

112TH CONGRESS  
1ST SESSION

# H. R. 2304

To amend the Magnuson-Stevens Fishery Conservation and Management Reauthorization Act of 2006 to provide the necessary scientific information to properly implement annual catch limits, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

JUNE 22, 2011

Mr. WITTMAN (for himself, Mr. MILLER of Florida, Mr. ROSS of Arkansas, Mr. LATTA, Mr. SHULER, Mr. LANDRY, Mr. SOUTHERLAND, Mr. CASSIDY, Mr. BOUSTANY, Mr. HEINRICH, Mr. BOREN, Mr. HUNTER, Mr. GUINTA, Mr. FLEMING, Mr. BONNER, Mr. RIGELL, Mr. DUNCAN of South Carolina, and Mr. HARRIS) introduced the following bill; which was referred to the Committee on Natural Resources

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## A BILL

To amend the Magnuson-Stevens Fishery Conservation and Management Reauthorization Act of 2006 to provide the necessary scientific information to properly implement annual catch limits, 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.**

4 This Act may be cited as the “Fishery Science Im-  
5 provement Act of 2011”.

1 **SEC. 2. IMPROVEMENT OF SCIENTIFIC DATA FOR ANNUAL**  
2 **CATCH LIMITS.**

3 (a) SCIENTIFIC DATA REQUIRED FOR ANNUAL  
4 CATCH LIMITS.—

5 (1) IN GENERAL.—Section 104(b) of the Mag-  
6 nuson-Stevens Fishery Conservation and Manage-  
7 ment Reauthorization Act of 2006 (16 U.S.C. 1853  
8 note) is amended—

9 (A) in paragraph (1)(B)—

10 (i) by striking “2011” and inserting  
11 “2014”; and

12 (ii) by striking “and” after the semi-  
13 colon;

14 (B) in paragraph (2), by striking “and”  
15 after the semicolon;

16 (C) by redesignating paragraph (3) as  
17 paragraph (5); and

18 (D) by inserting after paragraph (2) the  
19 following:

20 “(3) shall not apply to a fishery for any stock  
21 of fish for which—

22 “(A) a peer reviewed stock survey and  
23 stock assessment have not been performed dur-  
24 ing the five-year period that ends on the date  
25 of enactment of the Fishery Science Improve-  
26 ment Act of 2011; and

1           “(B) the Secretary determines that over-  
2           fishing is not occurring;

3           “(4) shall not apply to a fishery for any stock  
4           of fish that is an ecosystem stock; and”.

5           (2) DEFINITION OF ECOSYSTEM STOCK.—Sec-  
6           tion 104 of the Magnuson-Stevens Fishery Con-  
7           servation and Management Reauthorization Act of  
8           2006 (16 U.S.C. 1853 note) is amended by adding  
9           at the end the following:

10          “(e) DEFINITION OF ECOSYSTEM STOCK.—In this  
11          section, the term ‘ecosystem stock’ means a stock of fish  
12          that the Secretary determines—

13                 “(1) is a nontarget stock; and

14                 “(2) is not overfished or likely to become over-  
15                 fished.”.

16          (b) STOCK ASSESSMENT FOR OVERFISHED FISH-  
17          ERIES.—Section 304(e)(2) of the Magnuson-Stevens Fish-  
18          ery Conservation and Management Act (16 U.S.C. 1854)  
19          is amended—

20                 (1) by striking “(2) If the Secretary” and in-  
21                 serting “(2)(A) If the Secretary”; and

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

23                 “(B) Not later than 270 days after the Sec-  
24                 retary makes a determination described in subpara-  
25                 graph (A), the Secretary shall perform a stock sur-

1       vey and stock assessment of each of the stocks that  
2       are overfished in the fishery and transmit the as-  
3       sessment to the appropriate Council.”.

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