined
by the Secretary;
“(B) the fishery from which the fish is
harvested is not overfished or otherwise de-
pleted; and
“(C) overfishing or other depletion is not
occurring in the fishery from which the fish is
harvested.
“(2) REBUILDING FISHERIES.—A fishery that
is subject to a rebuilding plan under this Act, or
equivalent conservation and management measures
as determined by the Secretary, meets the criteria
specified in subparagraphs (B) and (C) of paragraph
(1) if the Secretary determines that the plan is ef-
effectively rebuilding the fishery.”.

SEC. 105. PROHIBITED ACTS.

Section 307(1) (16 U.S.C. 1857(1)) is amended—
(1) in subparagraph (Q), by striking “; or” and inserting a semicolon;

(2) by redesignating subparagraph (R) as subparagraph (S); and

(3) by inserting after subparagraph (Q) the following:

“(R) to knowingly and willfully make or submit any incomplete, invalid, or false record, account, or label for, or any false identification of, any fish or fish product (including false identification of the species, harvesting vessel or nation, or the date or location where harvested) that has been or is intended to be imported, exported, transported, sold, offered for sale, purchased, or received in interstate or foreign commerce, except where such making or submission is prohibited under subparagraph (I); or”.

SEC. 106. PENALTIES.

(a) CIVIL PENALTIES AND PERMIT SANCTIONS.—

Section 308 (16 U.S.C. 1858) is amended—

(1) in subsection (a), by striking “$100,000” and inserting “$180,000”; and

(2) in subsection (f), by inserting “or investigation of a violation of this Act” after “under this section”.

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(b) **Criminal Penalties.**—Section 309(b) (16 U.S.C. 1859(b)) is amended—

(1) by striking “$100,000” and inserting “$180,000”; and

(2) by striking “$200,000” each place it appears and inserting “$360,000”.

**SEC. 107. ENFORCEMENT.**

(a) **Jurisdiction of the Courts.**—

(1) **In General.**—Section 311(d) (16 U.S.C. 1861(d)) is amended to read as follows:

“(d) Jurisdiction of the Courts.—

“(1) In General.—The district courts of the United States shall have exclusive jurisdiction over any case or controversy arising under the provisions of this Act. Any such court may, at any time—

“(A) enter restraining orders or prohibitions;

“(B) issue warrants, process in rem, or other process;

“(C) prescribe and accept satisfactory bonds or other security; and

“(D) take such other actions as are in the interest of justice.

“(2) Hawaii and Pacific Insular Areas.—In the case of Hawaii or any possession of the United
States in the Pacific Ocean, the appropriate court is
the United States District Court for the District of
Hawaii, except that—

“(A) in the case of Guam and Wake Is-
land, the appropriate court is the United States
District Court for the District of Guam; and

“(B) in the case of the Northern Mariana
Islands, the appropriate court is the United
States District Court for the District of the
Northern Mariana Islands.”.

(2) CONSTRUCTION.—Nothing in this section,
or the amendments made by paragraph (1), shall be
construed to affect any case or controversy com-
meneced, or any case or controversy pending before
a district court of the United States, prior to the
date of enactment of this Act.

(b) PAYMENT OF STORAGE, CARE, AND OTHER
COSTS.—Section 311(e) (16 U.S.C. 1861(e)) is amend-
ed—

(1) in paragraph (1)—

(A) by striking “Notwithstanding any
other provision of law” and inserting “IN GEN-
ERAL.—Except as otherwise required under sec-
tion 204(e)(8)”;
(B) in subparagraph (E), by striking ‘‘; and’’ and inserting a semicolon;

(C) in subparagraph (F), by striking the period at the end and inserting ‘‘; and’’; and

(D) by adding after subparagraph (F), the following:

“(G) the costs of stock assessments, surveys, and data collection in fisheries managed under this Act.’’;

(2) by redesignating paragraph (2) as paragraph (3);

(3) in paragraph (3), as redesignated, by striking ‘‘Any person’’ and inserting ‘‘LIABILITY FOR COSTS INCURRED.—Any person’’; and

(4) by inserting after paragraph (1) the following:

“(2) FISHERIES ENFORCEMENT FUND.—There is established in the Treasury a non-interest bearing fund to be known as the Fisheries Enforcement Fund, into which shall be deposited all sums received as described in paragraph (1), which shall remain available to the Secretary until expended as authorized in paragraph (1), without appropriation or fiscal year limitation.’’.
(c) ADMINISTRATIVE ADJUDICATION.—Section 311
(16 U.S.C. 1861) is amended—

(1) by redesignating subsections (d) through (j) as subsections (e) through (k), respectively; and

(2) by inserting after subsection (c) the following:

“(d) ADMINISTRATIVE ADJUDICATION.—

“(1) IN GENERAL.—Notwithstanding section 559 of title 5, United States Code, with respect to any marine resource conservation law or regulation administered by the Secretary acting through the National Oceanic and Atmospheric Administration, all adjudicatory functions that are required by chapter 5 of title 5, United States Code to be performed by an administrative law judge may be performed by another Federal agency on a reimbursable basis.

“(2) DETAILS.—If another Federal agency performing adjudicatory functions under paragraph (1) requires the detail of an administrative law judge to perform any of these functions, such Federal agency may request temporary or occasional assistance from the Office of Personnel Management under section 3344 of title 5, United States Code.”.

(d) REPEALS.—Sections 110 and 111 of title I of Division B of the Consolidated and Further Continuing Ap-
propriations Act, 2012 (Public Law 112–55; 16 U.S.C. 1861 note), are repealed.

(e) Annual Report on Special Funds.—Section 304(k)(1), as added by section 103(e) of this Act, is amended—

(1) in subparagraph (C), by striking “; and” and inserting a semicolon;

(2) in subparagraph (D), by striking the period at the end and inserting “; and”; and

(3) by adding at the end the following:

“(E) the Fisheries Enforcement Fund established under section 311(e)(2).”.

(f) Conforming Amendments.—

(1) Civil Forfeitures.—Section 310 (16 U.S.C. 1860) is amended—

(A) in subsection (b), by striking “section 311(d)” and inserting “section 311(e)”;

(B) in subsection (d), by striking “section 311(d)” each place it appears and inserting “subsection 311(e)”.

(2) Enforcement; North Atlantic Salmon Fishing.—Section 308 of the Atlantic Salmon Convention Act of 1982 (16 U.S.C. 3607) is amended by striking “and (d)” each place it appears and inserting “and (e)”. 
SEC. 108. TRANSITION TO SUSTAINABLE FISHERIES.

(a) Authorization of Appropriations.—Section 312(a)(4) (16 U.S.C. 1861a(a)(4)) is amended—

(1) by inserting “to carry out this subsection” after “necessary”; and

(2) by striking “2007 through 2013” and inserting “2015 through 2021”.

(b) Fisheries Disaster Relief.—Section 312(a) (16 U.S.C. 1861a(a)) is amended—

(1) in paragraph (1), by inserting “, a tribe,” after “affected State”; and

(2) by redesignating paragraphs (2) through (4) as paragraphs (3) through (5), respectively;

(3) by inserting after paragraph (1) the following:

“(2) The Secretary shall make a decision regarding a request under paragraph (1) not later than 90 days after the date the Secretary receives a complete estimate of the economic impact of the fishery resource disaster from the affected State, tribal government, or fishing community.”; and

(4) in paragraph (3), as redesignated—

(A) by inserting “tribe, or” after “by the affected State,”;

(B) by inserting “, tribe,” after “with the affected State”; and
(C) by striking “to assist a fishing community” and inserting “to assist a State, tribe, or fishing community”.

SEC. 109. NORTH PACIFIC FISHERIES CONSERVATION.

(a) ELECTRONIC TECHNOLOGIES.—Section 313 (16 U.S.C. 1862) is amended—

(1) in subsection (a)—

(A) in the matter preceding paragraph (1), by striking “jurisdiction except a salmon fishery which” and inserting “jurisdiction, except a salmon fishery, that”;

(B) in paragraph (1), by striking “that observers be stationed” and inserting “electronic technologies or observers”; and

(C) by amending paragraph (2) to read as follows:

“(2) establishes a system of fees to pay for the cost of implementing the plan and any integrated data collection program, including electronic technology requirements, established by the Council.”;

and

(2) in subsection (b)—

(A) in paragraph (1)(A), by inserting “placing electronic technologies or” before “stationing observers on”;

“placing electronic technologies or” before “stationing observers on”;
(B) in paragraph (2)(E), by inserting “actual electronic technology costs or” before “actual observer costs”; and

(C) by adding at the end the following:

“(3) Any system of fees established under this section may vary by fishery, management area, electronic technology, or observer coverage level.”.

(b) Arctic Community Development Quota.—

Section 313 (16 U.S.C. 1862) is amended by adding at the end the following:

“(k) Arctic Community Development Quota.—

If the North Pacific Fishery Management Council issues a fishery management plan for the exclusive economic zone in the Arctic Ocean, or an amendment to its current Fishery Management Plan for Fish Resources of the Arctic Management Area, that makes available to commercial fishing and establishes a sustainable harvest level for any part of such zone, the North Pacific Fishery Management Council shall set aside not less than 10 percent of the total allowable catch therein as a community development quota for coastal villages north and east of the Bering Strait.”.

(c) North Pacific Bycatch Report.—Section 313 (16 U.S.C. 1862), as amended by subsection (b), is further amended by adding after subsection (k) the following:
“(l) NORTH PACIFIC BYCATCH REPORT.—Not later than 1 year after the date of enactment of the Magnuson-Stevens Fishery Conservation and Management Reauthorization Act of 2014, the Secretary shall submit a report to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Natural Resources of the House of Representatives which examines agency actions since 2007 to reduce bycatch in fisheries of the North Pacific managed under this Act, including a review of regulatory actions that create incentives for individual vessels to avoid bycatch.”.

SEC. 110. REGIONAL FISHERY CONSERVATION AND MANAGEMENT AUTHORITIES.

(a) IN GENERAL.—Title III (16 U.S.C. 1851 et seq.) is amended—

(1) in section 313 (16 U.S.C. 1862), by amending the section heading to read as follows:

“SEC. 313. NORTH PACIFIC FISHERY CONSERVATION AND MANAGEMENT.”;

and

(2) by inserting after section 313 the following:

“SEC. 313A. GULF OF MEXICO FISHERIES CONSERVATION AND MANAGEMENT.

“At least once every 5 years, the Gulf of Mexico Fishery Management Council shall review, in accordance with
the provisions of this Act, any allocation of fishing privileges among the commercial, recreational, and charter components of a fishery managed under a fishery management plan prepared by the Gulf Council, except that the Gulf Council may delay action for not more than 3 additional 1-year periods if necessary.

“SEC. 313B. SOUTH ATLANTIC FISHERIES CONSERVATION AND MANAGEMENT.

“At least once every 5 years, the South Atlantic Fishery Management Council shall review, in accordance with the provisions of this Act, any allocation of fishing privileges among the commercial, recreational, and charter components of a fishery managed under a fishery management plan prepared by the South Atlantic Council, except that the South Atlantic Council may delay action for not more than 3 additional 1-year periods if necessary.”.

(b) CONFORMING AMENDMENTS.—The table of contents is amended—

(1) by amending the item relating to section 313 to read as follows:

“313. North Pacific fishery conservation and management.”;

and

(2) by inserting after the item relating to section 313, the following:

“313A. Gulf of Mexico fisheries conservation and management.
“313B. South Atlantic fisheries conservation and management.”.
SEC. 111. SUMMER FLOUNDER MANAGEMENT.

(a) In General.—Not later than 1 year after the date of the enactment of this Act, the Mid-Atlantic Fishery Management Council shall submit to the Secretary of Commerce, and the Secretary of Commerce may approve, a modified fishery management plan or plan amendment for the commercial and recreational management of summer flounder (Paralichthys dentatus) under the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.). The modified fishery management plan or plan amendment shall—

(1) be based on the best scientific information available;

(2) reflect changes in the distribution, abundance, and location of summer flounder in establishing distribution of the commercial and recreational catch quotas;

(3) consider regional, coast-wide, or other management measures for summer flounder that comply with the National Standards under section 301(a) of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1851(a)); and

(4) prohibit the allocation of commercial or recreational catch quotas for summer flounder on a State-by-State basis using historical landings data that does not reflect the status of the summer floun-
der stock, based on the most recent scientific information.

(b) Consultation With the Commission.—In preparing the modified fishery management plan or plan amendment as described in subsection (a), the Council shall consult with the Atlantic States Marine Fisheries Commission to ensure consistent management throughout the range of the fishery.

d) Failure to Submit Plan.—If the Council fails to submit a modified fishery management plan or plan amendment as described in subsection (a) that may be approved by the Secretary, the Secretary shall prepare and approve such a modified plan or plan amendment.

d) Report.—Not later than 1 year after the date of the approval of a modified fishery management plan or plan amendment as described in subsection (a), the Comptroller General of the United States shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Natural Resources of the House of Representatives a report on the implementation of the modified plan or plan amendment that includes an assessment of whether the implementation complies with the national standards for fishery conservation and management under section 301(a) of the Magnuson-
Stevens Fishery Conservation and Management Act (16 U.S.C. 1851(a)).

SEC. 112. STUDY OF ALLOCATIONS IN MIXED-USE FISHERIES.

(a) Study.—Not later than 60 days after the date of enactment of this Act, the Secretary of Commerce shall enter into a contract with the National Academy of Sciences to conduct a study—

(1) to provide guidance on criteria that could be used for allocating fishing privileges, including consideration of the conservation and socioeconomic benefits of the commercial, recreational, and charter components of a fishery, to a Regional Fishery Management Council established under section 302 of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1852) in the preparation of a fishery management plan under that Act; and

(2) to identify sources of information that could reasonably support the use of such criteria in allocation decisions.

(b) Report.—Not later than 1 year after the date the contract is entered into under subsection (a), the National Academy of Sciences shall submit to the Committee on Commerce, Science, and Transportation of the Senate...
and the Committee on Natural Resources of the House
of Representatives a report on the study conducted under
subsection (a).

TITLE II—FISHERY INFORMATION, RESEARCH, AND DEVELOPMENT

SEC. 201. INTEGRATED DATA COLLECTION PROGRAM AND
ELECTRONIC TECHNOLOGIES.

(a) SENSE OF CONGRESS.—It is the sense of Con-
gress that the use of electronic technologies such as digital
video cameras and monitors, digital recording systems,
and other forms of electronic technology as a complement
to, and in some cases a replacement for, observers can
maintain, increase, or improve the amount and accuracy
of observer and fishery dependent information collected
from fisheries while reducing the need for observers and
the financial costs and logistical difficulties associated
with such observers and paper reporting requirements.

(b) INTEGRATED DATA COLLECTION PROGRAM AS-
SESSMENTS.—

(1) IN GENERAL.—Not later than 2 years after
the date of enactment of this Act, the Regional
Fishery Management Councils, in consultation with
the Secretary of Commerce, shall assess the fishery
dependent data needs of the fisheries in the regions
and, if necessary to meet those needs, develop recommendations for an integrated data collection program, including appropriate electronic technologies, to gather and analyze data required for fisheries management.

(2) Elements of Assessments.—Each assessment required by this subsection shall—

(A) identify the fisheries with respect to which the incorporation of electronic technology, as a complement to or replacement for observers, and electronic reporting can decrease costs, improve efficiencies and data accuracy, or ease the logistic constraints posed by observers in the fisheries while continuing to meet the standards and requirements of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.);

(B) specify for each fishery identified which type or types of electronic technology can achieve such cost and efficiency improvements; and

(C) outline the system, or systems, of fees required in subsection (c)(3) to support the integrated data collection program.
(c) **Regional Integrated Data Collection Program Adoption Plans.**—

(1) **In General.**—Not later than 1 year after receiving the results of the assessments required under subsection (b), the Secretary of Commerce, in consultation with the relevant Regional Fishery Management Council, shall review the relevant assessment for compliance with provisions of this section and shall develop a plan to adopt and implement, with any changes needed based on the compliance review, an integrated data collection program, including the use of electronic technologies, in each of the fisheries identified in the assessment.

(2) **Elements of Plans.**—Each plan developed under this subsection—

(A) shall have fishery dependent data collection as its principal purpose;

(B) shall include electronic technologies consistent with the assessment required by subsection (b) and the review required by paragraph (1);

(C) shall include an estimate of anticipated improvements in cost effectiveness, accuracy of information, and management efficiency for each fishery in the plan;
(D) shall include an explanation of why the most cost-effective approach is not being used, if applicable;

(E) shall prioritize fishery management plans in each region, to guide development, adoption, and implementation of integrated data collection amendments to such plans;

(F) shall set forth an implementation schedule, consistent with the implementation deadline specified in subsection (d), for the development, review, adoption, and implementation of integrated data collection program amendments to fishery management plans; and

(G) may be reviewed or amended annually to address changing circumstances or improvements in technology.

(3) INTEGRATED DATA COLLECTION PROGRAM FEES.—The Secretary of Commerce shall establish a system, or systems, of fees, which may vary by fishery, management area, or observer coverage level, to pay for the cost of implementing each relevant integrated data collection program implemented under this subsection.

(4) COUNCIL ACTION.—Not later than 4 years after the date of enactment of this Act, each Re-
gional Fishery Management Council shall amend its
fishery management plans as necessary to comply
with this subsection.

(d) Deadline for Implementation.—Not later
than 5 years after the date of enactment of this Act, the
Regional Fishery Management Councils and the Secretary
of Commerce shall complete implementation of the plans
developed under subsection (c), subject to available appro-
priations.

(e) Reviews.—The relevant Regional Fishery Man-
agement Council shall determine a time period for regular
review of the integrated data collection program.

SEC. 202. CAPITAL CONSTRUCTION.

(a) Definitions; Eligible and Qualified Fish-
ery Facilities.—Section 53501 of title 46, United
States Code, is amended—

(1) by striking “(7) United States foreign
trade.—” and inserting “(11) United States
foreign trade.—”;

(2) by striking “(8) Vessel.—” and inserting
“(12) Vessel.—”;

(3) by redesignating paragraphs (5), (6), and
(7) as paragraphs (8), (9), and (10), respectively;

(4) by redesignating paragraphs (2), (3), and
(4) as paragraphs (4), (5), and (6), respectively;
(5) by redesignating paragraph (1) as paragraph (2);

(6) by inserting before paragraph (2), as redesignated, the following:

“(1) AGREEMENT FISHERY FACILITY.—The term ‘agreement fishery facility’ means an eligible fishery facility or a qualified fishery facility that is subject to an agreement under this chapter.”;

(7) by inserting after paragraph (2), as redesignated, the following:

“(3) ELIGIBLE FISHERY FACILITY.—

“(A) IN GENERAL.—Subject to subparagraph (B), the term “eligible fishery facility” means—

“(i) for operations on land—

“(I) a structure or an appurtenance thereto designed for unloading and receiving from a vessel, processing, holding pending processing, distribution after processing, or holding pending distribution, of fish from a fishery;

“(II) the land necessary for the structure or appurtenance described in subclause (I); and
“(III) equipment that is for use with the structure or appurtenance that is necessary to perform a function described in subclause (I);

“(ii) for operations not on land, a vessel built in the United States and used for, equipped to be used for, or of a type normally used for, processing fish; or

“(iii) for aquaculture, including operations on land or elsewhere—

“(I) a structure or an appurtenance thereto designed for aquaculture;

“(II) the land necessary for the structure or appurtenance;

“(III) equipment that is for use with the structure or appurtenance and that is necessary to perform a function described in subclause (I); and

“(IV) a vessel built in the United States and used for, equipped to be used for, or of a type normally used for, aquaculture.
“(B) OWNERSHIP REQUIREMENT.—Under subparagraph (A), the structure, appurtenance, land, equipment, or vessel shall be owned by—

“(i) an individual who is a citizen of the United States; or

“(ii) an entity that is—

“(I) a citizen of the United States under section 50501 of this title; and

“(II) at least 75 percent owned by citizens of the United States, as determined under section 50501 of this title.”; and

(8) by inserting after paragraph (6), as redesignated, the following:

“(7) QUALIFIED FISHERY FACILITY.—

“(A) IN GENERAL.—Subject to subparagraph (B), the term ‘qualified fishery facility’ means—

“(i) for operations on land—

“(I) a structure or an appurtenance thereto designed for unloading and receiving from a vessel, processing, holding pending processing, distribution after processing, or hold-
ing pending distribution, of fish from a fishery;

“(II) the land necessary for the structure or appurtenance; and

“(III) equipment that is for use with the structure or appurtenance and necessary to perform a function described in subclause (I);

“(ii) for operations not on land, a vessel built in the United States and used for, equipped to be used for, or of a type normally used for, processing fish; or

“(iii) for aquaculture, including operations on land or elsewhere—

“(I) a structure or an appurtenance thereto designed for aquaculture;

“(II) the land necessary for the structure or appurtenance;

“(III) equipment that is for use with the structure or appurtenance and necessary for performing a function described in subclause (I); and

“(IV) a vessel built in the United States.
“(B) OWNERSHIP REQUIREMENT.—Under subparagraph (A), the structure, appurtenance, land, equipment, or vessel shall be owned by—

“(i) an individual who is a citizen of the United States; or

“(ii) an entity that is—

“(I) a citizen of the United States under section 50501 of this title; and

“(II) at least 75 percent owned by citizens of the United States, as determined under section 50501 of this title.”.

(b) ELIGIBLE FISHERY FACILITIES.—

(1) DEFINITION OF SECRETARY.—Section 53501(9)(A) of title 46, United States Code, as redesignated by subsection (a) of this section, is amended to read as follows:

“(A) the Secretary of Commerce with respect to—

“(i) an eligible vessel or a qualified vessel operated or to be operated in the fisheries of the United States; or

“(ii) an eligible fishery facility or a qualified fishery facility; and”.
(2) Establishing a Capital Construction Fund.—Section 53503 of title 46, United States Code, is amended—

(A) in subsection (a)—

(i) by inserting “or eligible fishery facility” after “eligible vessel”; and

(ii) by inserting “or fishery facility” after “the vessel”; and

(B) in subsection (b)—

(i) by striking “The purpose of the agreement shall be” and inserting “The purpose of the agreement shall be—”;

(ii) by designating the text that follows after “The purpose of the agreement shall be—” as paragraph (1) and indenting accordingly;

(iii) in paragraph (1), as designated, by striking “United States.” and inserting “United States; or”; and

(iv) by adding after paragraph (1), as designated, the following:

“(2) to provide for the acquisition, construction, or reconstruction of a fishery facility owned by—

“(A) an individual who is a citizen of the United States; or
“(B) an entity that is—

“(i) a citizen of the United States under section 50501; and

“(ii) at least 75 percent owned by citizens of the United States, as determined under section 50501.”.

(c) Agreement Fishery Facilities.—

(1) Deposits and Withdrawals.—Section 53504(b) of title 46, United States Code, is amended by inserting “or an agreement fishery facility” after “agreement vessel”.

(2) Ceiling on Deposits.—Section 53505 of title 46, United States Code, is amended—

(A) in subsection (a)—

(i) in paragraphs (1) and (2) of subsection (a), by inserting “or agreement fishery facilities” after “agreement vessels”; and

(ii) in paragraph (3) by inserting “or agreement fishery facility” after “agreement vessel” each place it appears; and

(B) in subsection (b)—

(i) by inserting “or agreement fishery facility” after “an agreement vessel”; and
(ii) by inserting “or fishery facility” after “the vessel”.

(d) QUALIFIED FISHERY FACILITIES.—

(1) QUALIFIED WITHDRAWALS.—Section 53509(a) of title 46, United States Code, is amended—

(A) in paragraph (1), by striking “qualified vessel; or” and inserting “qualified vessel, or the acquisition, construction, or reconstruction of a qualified fishery facility; or”; and

(B) in paragraph (2), by striking “qualified vessel.” and inserting “qualified vessel, or the acquisition, construction, or reconstruction, of a qualified fishery facility.”.

(2) TAX TREATMENT OF QUALIFIED WITHDRAWALS AND BASIS OF PROPERTY.—Section 53510 of title 46, United States Code, is amended—

(A) in subsections (b) and (c), by striking “or container” each place it appears and inserting “container, or fishery facility”; and

(B) in subsection (d), by striking “and containers” and inserting “containers, and fishery facilities”.

(3) TAX TREATMENT OF NONQUALIFIED WITHDRAWALS.—Section 53511(e)(4) of title 46, United States Code, is amended—

(A) in subsections (b) and (c), by striking “or container” each place it appears and inserting “container, or fishery facility”; and

(B) in subsection (d), by striking “and containers” and inserting “containers, and fishery facilities”.
States Code, is amended by inserting “or fishery fa-
cility” after “vessel”.

(e) TECHNICAL AMENDMENT.—Section 53501 of
title 46, United States Code, as amended by subsection
(a) of this section, is further amended in paragraph
(8)(A)(iii), by striking “trade trade” and inserting
“trade”.

SEC. 203. FISHERIES RESEARCH.

(a) STOCK ASSESSMENT PLAN.—Section 404 (16
U.S.C. 1881e) is amended by adding at the end the fol-
lowing:

“(e) STOCK ASSESSMENT PLAN.—

“(1) IN GENERAL.—The Secretary, in consulta-
tion with the Councils, shall develop and publish in
the Federal Register, on the same schedule as re-
quired for the strategic plan required under sub-
section (b), a plan to conduct stock assessments for
all stocks of fish for which a fishery management
plan is in effect under this Act.

“(2) CONTENTS.—The plan shall—

“(A) for each stock of fish for which a
stock assessment has previously been con-
ducted—

“(i) establish a schedule for updating
the stock assessment that is reasonable
given the biology and characteristics of the stock; and

“(ii) subject to the availability of appropriations, require completion of a new stock assessment, or an update of the most recent stock assessment—

“(I) at least once every 5 years, except a Council may delay action for not more than 3 additional 1-year periods; or

“(II) within such other time period specified and justified by the Secretary in the plan;

“(B) for each economically important stock of fish for which a stock assessment has not previously been conducted—

“(i) establish a schedule for conducting an initial stock assessment that is reasonable given the biology and characteristics of the stock; and

“(ii) subject to the availability of appropriations, require completion of the initial stock assessment not later than 3 years after the date that the plan is published in the Federal Register unless an-
other time period is specified and justified
by the Secretary in the plan; and

“(C) identify data and analysis, especially
centering recreational fishing, that, if avail-
able, would reduce uncertainty in and improve
the accuracy of future stock assessments, in-
cluding whether that data and analysis could be
provided by nongovernmental sources, including
fishermen, fishing communities, universities,
and research institutions.

“(3) WAIVER OF STOCK ASSESSMENT REQUIRE-
MENT.—Notwithstanding subparagraphs (A)(ii) and
(B)(ii) of paragraph (2), a stock assessment shall
not be required for a stock of fish in the plan if the
Secretary determines that such a stock assessment
is not necessary and justifies the determination in
the Federal Register notice required by this sub-
section.”.

(b) DEADLINE.—Notwithstanding subsection (e)(1)
of section 404 of the Magnuson-Stevens Fishery Conserva-
tion and Management Act (16 U.S.C. 1881c(e)(1)), as
added by this section, the Secretary of Commerce shall
issue the first stock assessment plan under that subsection
not later than 1 year after the date of enactment of this
Act.
(c) STRATEGIC PLAN.—Section 404(b)(5) (16 U.S.C. 1881c(b)(5)) is amended by striking “and affected States, and provide for coordination with the Councils, affected States, and other research entities” and inserting “, affected States, and tribal governments, and provide for coordination with the Councils, affected States, tribal governments, and other research entities”.

SEC. 204. IMPROVING SCIENCE.

(a) IMPROVING DATA COLLECTION AND ANALYSIS.—

(1) IN GENERAL.—Section 404 (16 U.S.C. 1881c), as amended by section 203 of this Act, is further amended by adding at the end the following:

“(f) IMPROVING DATA COLLECTION AND ANALYSIS.—

“(1) IN GENERAL.—The Secretary, in consultation with the scientific and statistical committees of the Councils established under section 302(g), shall develop and submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Natural Resources of the House of Representatives a report on facilitating greater incorporation of data, analysis, stock assessments, and surveys from nongovernmental sources, including fishermen, fishing communities, universities, and re-
search institutions, into fisheries management decisions.

“(2) CONTENT.—The report under paragraph (1) shall—

“(A) identify types of data and analysis, especially concerning recreational fishing, that can be reliably used for purposes of this Act and the basis for establishing conservation and management measures as required by section 303(a)(1), including setting standards for the collection and use of that data and analysis in stock assessments and surveys and for other purposes;

“(B) provide specific recommendations for collecting data and performing analyses identified as necessary to reduce the uncertainty referred to in section 404(e)(2)(C);

“(C) consider the extent to which it is possible to establish a registry of persons providing such information; and

“(D) consider the extent to which the acceptance and use of data and analysis identified in the report in fishery management decisions is practicable.”.
(b) DEADLINE.—The Secretary of Commerce shall submit the report required under the amendment made by subsection (a) not later than 1 year after the date of enactment of this Act.

(e) INFORMATION COLLECTION; CONTRACTING AUTHORITY.—Section 402 (16 U.S.C. 1881a) is amended—

(1) in subsection (b)(1)(H), by striking “including” and all that follows through the end and inserting “including the Coast Guard’s 11 statutory missions under section 888(a) of the Homeland Security Act of 2002 (6 U.S.C. 468(a)).”; and

(2) in subsection (d), by inserting “tribal government,” before “Council” each place it appears.

SEC. 205. FOCUSING ASSETS FOR IMPROVED FISHERIES OUTCOMES.

(a) IN GENERAL.—Section 2(b) of the Act of August 11, 1939 (15 U.S.C. 713c–3(b)), is amended—

(1) in paragraph (1)—

(A) by striking “beginning with the fiscal year commencing July 1, 1954, and ending on June 30, 1957,”;

(B) by striking “moneys” the first place that term appears and inserting “monies”; and

(C) by striking “shall be maintained in a separate fund only for” and all that follows
through the end and inserting “shall only be used for the purposes described under subsection (c).”; and

(2) by striking paragraph (2).

(b) LIMITATIONS ON BILLS TRANSFERRING FUNDS.—Section 2(b) of the Act of August 11, 1939 (15 U.S.C. 713c–3(b)), as amended by subsection (a) of this section, is further amended by adding at the end the following:

“(2) LIMITATIONS ON BILLS TRANSFERRING FUNDS.—

“(A) IN GENERAL.—It shall not be in order in the Senate or the House of Represent- atives to consider any bill, resolution, amend- ment, or conference report that reduces any amount in the fund referred to in paragraph (1) in a manner that is inconsistent with such paragraph.

“(B) LIMITATION ON CHANGES TO THIS PARAGRAPH.—It shall not be in order in the Senate or the House of Representatives to con- sider any bill, resolution, amendment, or con- ference report that would repeal or otherwise amend this paragraph.
“(C) WAIVER.—A provision of this paragraph may be waived or suspended in the Senate only by the affirmative vote of three-fifths of the Members, duly chosen and sworn.

“(D) APPEALS.—An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on the point of order raised under this paragraph.

“(E) RULES OF THE SENATE AND THE HOUSE OF REPRESENTATIVES.—This paragraph is enacted by Congress—

“(i) as an exercise of the rulemaking power of the Senate and the House of Representatives, respectively, and is deemed to be part of the rules of each house, respectively, but applicable only with respect to the procedure to be followed in the House in the case of a bill, resolution, amendment, or conference report under this paragraph, and it supersedes other rules only to the extent that it is inconsistent with such rules; and

“(ii) with full recognition of the constitutional right of either House to change
the rules (so far as they relate to the pro-
cedure of that House) at any time, in the
same manner, and to the same extent as in
the case of any other rule of that House.”.

SEC. 206. SEAFOOD MARKETING.

(a) IN GENERAL.—The Secretary of Commerce shall
analyze the likely costs and benefits of establishing and
administering a seafood marketing program to facilitate
fuller realization of the commercial and economic value of
U.S. fishery resources.

(b) SCOPE.—In performing the analysis required by
subsection (a), the Secretary shall consider—

(1) the impacts of additional investment in sea-
food marketing for seafood harvesters, processors,
growers, and other persons in the United States
on—

(A) domestic and international markets for
U.S. seafood and the competitive position of the
United States in those markets;

(B) sustainable development and utiliza-
tion of fishery resources of the United States
resulting from promotion, public education, and
changes in markets;
(C) the ability of seafood harvesters, processors, growers and other persons in the United States to improve—

(i) the safety, traceability, quality, marketability, and sustainability of U.S. seafood; and

(ii) the coordination of their marketing activities; and

(D) education of consumers regarding nutritional and health benefits of seafood; and

(2) the feasibility of a seafood marketing program that—

(A) is funded by—

(i) industry fees;

(ii) contributions, donations, or gifts by private or nonprofit organizations;

(iii) sums received as fines, penalties, or forfeitures of property for violations of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.) or any other marine resource law enforced by the Secretary of Commerce, including the Lacey Act Amendments of 1981 (16 U.S.C. 3371 et seq.);
(iv) interest generated by the investment of amounts described in clauses (i) through (iii); or
(v) any combination of the amounts described in clauses (i) through (iv); and

(B) apportions funds annually, on a formula basis, to each State, territory, or possession of the United States that is represented on a Regional Fishery Management Council under section 302(a)(1) of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1852(a)(1)), to award grants through a competitive process to U.S. seafood growers, harvesters, processors, and other persons.

(c) DEADLINE FOR SUBMISSION.—Not later than 1 year after the date of enactment of this Act, the Secretary of Commerce shall provide the analysis under this section, together with any recommendations the Secretary considers appropriate, in writing to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Natural Resources of the House of Representatives.
TITLE III—REAUTHORIZATION
OF OTHER FISHERY STATUTES

SEC. 301. ANADROMOUS FISH CONSERVATION ACT.
Section 4 of the Anadromous Fish Conservation Act
(16 U.S.C. 757d) is amended by striking “2007 through
2012” and inserting “2015 through 2021”.

SEC. 302. INTERJURISDICTIONAL FISHERIES ACT OF 1986.
Section 308 of the Interjurisdictional Fisheries Act
of 1986 (16 U.S.C. 4107) is amended—

(1) in subsection (a), by striking “$5,000,000”
and all that follows through the end and inserting
“$5,000,000 for each of fiscal years 2015 through
2021.”; and

(2) in subsection (c), by striking “$900,000 for
each of fiscal years 2007 through 2012” and insert-
ing “$1,000,000 for each of fiscal years 2015
through 2021”.

SEC. 303. ATLANTIC COASTAL FISHERIES COOPERATIVE
MANAGEMENT ACT.
Section 811(a) of the Atlantic Coastal Fisheries Co-
operative Management Act (16 U.S.C. 5108(a)) is amend-
ed—

(1) by striking “$10,000,000” and inserting
“$13,500,000”; and
(2) by striking “2001 through 2005” and inserting “2015 through 2021”.

SEC. 304. ATLANTIC STRIPED BASS CONSERVATION ACT.


SEC. 305. YUKON RIVER SALMON ACT OF 2000.

Section 208 of the Yukon River Salmon Act of 2000 (16 U.S.C. 5727) is amended by striking “fiscal years 2007 through 2011” and inserting “fiscal years 2015 through 2021”.

SEC. 306. STATE AUTHORITY FOR DUNGENESS CRAB FISHERY MANAGEMENT.

Section 203 of Public Law 105–384 (16 U.S.C. 1856 note) is amended—

(1) by striking subsection (i); and

(2) by redesignating subsection (j) as subsection (i).
TITLE IV—INTERNATIONAL CONSERVATION AND MANAGEMENT

SEC. 401. SECRETARIAL REPRESENTATIVE FOR INTERNATIONAL FISHERIES.

(a) In general.—Title II (16 U.S.C. 1821 et seq.) is amended by inserting after section 202 the following:

"SEC. 202A. SECRETARIAL REPRESENTATIVE FOR INTERNATIONAL FISHERIES.

"(a) In general.—The Secretary, in consultation with the Under Secretary of Commerce for Oceans and Atmosphere, shall designate a senior official who is appointed by the President, by and with the advice and consent of the Senate, to serve as the Secretarial Representative for International Fisheries for the purpose of performing the duties of the Secretary with respect to international agreements involving fisheries and other living marine resources, including the development of policy and representation of the United States as a Commissioner under such international agreements.

"(b) Advice.—The Secretarial Representative for International Fisheries shall, in consultation with the Deputy Assistant Secretary for International Affairs and the Administrator of the National Marine Fisheries Service, advise the Secretary, Undersecretary of Commerce for
Oceans and Atmosphere, and other senior officials of the Department of Commerce and the National Oceanic and Atmospheric Administration on development of policy on international fishery conservation and management matters.

``(c) CONSULTATION.—The Secretarial Representative for International Fisheries shall consult with the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Natural Resources of the House of Representatives on matters pertaining to any regional or international negotiation concerning living marine resources.”

(b) REPEAL.—Section 408 of the Magnuson-Stevens Fishery Conservation and Management Reauthorization Act of 2006 (16 U.S.C. 1891d) and the item relating to that section in the table of contents for that Act are repealed.

(c) CONFORMING AMENDMENT.—The table of contents is amended by inserting after the item relating to section 202 the following:

“Sec. 202A. Secretarial Representative for International Fisheries.”

SEC. 402. AMENDMENTS TO PACIFIC SALMON TREATY ACT OF 1985.

Section 11 of the Pacific Salmon Treaty Act of 1985 (16 U.S.C. 3640) is amended—
1 (1) by redesignating subsections (c) and (d) as subsections (d) and (e), respectively;

2 (2) by inserting after subsection (b) the following:

3 “(c) COMPENSATION OF COMMITTEE ON SCIENTIFIC COOPERATION MEMBERS.—Members of the Committee on Scientific Cooperation who are not State or Federal employees shall receive compensation at a rate equivalent to the rate payable for level IV of the Executive Schedule under section 5315 of title 5, United States Code, when engaged in actual performance of duties for the Commission.”; and

4 (3) in subsection (e), as redesignated, by striking “71” and inserting “171”.

5 SEC. 403. REAUTHORIZATION OF ATLANTIC TUNAS CON-

6 VENITION ACT OF 1975.

7 Section 10 of the Atlantic Tunas Convention Act of 1975 (16 U.S.C. 971h) is amended—

8 (1) in subsection (a)—

9 (A) in paragraph (1), by striking

10 “$5,770,000 for each of fiscal years 2007 and

11 2008” and inserting “$6,500,000 for each of fiscal years 2015 and 2016”; 

12 (B) in paragraph (2), by striking

13 “$6,058,000 for each of fiscal years 2009 and
2010” and inserting “$6,500,000 for each of fiscal years 2017 and 2018”; and

(C) in paragraph (3), by striking “$6,361,000 for each of fiscal years 2011 and 2013” and inserting “$6,750,000 for each of fiscal years 2019, 2020, and 2021”; and

(2) in subsection (b)—

(A) in paragraph (1), by striking “$160,000” and inserting “$180,000”; and

(B) in paragraph (2), by striking “$7,500,000” and inserting “$4,600,000”.


Section 20(a) of the South Pacific Tuna Act of 1988 (16 U.S.C. 973r(a)) is amended—

(1) in the matter preceding paragraph (1)—


(B) by striking “Act including—” and inserting “Act.”; and

(2) by striking paragraphs (1) and (2).
SEC. 405. AMENDMENTS TO THE HIGH SEAS DRIFTNET FISHING MORATORIUM PROTECTION ACT.

(a) ILLEGAL, UNREPORTED, OR UNREGULATED FISHING DEFINED.—Section 609(e) of the High Seas Driftnet Fishing Moratorium Protection Act (16 U.S.C. 1826j(e)) is amended—

(1) in paragraph (2), by striking “Within 3 months after the date of enactment of the Magnuson-Stevens Fishery Conservation and Management Reauthorization Act of 2006” and inserting “Not later than 3 months after the date of enactment of the Magnuson-Stevens Fishery Conservation and Management Reauthorization Act of 2014”; and

(2) in paragraph (3)—

(A) in subparagraph (B), by striking “and” at the end;

(B) in subparagraph (C), by striking “agreement.” and inserting “agreement; and”;

and

(C) by adding at the end the following:

“(D) to the extent possible—

“(i) fishing activities conducted by foreign vessels in waters under the jurisdiction of a nation without permission of that nation; and
“(ii) fishing activities conducted by foreign vessels in contravention of a nation’s laws, including fishing activity that has not been reported or that has been misreported to the relevant national authority of a nation in contravention of that nation’s laws.”.

(b) Authorization of Appropriations; Illegal, Unreported, or Unregulated Fishing.—Section 609(f) of the High Seas Driftnet Fishing Moratorium Protection Act (16 U.S.C. 1826j(f)) is amended by striking “2007 through 2013” and inserting “2015 through 2021”.

(c) Authorization of Appropriations; Equivalent Conservation Measures.—Section 610(f) of the High Seas Driftnet Fishing Moratorium Protection Act (16 U.S.C. 1826k(f)) is amended by striking “2007 through 2013” and inserting “2015 through 2021”.


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TITLE V—MISCELLANEOUS

SEC. 501. TECHNICAL AMENDMENTS.

(a) MAGNUSON-STEVENS FISHERY CONSERVATION AND MANAGEMENT ACT.—

(1) SOUTH PACIFIC TUNA TREATY.—Section 202(e)(5) (16 U.S.C. 1822(e)(5)) is amended by striking “and it Annexes” and inserting “and its Annexes”.

(2) REGIONAL FISHERY MANAGEMENT COUNCILS.—Section 302 (16 U.S.C. 1852) is amended—

(A) in subsection (a)(1)(F) by striking “Federally” and inserting “federally”;

(B) in subsection (b)—

(i) in paragraph (2)(C) by striking “subsection (k)” and inserting “subsection (j)”;

(ii) in paragraph (5)(A) by striking “Federally” and inserting “federally”; and

(iii) in paragraph (6) by striking “paragraphs” and inserting “paragraph”;

(C) in subsection (h)(5) by striking “except as provided in section” and inserting “except as provided in”; and

(D) in subsection (i)(3)(B) by striking “subpararaph” and inserting “subparagraph”.

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(3) CONTENTS OF FISHERY MANAGEMENT PLANS.—Section 303 (16 U.S.C. 1853) is amended—

(A) in subsection (a)(5)—

(i) by striking “recreational,” and inserting “recreational, and”; and

(ii) by striking “processors,” and inserting “processors;”; and

(B) in subsection (b) by redesignating paragraph (14) as paragraph (13).

(4) LIMITED ACCESS PRIVILEGE PROGRAMS.—Section 303A(c)(4)(A)(v) (16 U.S.C. 1853a(c)(4)(A)(v)) is amended by striking “is” and inserting “its”.

(5) PROHIBITED ACTS.—Section 307(1)(K) (16 U.S.C. 1857(1)(K)) is amended by striking “to to steal” and inserting “to steal”.

(6) FISHING CAPACITY REDUCTION PROGRAM.—Section 312(b)(2)(A) (16 U.S.C. 1861a(b)(2)(A)) is amended by striking “federal or state” and inserting “Federal or State”.

(7) NORTH PACIFIC FISHERIES CONSERVATION.—Section 313 (16 U.S.C. 1862) is amended—

(A) in subsection (a)(2), by striking “or system” and inserting “or systems”; and
(B) in subsection (j)(9), by striking “section 307(l)” and inserting “section 307(1)”.

(8) Activities under NorthWest Atlantic Ocean Fisheries Reinvestment Program.—Section 314(a)(3) (16 U.S.C. 1863(a)(3)) is amended by striking “subsection (1)” and inserting “paragraph (1)”.

(9) Coordination on Seabird Interactions.—Section 316(c) (16 U.S.C. 1865(c)) is amended by striking “Interior” and inserting “the Interior”.

(10) Fishery Information.—Section 401(c)(5) (16 U.S.C. 1881(c)(5)) is amended by striking “subsection” and inserting “section”.


(c) High Seas Driftnet Fishing Moratorium Protection Act.—Section 610(a)(1)(A) of the High
Seas Driftnet Fishing Moratorium Protection Act (16 U.S.C. 1826k(a)(1)(A)) is amended by striking “practices;” and inserting “practices—”.

(d) ANADROMOUS FISH CONSERVATION ACT.—Section 2 of the Anadromous Fish Conservation Act (16 U.S.C. 757b) is amended in paragraph (5) by striking “Secretary” and inserting “Secretary”.

(e) NORTHERN PACIFIC HALIBUT ACT OF 1982.—The Northern Pacific Halibut Act of 1982 is amended—

(1) in section 9(a) (16 U.S.C. 773g(a)) by striking “any” and inserting “an”; and

(2) in section 12 (16 U.S.C. 773j)—

(A) by redesignating subsections (a) and (b) as paragraphs (1) and (2), respectively, and indenting accordingly; and

(B) in paragraph (2), as redesignated, by striking “section 262(b)” and inserting “section 262b”.

(f) GREAT LAKES FISHERY ACT OF 1956.—The Great Lakes Fishery Act of 1956 is amended—

(1) in section 3(a)(1)(B) (16 U.S.C. 932(a)(1)(B)) by inserting “a” after “official of”; and

(2) in section 8 (16 U.S.C. 937) by striking “these provisions of title 28, U. S. C.,” and insert-
ing “those provisions of title 28, United States Code,”.

(g) SOUTH PACIFIC TUNA ACT OF 1988.—Section 9(h) of the South Pacific Tuna Act of 1988 (16 U.S.C. 973g(h)) is amended—

(1) in paragraph (3), by striking “(16 U.S.C. 1374(h)(2) and 1416(a))—” and inserting “(16 U.S.C. 1374(h)(2) and 1416(a));”; and

(2) in the matter following paragraph (3), by striking “treaty” and inserting “Treaty”.

(h) ANTARCTIC MARINE LIVING RESOURCES CONVENTION ACT OF 1984.—Section 303(1) of the Antarctic Marine Living Resources Convention Act of 1984 (16 U.S.C. 2432(1)) is amended by striking “60 degrees south; 50 degrees west” and inserting “60 degrees south, 50 degrees west”.

(i) PACIFIC SALMON TREATY ACT OF 1985.—Section 3 of the Pacific Salmon Treaty Act of 1985 (16 U.S.C. 3632) is amended—

(1) in subsection (a), by striking “States of Oregon, or Washington” and inserting “State of Oregon or Washington”; and

(2) in subsection (h)(2), by inserting a period after “under subsection (a)”.

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(1) in section 803(6) (16 U.S.C. 5002(6)) by striking “North Latitude” and inserting “north latitude”; and

(2) in section 809(d)(1)(B) (16 U.S.C. 5008(d)(1)(B)), by striking “If any” and inserting “if any”.


(1) in section 704(c) (16 U.S.C. 5703(c)), by striking “subsections (b)(1) and (3)” and inserting “paragraph (1) or (3) of subsection (b)”;

(2) in section 709(c) (16 U.S.C. 5708(c)), by striking “chapter 71” and inserting “chapter 171”; and

(3) in section 710(2) (16 U.S.C. 5709(2)), by striking “section 262(b)” and inserting “section 262b”.
(m) **Yukon River Salmon Act of 2000.**—Section 206(c) of the Yukon River Salmon Act of 2000 (16 U.S.C. 5725(c)) is amended by striking “chapter 71” and inserting “chapter 171”.

(n) **Western and Central Pacific Fisheries Convention Implementation Act.**—The Western and Central Pacific Fisheries Convention Implementation Act (16 U.S.C. 6901 et seq.) is amended—

1. in section 502(8) (16 U.S.C. 6901(8)), by striking “Convention Area” and inserting “convention area”;

2. in section 503 (16 U.S.C. 6902)—
   1. in subsection (d)(1)(C), by striking “fashion.” and inserting “fashion,”; and
   2. by redesignating subsection (f) as subsection (e);

3. in section 507(a)(7) (16 U.S.C. 6906(a)(7)), by striking “chapter” and inserting “act”; and

4. in section 508 (16 U.S.C. 6907)—
   1. in subsection (a), by striking “United States government” and inserting “United States Government”; and
   2. in subsection (e)—
(i) in the subsection heading, by striking “REGULATIONS—” and inserting “REGULATIONS.—”;

(ii) in paragraph (1)(B)(i), by striking “that” and inserting “than”; and

(iii) in paragraph (3), by striking “pursuant” and inserting “under”.

(o) PACIFIC WHITING ACT OF 2006.—Section 608(c)(4) of the Pacific Whiting Act of 2006 (16 U.S.C. 7007(c)(4)) is amended by striking “United State’s” and inserting “United States”.

SEC. 502. PACIFIC INSULAR AREAS; MARINE CONSERVATION PLANS.

Section 204(e)(4)(A) (16 U.S.C. 1824(e)(4)(A)) is amended—

(1) in clause (i), by inserting “, in consultation with the Western Pacific Council,” after “Secretary”;

(2) in clause (iii), by striking “coastal studies;” and inserting “coastal studies; and”;

(3) by striking clause (iv); and

(4) by redesignating clause (v) as clause (iv).
SEC. 503. REPEAL OF GULF OF MEXICO RED SNAPPER CATCH LIMITS.

Section 407 (16 U.S.C. 1883) is amended by striking subsection (d).