

**Calendar No. 402**

111<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

**S. 2856**

**[Report No. 111–194]**

To allow the United States-Canada Transboundary Resource Sharing Understanding to be considered an international agreement for the purposes of section 304(e)(4) of the Magnuson-Stevens Fishery Conservation and Management Act.

---

IN THE SENATE OF THE UNITED STATES

DECEMBER 9, 2009

Ms. SNOWE (for herself and Mr. KIRK) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

MAY 24, 2010

Reported by Mr. ROCKEFELLER, with an amendment

[Strike all after the enacting clause and insert the part printed in italic]

---

**A BILL**

To allow the United States-Canada Transboundary Resource Sharing Understanding to be considered an international agreement for the purposes of section 304(e)(4) of the Magnuson-Stevens Fishery Conservation and Management Act.

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

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “International Fisheries  
3 Agreement Clarification Act”.

4 **SEC. 2. INTERNATIONAL FISHERIES AGREEMENTS.**

5 Section 304(e)(1) of the Magnuson-Stevens Fishery  
6 Conservation and Management Act (16 U.S.C.  
7 1854(e)(1)) is amended—

8 (1) by inserting “(A)” after “(1)”; and

9 (2) by adding at the end thereof the following:

10 “(B) The United States-Canada Transboundary  
11 Resource Sharing Understanding and other similar  
12 Understandings, and decisions made under those  
13 Understandings, shall be taken into account for pur-  
14 poses of paragraph (4)(A)(i). Paragraph (4)(A)(ii)  
15 shall not apply to stocks covered by such Under-  
16 standings. Notwithstanding section 302(h)(6) of this  
17 title, fishing level recommendations regarding re-  
18 building in any given year for such stocks may be  
19 exceeded as long as the fishing mortality level allows  
20 for progress toward rebuilding affected fish stocks,  
21 and overfishing is ended immediately according to  
22 the procedures set forth in this subsection.”.

23 **SEC. 3. EFFECTIVE DATE.**

24 The amendments made by section 2 shall apply with  
25 respect to fishing years beginning after April 30, 2010.

1 **SECTION 1. SHORT TITLE.**

2       *This Act may be cited as the “International Fisheries*  
 3 *Agreement Clarification Act”.*

4 **SEC. 2. INTERNATIONAL FISHERIES AGREEMENTS.**

5       *Section 304(e)(1) of the Magnuson-Stevens Fishery*  
 6 *Conservation and Management Act (16 U.S.C. 1854(e)(1))*  
 7 *is amended—*

8               *(1) by inserting “(A)” after “(1)”;* and

9               *(2) by adding at the end thereof the following:*

10              *“(B) The United States–Canada Transboundary*  
 11 *Resource Sharing Understanding and other related*  
 12 *Understandings, and decisions made under those Un-*  
 13 *derstandings, shall be taken into account for purposes*  
 14 *of paragraph (4)(A)(i). Paragraph (4)(A)(ii) shall*  
 15 *not apply to those portions of stocks covered by such*  
 16 *Understandings. Notwithstanding section 302(h)(6) of*  
 17 *this title, fishing level recommendations regarding re-*  
 18 *building in any given year for such stocks may be ex-*  
 19 *ceeded as long as the fishing mortality level allows for*  
 20 *progress toward rebuilding affected fish stocks, and*  
 21 *overfishing is ended immediately according to the*  
 22 *procedures set forth in this subsection.”.*

23 **SEC. 3. EFFECTIVE DATE.**

24       *The amendments made by section 2 shall apply with*  
 25 *respect to fishing years beginning after April 30, 2010.*

Calendar No. 402

11<sup>TH</sup> CONGRESS  
2<sup>D</sup> Session

**S. 2856**

[Report No. 111-194]

**A BILL**

To allow the United States-Canada Transboundary  
Resource Sharing Understanding to be consid-  
ered an international agreement for the purposes  
of section 304(e)(4) of the Magnuson-Stevens  
Fishery Conservation and Management Act.

MAY 24, 2009

Reported with an amendment