

115TH CONGRESS
1ST SESSION

S. 1748

To amend the Magnuson-Stevens Fishery Conservation and Management Act to promote sustainable conservation and management for the Gulf of Mexico and South Atlantic fisheries and the communities that rely on them, and for other purposes.

IN THE SENATE OF THE UNITED STATES

AUGUST 3, 2017

Mr. RUBIO (for himself and Mr. NELSON) 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 Gulf of Mexico and South Atlantic fisheries and the communities that rely on them, 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,*

3 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “Florida Fisheries Improvement Act of 2017”.

6 (b) TABLE OF CONTENTS.—The table of contents of
7 this Act is as follows:

- Sec. 1. Short title; table of contents.
 Sec. 2. References to the Magnuson-Stevens Fishery Conservation and Management Act.

TITLE I—CONSERVATION AND MANAGEMENT

- Sec. 101. Regional fishery management councils.
 Sec. 102. Contents of fishery management plans.
 Sec. 103. Funding for stock assessments, surveys, and data collection.
 Sec. 104. Capital construction.
 Sec. 105. Fisheries disaster relief.
 Sec. 106. Regional fishery conservation and management authorities.
 Sec. 107. Study of allocations in mixed-use fisheries in the Gulf of Mexico and South Atlantic.
 Sec. 108. Requirements relating to experimental fishing permits for fishing in Gulf of Mexico or South Atlantic.

TITLE II—FISHERY INFORMATION, RESEARCH, AND DEVELOPMENT

- Sec. 201. Fisheries research.
 Sec. 202. Improving science.

1 **SEC. 2. REFERENCES TO THE MAGNUSON-STEVENS FISHERY CONSERVATION AND MANAGEMENT ACT.**

2
 3 Except as otherwise expressly provided, wherever in
 4 this Act an amendment or repeal is expressed in terms
 5 of an amendment to, or repeal of, a section or other provi-
 6 sion, the reference shall be considered to be made to a
 7 section or other provision of the Magnuson-Stevens Fish-
 8 ery Conservation and Management Act (16 U.S.C. 1801
 9 et seq.).

10 **TITLE I—CONSERVATION AND**
 11 **MANAGEMENT**

12 **SEC. 101. REGIONAL FISHERY MANAGEMENT COUNCILS.**

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

1 (1) in clause (i), in the matter before subclause

2 (I)—

3 (A) by striking “Fisheries” and inserting

4 “Fishery”; and

5 (B) by inserting “or the South Atlantic

6 Fishery Management Council” after “Manage-

7 ment Council”; and

8 (2) by striking clause (iv).

9 (b) COMMITTEES AND ADVISORY PANELS.—Section
10 302(g)(1)(B) (16 U.S.C. 1852(g)(1)(B)) is amended to
11 read as follows:

12 “(B) Each scientific and statistical com-
13 mittee shall—

14 “(i) provide its Council ongoing sci-
15 entific advice for fishery management deci-
16 sions, including recommendations for ac-
17 ceptable biological catch, preventing over-
18 fishing, maximum sustainable yield, achiev-
19 ing rebuilding targets, and reports on
20 stock status and health, bycatch, habitat
21 status, social and economic impacts of
22 management measures, and sustainability
23 of fishing practices; and

24 “(ii) carry out the requirements of
25 this subparagraph in a transparent man-

1 ner, allowing for public involvement in the
2 process.”.

3 (c) FUNCTIONS.—Section 302(h) (16 U.S.C.
4 1852(h)) is amended—

5 (1) in paragraph (7)(C), by striking “and” at
6 the end;

7 (2) by redesignating paragraph (8) as para-
8 graph (9); and

9 (3) by inserting after paragraph (7) the fol-
10 lowing:

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

17 (d) WEBCASTS OF COUNCIL MEETINGS.—Section
18 302(i)(2) (16 U.S.C. 1852(i)(2)) is amended by adding
19 at the end the following:

20 “(G) Unless closed in accordance with
21 paragraph (3), each Council shall, where prac-
22 ticable, make available on the Internet website
23 of the Council a video or audio webcast of each
24 meeting of the Council and each meeting of the
25 scientific and statistical committee of the Coun-

1 eil not later than 30 days after the date of the
2 conclusion of such meeting.”.

3 **SEC. 102. CONTENTS OF FISHERY MANAGEMENT PLANS.**

4 (a) LIMITATIONS.—Section 303 (16 U.S.C. 1853) is
5 amended by adding at the end the following:

6 “(d) LIMITATIONS.—

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

9 “(A) apply to a species in a fishery that
10 has a mean life cycle of 12 months or less, or
11 to a species in a fishery with respect to which
12 the vast majority of spawning and recruitment
13 occurs beyond State waters and the exclusive
14 economic zone, unless the Secretary has deter-
15 mined the fishery is subject to overfishing of
16 that species; or

17 “(B) limit or otherwise affect the require-
18 ments of section 301(a)(1) or 304(e) of this
19 Act.

20 “(2) CONSTRUCTION.—Nothing in this sub-
21 section shall be construed to affect any effective date
22 regarding the requirements under subsection (a)(15)
23 otherwise provided for under an international agree-
24 ment in which the United States participates.”.

1 (b) RELATIONSHIP OF CATCH LIMIT REQUIREMENTS
2 TO INTERNATIONAL FISHERY EFFORTS.—Such section is
3 further amended by adding at the end the following:

4 “(e) CONSIDERATION OF INTERNATIONAL FISHERY
5 EFFORTS IN DEVELOPING CATCH LIMITS.—

6 “(1) IN GENERAL.—Each annual catch limit
7 developed under section 302(h)(6) and each mecha-
8 nism established under subsection (a)(15) of this
9 section—

10 “(A) may take into account management
11 measures under international agreements in
12 which the United States participates; and

13 “(B) in the case of an annual catch limit
14 developed by a Council for a species, shall take
15 into account fishing for the species outside the
16 exclusive economic zone and the life-history
17 characteristics of the species that are not sub-
18 ject to the jurisdiction of the Council.

19 “(2) EXCEPTION TO ANNUAL CATCH LIMIT RE-
20 QUIREMENT.—If fishery management activities by
21 another country with respect to fishing outside the
22 exclusive economic zone may hinder conservation ef-
23 forts by United States fishermen for a fish species
24 for which any of the recruitment, distribution, life
25 history, or fishing activities are transboundary, and

1 for which there is no informal transboundary agree-
2 ment with that country in effect—

3 “(A) notwithstanding section 302(h)(6), no
4 annual catch limit is required to be developed
5 for the species by a Council; and

6 “(B) if an annual catch limit is developed
7 by a Council for the species, the catch limit
8 shall take into account fishing for the species
9 outside the exclusive economic zone that is not
10 subject to the jurisdiction of the Council.”.

11 **SEC. 103. FUNDING FOR STOCK ASSESSMENTS, SURVEYS,**
12 **AND DATA COLLECTION.**

13 Section 311(e)(1) (16 U.S.C. 1861(e)(1)) is amend-
14 ed—

15 (1) in subparagraph (E), by striking “; and”
16 and inserting a semicolon;

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

19 (3) by inserting after subparagraph (F) the fol-
20 lowing:

21 “(G) the costs of stock assessments, sur-
22 veys, and data collection in fisheries managed
23 under this Act.”.

1 **SEC. 104. CAPITAL CONSTRUCTION.**

2 (a) DEFINITIONS; ELIGIBLE AND QUALIFIED FISH-
 3 ERY FACILITIES.—Section 53501 of title 46, United
 4 States Code, is amended—

5 (1) by striking “(7) UNITED STATES FOREIGN
 6 TRADE.—” and inserting “(11) UNITED STATES
 7 FOREIGN TRADE.—”;

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

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

12 (4) by redesignating paragraphs (2), (3), and
 13 (4) as paragraphs (4), (5), and (6), respectively;

14 (5) by redesignating paragraph (1) as para-
 15 graph (2);

16 (6) by inserting before paragraph (2), as redес-
 17 igned, the following:

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

22 (7) by inserting after paragraph (2), as redес-
 23 igned, the following:

24 “(3) ELIGIBLE FISHERY FACILITY.—The term
 25 ‘eligible fishery facility’ means—

26 “(A) for operations on land—

1 “(i) a structure or an appurtenance
2 thereto designed for unloading and receiv-
3 ing from a vessel, processing, holding
4 pending processing, distribution after proc-
5 essing, or holding pending distribution, of
6 fish from a fishery;

7 “(ii) the land necessary for the struc-
8 ture or appurtenance described in sub-
9 section (1); and

10 “(iii) equipment that is for use with
11 the structure or appurtenance that is nec-
12 essary to perform a function described in
13 clause (i);

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

18 “(C) for aquaculture, including operations
19 on land or elsewhere—

20 “(i) a structure or an appurtenance
21 thereto designed for aquaculture;

22 “(ii) the land necessary for the struc-
23 ture or appurtenance;

24 “(iii) equipment that is for use with
25 the structure or appurtenance and that is

1 necessary to perform a function described
2 in clause (i); and

3 “(iv) a vessel built in the United
4 States and used for, equipped to be used
5 for, or of a type normally used for, aqua-
6 culture.”.

7 (8) by inserting after paragraph (6), as redesign-
8 nated, the following:

9 “(7) QUALIFIED FISHERY FACILITY.—The term
10 ‘qualified fishery facility’ means—

11 “(A) for operations on land—

12 “(i) a structure or an appurtenance
13 thereto designed for unloading and receiv-
14 ing from a vessel, processing, holding
15 pending processing, distribution after proc-
16 essing, or holding pending distribution, of
17 fish from a fishery;

18 “(ii) the land necessary for the struc-
19 ture or appurtenance; and

20 “(iii) equipment that is for use with
21 the structure or appurtenance and nec-
22 essary to perform a function described in
23 clause (i);

24 “(B) for operations not on land, a vessel
25 built in the United States and used for,

1 equipped to be used for, or of a type normally
2 used for, processing fish; or

3 “(C) for aquaculture, including operations
4 on land or elsewhere—

5 “(i) a structure or an appurtenance
6 thereto designed for aquaculture;

7 “(ii) the land necessary for the struc-
8 ture or appurtenance;

9 “(iii) equipment that is for use with
10 the structure or appurtenance and nec-
11 essary for performing a function described
12 in clause (i); and

13 “(iv) a vessel built in the United
14 States.”.

15 (b) ELIGIBLE FISHERY FACILITIES.—

16 (1) DEFINITION OF SECRETARY.—Paragraph
17 (9)(A) of section 53501 of title 46, United States
18 Code, as redesignated by subsection (a) of this sec-
19 tion, is amended to read as follows:

20 “(A) the Secretary of Commerce with re-
21 spect to—

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

1 “(ii) an eligible fishery facility or a
2 qualified fishery facility; and”.

3 (2) ESTABLISHING A CAPITAL CONSTRUCTION
4 FUND.—Section 53503 of title 46, United States
5 Code, is amended—

6 (A) in subsection (a)—

7 (i) by inserting “or eligible fishery fa-
8 cility” after “eligible vessel”; and

9 (ii) by striking the period at the end
10 and inserting “or fishery facility.”; and

11 (B) by amending subsection (b) to read as
12 follows:

13 “(b) ALLOWABLE PURPOSE.—The purpose of the
14 agreement shall be—

15 “(1) to provide replacement vessels, additional
16 vessels, or reconstructed vessels, built in the United
17 States and documented under the laws of the United
18 States, for operation in the United States foreign,
19 Great Lakes, noncontiguous domestic, or short sea
20 transportation trade or in the fisheries of the United
21 States; or

22 “(2) to provide for the acquisition, construction,
23 or reconstruction of a fishery facility.”.

24 (c) AGREEMENT FISHERY FACILITIES.—

1 (1) DEPOSITS AND WITHDRAWALS.—Section
2 53504(b) of title 46, United States Code, is amend-
3 ed by striking the period at the end and inserting
4 “or an agreement fishery facility.”.

5 (2) CEILING ON DEPOSITS.—Section 53505 of
6 title 46, United States Code, is amended—

7 (A) in subsection (a)—

8 (i) in paragraph (1), by inserting “or
9 agreement fishery facilities” after “agree-
10 ment vessels”;

11 (ii) in paragraph (2), by striking the
12 semicolon at the end and inserting “or
13 agreement fishery facilities;” and

14 (iii) in paragraph (3) by inserting “or
15 agreement fishery facility” after “agree-
16 ment vessel” both places that term ap-
17 pears; and

18 (B) in subsection (b)—

19 (i) by inserting “or agreement fishery
20 facility” after “an agreement vessel”; and

21 (ii) by inserting “or fishery facility”
22 after “the vessel”.

23 (d) TECHNICAL AMENDMENT.—Paragraph
24 (8)(A)(iii) of section 53501 of title 46, United States
25 Code, as redesignated by subsection (a) of this section,

1 is amended by striking “trade trade” and inserting
2 “trade”.

3 **SEC. 105. FISHERIES DISASTER RELIEF.**

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

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

7 (2) by inserting after paragraph (1) the fol-
8 lowing:

9 “(2) The Secretary shall make a decision re-
10 garding a request under paragraph (1) not later
11 than 90 days after the date the Secretary receives
12 a complete estimate of the economic impact of the
13 fishery resource disaster from the affected State,
14 tribal government, or fishing community.”.

15 **SEC. 106. REGIONAL FISHERY CONSERVATION AND MAN-**
16 **AGEMENT AUTHORITIES.**

17 (a) IN GENERAL.—Title III (16 U.S.C. 1851 et seq.)
18 is amended by inserting after section 313, the following:

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

21 “At least once every 5 years, the Gulf of Mexico Fish-
22 ery Management Council shall review, in accordance with
23 the provisions of this Act, any allocation of fishing privi-
24 leges among the commercial, recreational, and charter
25 components of a fishery managed under a fishery manage-

1 ment plan prepared by the Council, except that the Coun-
 2 cil may delay action for not more than 3 additional 1-year
 3 periods if necessary.

4 **“SEC. 313B. SOUTH ATLANTIC FISHERIES CONSERVATION**
 5 **AND MANAGEMENT.**

6 “At least once every 5 years, the South Atlantic Fish-
 7 ery Management Council shall review, in accordance with
 8 the provisions of this Act, any allocation of fishing privi-
 9 leges among the commercial, recreational, and charter
 10 components of a fishery managed under a fishery manage-
 11 ment plan prepared by the Council, except that the Coun-
 12 cil may delay action for not more than 3 additional 1-year
 13 periods if necessary.”.

14 (b) TABLE OF CONTENTS.—The table of contents in
 15 the first section is amended by inserting after the item
 16 relating to section 313, the following:

“313A. Gulf of Mexico fisheries conservation and management.
 “313B. South Atlantic fisheries conservation and management.”.

17 **SEC. 107. STUDY OF ALLOCATIONS IN MIXED-USE FISH-**
 18 **ERIES IN THE GULF OF MEXICO AND SOUTH**
 19 **ATLANTIC.**

20 (a) STUDY REQUIREMENTS.—Not later than 60 days
 21 after the date of the enactment of this Act, the Secretary
 22 of Commerce shall seek to enter into an arrangement with
 23 the National Academy of Sciences to conduct a study—

1 (1) to provide guidance on criteria that could be
2 used for allocating fishing privileges, including con-
3 sideration of the conservation and socioeconomic
4 benefits of the commercial, recreational, and charter
5 components of a fishery, to the Gulf of Mexico and
6 South Atlantic Regional Fishery Management Coun-
7 cils established under section 302 of the Magnuson-
8 Stevens Fishery Conservation and Management Act
9 (16 U.S.C. 1852) in the preparation of a fishery
10 management plan under that Act; and

11 (2) to identify sources of information that could
12 reasonably support the use of such criteria in alloca-
13 tion decisions.

14 (b) REPORT.—Not later than 1 year after the date
15 the Secretary enters into an arrangement under sub-
16 section (a), the Secretary shall submit to the Committee
17 on Commerce, Science, and Transportation of the Senate
18 and the Committee on Natural Resources of the House
19 of Representatives a report on the study conducted under
20 subsection (a).

21 (c) ALTERNATE CONTRACT SCIENTIFIC ORGANIZA-
22 TION.—

23 (1) IN GENERAL.—If the Secretary is unable
24 within the time period prescribed in subsection (a)
25 to enter into an agreement described in such sub-

1 section (a) with the National Academy of Sciences
 2 on terms acceptable to the Secretary, the Secretary
 3 shall seek to enter into such an agreement with the
 4 Atlantic Coastal Cooperative Statistics Program.

5 (2) TREATMENT.—If the Secretary enters into
 6 an agreement with the Atlantic Coastal Cooperative
 7 Statistics Program as described in paragraph (1),
 8 any reference in this section to the National Acad-
 9 emy of Sciences shall be treated as a reference to
 10 the Atlantic Coastal Cooperative Statistics Program.

11 **SEC. 108. REQUIREMENTS RELATING TO EXPERIMENTAL**
 12 **FISHING PERMITS FOR FISHING IN GULF OF**
 13 **MEXICO OR SOUTH ATLANTIC.**

14 Section 318(d) (16 U.S.C. 1867(d)) is amended—

15 (1) by striking “Not later” and inserting the
 16 following:

17 “(1) IN GENERAL.—Not later”; and

18 (2) by adding at the end the following:

19 “(2) REQUIREMENTS RELATING TO GULF OF
 20 MEXICO AND SOUTH ATLANTIC.—

21 “(A) CONSULTATION.—The Regional Ad-
 22 ministrator or Director shall consult with the
 23 State Fish and Wildlife Agency of any State
 24 with a fishing community that would be af-
 25 fected by the issuance of an experimental fish-

1 ing permit under paragraph (1) for fishing in
 2 Federal waters in the Gulf of Mexico or the
 3 South Atlantic before issuing such permit.

4 “(B) LIMITATION.—The process created
 5 under paragraph (1) may not be used in such
 6 manner as to implement a region-wide limited
 7 access privilege program under section 303A or
 8 a sector allocation.”.

9 **TITLE II—FISHERY INFORMA-**
 10 **TION, RESEARCH, AND DE-**
 11 **VELOPMENT**

12 **SEC. 201. FISHERIES RESEARCH.**

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

16 “(e) STOCK ASSESSMENT PLAN.—

17 “(1) IN GENERAL.—The Secretary, in consulta-
 18 tion with the Councils, shall develop, submit to Com-
 19 mittee on Commerce, Science, and Transportation of
 20 the Senate and the Committee on Natural Resources
 21 of the House of Representatives, and publish in the
 22 Federal Register, on the same schedule as required
 23 for the strategic plan required under subsection (b),
 24 a plan to conduct stock assessments for all stocks of

1 fish for which a fishery management plan is in effect
2 under this Act.

3 “(2) CONTENTS.—The plan shall—

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

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

11 “(ii) subject to the availability of ap-
12 propriations, require completion of a new
13 stock assessment, or an update of the most
14 recent stock assessment—

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

19 “(II) within such other time pe-
20 riod specified and justified by the Sec-
21 retary in the plan;

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

1 “(i) establish a schedule for con-
2 ducting an initial stock assessment that is
3 reasonable given the biology and character-
4 istics of the stock; and

5 “(ii) subject to the availability of ap-
6 propriations, require completion of the ini-
7 tial stock assessment not later than 3
8 years after the date that the plan is pub-
9 lished in the Federal Register unless an-
10 other time period is specified and justified
11 by the Secretary in the plan; and

12 “(C) identify data and analysis, especially
13 concerning recreational fishing, that, if avail-
14 able, would reduce uncertainty in and improve
15 the accuracy of future stock assessments, in-
16 cluding whether that data and analysis could be
17 provided by State fish and wildlife agencies,
18 fishermen, fishing communities, universities, re-
19 search institutions, and philanthropic organiza-
20 tions.

21 “(3) WAIVER OF STOCK ASSESSMENT REQUIRE-
22 MENT.—Notwithstanding subparagraphs (A)(ii) and
23 (B)(ii) of paragraph (2), a stock assessment shall
24 not be required for a stock of fish in the plan if the
25 Secretary determines that such a stock assessment

1 is not necessary and justifies the determination in
2 the Federal Register notice required by this sub-
3 section.”.

4 (b) DEADLINE.—Notwithstanding paragraph (1) of
5 section 404(e) of the Magnuson-Stevens Fishery Con-
6 servation and Management Act, as added by this section,
7 the Secretary of Commerce shall issue the first stock as-
8 sessment plan under that section by not later than 1 year
9 after the date of the enactment of this Act.

10 **SEC. 202. IMPROVING SCIENCE.**

11 (a) IMPROVING DATA COLLECTION AND ANALYSIS.—

12 (1) IN GENERAL.—Section 404 (16 U.S.C.
13 1881c), as amended by section 201 of this Act, is
14 further amended by adding at the end the following:

15 “(f) IMPROVING DATA COLLECTION AND ANAL-
16 YSIS.—

17 “(1) IN GENERAL.—The Secretary, in consulta-
18 tion with the scientific and statistical committees of
19 the Councils established under section 302(g), shall
20 develop and submit to the Committee on Commerce,
21 Science, and Transportation of the Senate and the
22 Committee on Natural Resources of the House of
23 Representatives a report on facilitating greater in-
24 corporation of data, analysis, stock assessments, and
25 surveys from State fish and wildlife agencies, fisher-

1 men, fishing communities, universities, research in-
2 stitutions, and philanthropic organizations, into fish-
3 eries management decisions.

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

6 “(A) identify types of data and analysis,
7 especially concerning recreational fishing, that
8 can be reliably used for purposes of this Act
9 and the basis for establishing conservation and
10 management measures as required by section
11 303(a)(1), including setting standards for the
12 collection and use of that data and analysis in
13 stock assessments and surveys and for other
14 purposes;

15 “(B) provide specific recommendations for
16 collecting data and performing analyses identi-
17 fied as necessary to reduce the uncertainty re-
18 ferred to in section 404(e)(2)(C);

19 “(C) consider the extent to which it is pos-
20 sible to establish a registry of persons providing
21 such information; and

22 “(D) consider the extent to which the ac-
23 ceptance and use of data and analysis identified
24 in the report in fishery management decisions is
25 practicable.”.

1 (2) DEADLINE.—The Secretary of Commerce
2 shall submit the report required by section 404(f) of
3 the Magnuson-Stevens Fishery Conservation and
4 Management Act, as added by paragraph (1), not
5 later than 1 year after the date of the enactment of
6 this Act.

7 (b) NAS REPORT RECOMMENDATIONS.—The Sec-
8 retary of Commerce shall consider, and to the extent fea-
9 sible, implement the recommendations of the National
10 Academy of Sciences in its report entitled “Review of the
11 Marine Recreational Information Program (2017)”, in-
12 cluding—

13 (1) prioritizing the evaluation of electronic data
14 collection for the Fishing Effort Survey, including
15 smartphone applications, electronic diaries for pro-
16 spective data collection, and an Internet website op-
17 tion; and

18 (2) evaluating whether the design of the Marine
19 Recreational Information Program for the purposes
20 of stock assessment and the determination of stock
21 management reference points is compatible with the
22 needs of in-season management of annual catch lim-
23 its and, if such program is incompatible with such
24 needs, determining an alternative method for in-sea-
25 son management that is consistent with the require-

1 ments of the Magnuson-Stevens Fishery Conserva-
2 tion and Management Act (16 U.S.C. 1801 et seq.).

○