

Commercial and recreational fishermen and the seafood industry that manages how the fish get from the boat to our table, they support this legislation. I want to reemphasize that that is perhaps unique. For the first time, all three elements—commercial, seafood industry, recreational fishermen—are all in support of updating this law in this particular fashion.

This bill provides flexibility, and it is a bill for the entire Nation. So it provides the flexibility that is essential for the fishing community in New England. It provides and incorporates State and local data on making fish population assessments, which is significant for the fish community in the Gulf of Mexico. It provides greater transparency as to how management decisions are made in a very open way, which is what it is supposed to be doing in the first place.

The proposed changes were not developed overnight. The Natural Resources Committee held 10 hearings, heard more than 80 witnesses over the last 4 years in deliberating over the changes that are needed to this particular law. That is why I am very pleased with the positive statements that have been made by both sides of the aisle on this legislation.

During the last Congress, the ranking member at that time said “the changes that were negotiated on a number of provisions of the bill” were something for which he thanked the majority.

Another one of the minority members was quoted also as saying: “I do appreciate the fact that you reached out to us on the Democratic side of the aisle and many of the provisions, as you mentioned, that are in the bill did come from input from the Democratic side.”

Those words speak for themselves. This bill is the product of years of work, having reached out to Members on both sides of the aisle, having reached out to Members in different regions of our country, reached out to stakeholders of varying perspectives, and we reached out to the agency to craft a reauthorization that improves the process. We have done that.

It is unfortunate in my mind the administration recently announced opposition to this bill. Rather than giving you my thoughts on that—or maybe that is a reason why you would support it in the first place—let me simply quote the New Bedford Standard-Times. They did an editorial in their paper in that bastion of conservatism, Massachusetts. They disagreed with the White House’s opposition to the bill, and they ended by saying: “Looking at the bill and its accomplishment of making management more responsive to science, and contrasting it with the empty arguments of the White House policy statement, it seems very clear where politics fits into this.”

Mr. Chairman, this bill is a win for consumers. It is a win for the industry that puts food on our tables. It is a win

for the restaurants. It is a win for the recreational fishermen. It is a win for better and more transparent science. It is a win for our environment. It is a win for the American taxpayers. There is no significant increase in the cost, but there is a significant increase in the solutions in this area, which is, once again, why all the major players who were involved in this—both the commercial side, recreational side—are in common agreement that this is the way we need to go forward.

Mr. Chairman, I reserve the balance of my time.

Mr. GRIJALVA. Mr. Chairman, I yield myself such time as I may consume.

Last year, the Natural Resources Committee reported a bill almost identical to this one with only one Democratic Member voting in favor. Dubbed the “Empty Oceans Act” by fishermen and conservationists across the country, the bill met stiff opposition both on and off Capitol Hill, and the Republican leadership did not bring it up for consideration by the full House. That showed remarkable restraint and good judgment.

Fast forward 1 year to today’s debate and the vote on legislation that has the same flaws and has drawn the same opposition. The only real difference is this time around, not a single committee Democrat voted to report the bill. Committee Republicans did not reach out to us to discuss changes that might have made this a bipartisan effort, even though the original Magnuson-Stevens Act and the 1996 and 2006 reauthorizations were bipartisan and passed both Houses of Congress with virtually no opposition.

Those efforts made necessary, legitimate, and incremental changes to U.S. fisheries law that have moved us closer and closer to achieving the goal of sustainable, profitable fisheries. We had an opportunity to reauthorize Magnuson and continue moving in the right direction, but once again, House Republicans have let partisanship get in the way of progress.

Instead of working with us to craft thoughtful, targeted legislation to update Magnuson, Republicans have taken this as an opportunity to assault bedrock conservation laws while at the same time taking us back to fisheries management policies that we know have failed fishing communities in the past.

As Chairman BISHOP said himself, when testifying before the Rules Committee last month, these are “not just modest amendments, these are major amendments.” I could not agree more.

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Provisions in the bill which will end successful efforts to rebuild overfished stocks and coastal economy are major amendments. Short-circuiting public review under NEPA is a major amendment. Overriding the Endangered Species Act, the Antiquities Act, and the National Marine Sanctuaries Act laws

that have made fisheries more sustainable and productive by protecting vulnerable sea life and valuable ocean habitat are major, major amendments.

These amendments are also unnecessary. NOAA recently announced that the value of U.S. fisheries has reached an all-time high, while the number of overfished stock has reached an all-time low. We should celebrate these gains, but also recognize we have room for improvement.

Not all fisheries have received the benefit of the transition to the sustainable harvest levels because transition is still underway. For example, overfishing of Atlantic cod in New England waters occurred in 2013 and 2014, despite the Magnuson mandate to end overfishing. The science-based conservation measures in the law will end this overfishing, rebuild the stocks, but not if the bill before us were to become law.

We must stay the course: fully rebuild fisheries that can contribute and will contribute \$31 billion to the economy and support half a million new jobs. We cannot afford to go back to the bad old days where politics trumped science in fishery management. Instead, let’s go back to the drawing board and work together on a bill to reauthorize Magnuson-Stevens and keep improving on our fisheries.

Mr. Chairman, I reserve the balance of my time.

The CHAIR. The Committee will rise informally.

The Speaker pro tempore (Mr. MCCLINTOCK) assumed the chair.

MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has passed bills of the following titles in which the concurrence of the House is requested:

S. 184. An act to amend the Indian Child Protection and Family Violence Prevention Act to require background checks before foster care placements are ordered in tribal court proceedings, and for other purposes.

S. 246. An act to establish the Alyce Spotted Bear and Walter Soboleff Commission on Native Children, and for other purposes.

The SPEAKER pro tempore. The Committee will resume its sitting.

STRENGTHENING FISHING COMMUNITIES AND INCREASING FLEXIBILITY IN FISHERIES MANAGEMENT ACT

The Committee resumed its sitting.

Mr. BISHOP of Utah. Mr. Chairman, I am pleased to yield 5 minutes to the gentleman from Alaska (Mr. YOUNG), the sponsor of this piece of legislation. He is the senior member of our committee, as well as someone who knows more about this issue than probably anyone else on the floor.

Mr. YOUNG of Alaska. Thank you to the chairman of the full committee.

Mr. Chairman, history is a wonderful thing. People who went through the

same experiences see things differently. For the record, I would like to correct the ranking member. While he is correct that the Magnuson bill that eventually became public law, H.R. 4946, passed the House under suspension of the rules, the original bill which passed the Natural Resources Committee, H.R. 5018, passed after a very long markup, with a vote of 26–15, with only four Democrats voting in favor of the bill. The gentleman from Arizona voted against the bill and signed dissenting views with six other Democrats. So this point that the previous reauthorization acts were non-controversial and nonpartisan is not true. I think whoever wrote that for the gentleman ought to, again, do a little correct history.

Mr. Chairman, as one who sponsored this bill way back in 1975, and it became law in 1976, it is probably the most successful legislation that ever passed this House to create a sustainable yield of fisheries for the United States of America. And to have someone try to hijack this legislation by interest groups when all those involved—the fishermen, the recreational, the commercial, the restaurants, the conservationists that know fisheries, the State of Alaska and all other States—support the Magnuson Act and the improvements we have made in this bill—yes, we have some flexibility.

The bill would amend the Magnuson-Stevens Fisheries Conservation Act, the premier law, as I mentioned before. It allows for regional management of fisheries. The law gives guidance through its national standards and creates the process that allows the councils to develop fishery management plans. The councils provide a regional or constituent-based approach.

Remember, this is not about the government. This bill was written by this Congress for the people, not NOAA, not NMSA, not the State Department, not the Sierra Club, and not the Pew group. It was written for fishermen for sustainable yields of fish for the communities. It provides a regional concept. It is critical to the protection of coastal economies and for allowing the stakeholders to be part of the management of the fisheries.

To address the ever-changing needs of fisheries and fishing communities—and I have been through this thing four times from the original to today—the Congress has passed various amendments to this act. Changes were based on knowledge of the times gained through experience, improvements in science, and better management techniques.

In the mid-1990s, Congress addressed overfishing, included protections for habitat, improvements for fisheries science, and reductions in bycatch. These were the issues of the time, and they were addressed as needed. A factor of that time also included the lack of resources to fund stock assessments to provide needed data to the regional fishery management councils, some-

thing that continues to be an issue today.

Mr. Chairman, a lot of decisions are made without science. The act was last amended in 2007. Congress included measures to set science-based annual catch limits to prevent overfishing, including a requirement to end overfishing within 2 years. Accountability measures were adopted, which meant harvest reductions if harvest levels were exceeded. According to the National Marine Fisheries Service, we have now reached the point where overfishing has effectively ended in this country.

H.R. 1335 started being developed 4 years ago. The committee held over a dozen hearings, with testimony from over 100 witnesses. As with past reauthorizations and in line with a main purpose of the act—to balance conservation with economic use of the resource—H.R. 1335 follows a middle road.

While many today may complain the bill's flexibility rolls back scientific protections, that is just not accurate. The flexibility in the bill is based on science. Rebuilding of fish stocks will be based on the biology of fish stock. Harvest levels will still be based on science and at levels where overfishing will not occur. The regional councils will continue to follow recommendations of their Science and Statistical Committee.

Mr. Chairman, during every reauthorization cycle, the Magnuson-Stevens Act is updated to be closely in sync with current-day science, management techniques, and knowledge. As the fishermen, communities, the councils, and fishery managers develop better techniques and learn lessons from implementing the law, Congress can take that knowledge to improve that law.

Flexibility is cornerstone of the law. The Magnuson-Stevens Act promotes regional flexibility recognizing differing ocean conditions, variations in regional fisheries, different harvesting methods and management techniques, and distinct community impacts.

Again, I want to stress this, Mr. Chairman. This bill was written for fish and communities, not all these other interest groups. As I said in the Rules Committee, I will not stand by and watch other interest groups hijack this piece of legislation, taking away the sustainable concept of our fisheries and the healthy concept of our fisheries and the healthy concept of our communities for other reasons and other causes. If you want to do that, do it in an independent legislation. We don't need any ocean antiquity acts.

The CHAIR. The time of the gentleman has expired.

Mr. BISHOP of Utah. Mr. Chairman, I yield the gentleman an additional 1 minute.

Mr. YOUNG of Alaska. Mr. Chairman, we don't need any sanctuaries in this bill. We don't need some outside groups telling the fishermen, the com-

munities, and the scientists—it is our belief—when they know little about it.

I happen to have the largest coastline in the whole of the United States all put together, and we have done the job we should be able to do. This bill makes this job easier for the United States of America for giving us the ability to have a sustainable yield of fish and the communities to be taken care of.

With that, Mr. Chairman, I strongly urge the passage of this legislation.

Mr. GRIJALVA. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I agree with the distinguished chairman, Mr. YOUNG, that the Magnuson Act is working and that we should leave it alone and allow it to work. The inclusion of previous reauthorizations of the Alaskan model, science-based, has been a key reason why it continues to work.

Mr. Chairman, I yield 2½ minutes to the gentleman from California (Mrs. CAPPs), my colleague.

Mrs. CAPPs. Mr. Chairman, I thank my colleague for yielding.

Mr. Chairman, I rise today in strong opposition to H.R. 1335, which would undermine the proven and effective management of our Nation's fisheries. For nearly 40 years, the Magnuson-Stevens Fishery Conservation and Management Act, MSA, has worked to protect America's fisheries and coastal economies. In more recent years, it has established programs to protect and restore depleted fish stocks, ensuring these resources will be around for years to come. And, Mr. Chairman, these programs are working. In fact, last year marked the lowest number of fishery stocks subject to overfishing or overfished.

Ensuring that fish stocks are healthy is essential to the long-term success of the fishing industry and to food and job security. But protecting and restoring these stocks require that we both acknowledge the need to manage our fisheries and fund the science necessary to properly assess their health. Unfortunately, H.R. 1335 does just the opposite.

Instead of working in a bipartisan manner to improve and modernize MSA, H.R. 1335 would dismiss and roll back existing effective management efforts. It would weaken proven management standards. It would reduce the efficacy of fish stock rebuilding programs, and it will undermine existing laws that work in concert with MSA to protect our fisheries. And it would create gaping loopholes that allow for overfishing and mismanagement under the guise of increasing flexibility. These misguided provisions would threaten the viability of an entire industry and harm the health of our oceans simply to benefit a few special interests.

Mr. Chairman, effective fishery management ensures a sustainable industry by accounting for uncertainty and environmental change. And MSA works

hand in hand with other environmental legislation to ensure the long-term viability of fishery resources. Yet H.R. 1335 needlessly unravels this well-balanced system by undercutting other existing protections under key long-standing laws like the National Marine Sanctuaries Act, like the Endangered Species Act and the National Environmental Policy Act.

Mr. Chairman, there is bipartisan agreement on the need to protect and promote America's fishermen and the fishing industry, but rather than building on what is already working under current law, this bill would gut the proven management system that is currently in place.

We should work together and be striving to enhance smart, effective management and provide the resources our Nation's fishing communities are asking for. H.R. 1335 is shortsighted and counterproductive, and I urge all my colleagues to oppose it.

Mr. BISHOP of Utah. Mr. Chairman, I yield 3 minutes to the gentleman from Virginia (Mr. WITTMAN) to further speak about a position or an issue that has the support of the recreation community and the industry at the same time, which is unique. He is one of the senior members of our committee.

Mr. WITTMAN. Mr. Chairman, as co-chairman of the Congressional Sportsmen's Caucus, I rise in strong support of H.R. 1335, the Strengthening Fishing Communities and Increasing Flexibility in Fisheries Management Act, and would like to thank my colleagues, Chairman ROB BISHOP and Subcommittee Chairman DON YOUNG, for all their efforts to bring this important piece of legislation to the House floor for a vote.

Mr. Chairman, according to the latest report released by the National Oceanic and Atmospheric Administration, in 2012, the U.S. domestic seafood industry had a sales impact of \$141 billion and supported approximately 1.3 million jobs. H.R. 1335 makes the necessary reforms to support these jobs and our fishermen by promoting better science and requiring State and local data to be considered in Federal decisionmaking about fisheries.

Last year I spoke with commercial fishermen from the Pacific Coast, Atlantic Coast, and the Gulf of Mexico, and the common theme in our discussions was the need for better data and scientific analysis to improve management.

The U.S. has a long and profitable heritage in fishing. To continue that heritage, we need to have quality, diverse data and scientific analysis to facilitate educated decisionmaking on fishery management. H.R. 1335 allows for just that.

Mr. Chairman, the bill increases transparency and provides much-needed flexibility in the law for fishery managers to properly consider the environmental and economic impacts of decisions affecting fishing communities. And it is important to note that

H.R. 1335 makes all of these key reforms to fisheries management without authorizing any new additional Federal spending. We can do the job with the existing resources.

This bill also makes great strides in the saltwater recreational fisheries. Saltwater recreational fishing alone has a \$70 billion impact on our Nation's economy and supports over 454,000 jobs. Marinas, grocery stores, restaurants, motels, lodges, tackle shops, boat dealerships, clothing manufacturers, gas stations, and a host of other businesses and entities benefit from the money spent by recreational anglers.

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This industry does not just impact coastal communities but enables job creation and robust economic development in a variety of regions across the country.

Improving recreational data collection and a transparent review of allocations in the Southeast are all great tools that H.R. 1335 gives NOAA to effectively manage a recreational industry that is a significant economic player in the United States economy.

H.R. 1335 is widely supported by a coalition of sportsmen and conservation groups, including the Congressional Sportsmen's Foundation and the Center for Coastal Conservation.

I urge my colleagues to vote "yes" on H.R. 1335 in support of access to our Nation's resources and the 1.3 million jobs that are supported by fishing.

Mr. GRIJALVA. Mr. Chairman, I yield myself such time as I may consume.

In addition to more than 100 commercial and recreational fishing groups and related businesses that have all opposed this legislation from the Atlantic Coast, Pacific Coast, the Gulf of Mexico, and related fishery and commercial areas, John Sackton, Seafood News, a respected market analyst for seafood, said that this act is a "recipe for overfishing, unsustainability, and would move U.S. world-class fisheries management backwards."

I yield 2 minutes to the gentlewoman from Michigan (Mrs. DINGELL), ranking member of the Oversight and Investigations Subcommittee for the Natural Resources Committee.

Mrs. DINGELL. Mr. Chairman, I thank my colleague for yielding.

I rise in opposition to H.R. 1335, legislation that is very important to reauthorize the historically bipartisan Magnuson-Stevens Act.

While I have nothing but the utmost respect for my colleague from Alaska (Mr. YOUNG), I am afraid that I fear that this legislation would take our fisheries management system in the wrong direction.

The bottom line is Magnuson-Stevens is working today. U.S. fisheries have been remarkably successful since the last reauthorization in 2007, and if it isn't broken, why should we try to fix it?

According to NOAA, 37 important fish stocks have been rebuilt to

healthy population levels since 2000, and the number of stocks subject to overfishing has been cut nearly in half since 2006.

H.R. 1335 would eliminate critical conservation tools that have been essential to our recent success and would also undermine critical environmental laws like the National Environmental Policy Act and the Endangered Species Act. I hope that we can work towards a compromise so that Magnuson-Stevens can be reauthorized in a bipartisan manner, as the last two bills were. Until then, I urge my colleagues to join me in opposing H.R. 1335.

Mr. BISHOP of Utah. Mr. Chairman, I am happy to yield 2 minutes to the gentleman from Georgia (Mr. JODY B. HICE), another great worker and a member of our committee.

Mr. JODY B. HICE of Georgia. Mr. Chairman, I rise in strong support of H.R. 1335, the Strengthening Fishing Communities and Increasing Flexibility in Fisheries Management Act.

Mr. Chairman, I would, first of all, like to thank the bill's sponsor, our colleague from Alaska (Mr. YOUNG), for his continued leadership on this important issue. Additionally, I commend Chairman BISHOP for ensuring that this bill has gone through regular order while being considered by the Natural Resources Committee.

H.R. 1335 makes necessary improvements to the Magnuson-Stevens Act. As you know, Mr. Chairman, our U.S. commercial fishermen generated \$5.1 billion in revenue between 2012 and 2014, and I know that with these necessary changes and improvements our fishermen will be able to contribute even more to our economy.

In addition to the impact that H.R. 1335 has had on our commercial fishing industry, this legislation also has a strong impact on the recreational side of the industry. For an industry that generates \$58 billion in sales while supporting nearly 400,000 jobs, H.R. 1335 encourages our local professionals to have a more active role in determining regulatory measures rather than the one-size-fits-all management approach that has been used in the past.

Furthermore, H.R. 1335 will also adjust the method of counting red snapper mortality. This is an important issue for the recreational fishermen because it will increase access to the waters in the Gulf of Mexico so that our Nation's sportsmen have the ability to enjoy our natural resources while making valuable contributions to the economy at the same time.

Mr. Chairman, this legislation has been crafted in a delicate way to ensure the necessary balance between our commercial and recreational fishermen. Both sides of the fishing industry will benefit from this bill and provide our States with more input.

I urge my colleagues to support H.R. 1335.

Mr. GRIJALVA. Mr. Chairman, I yield 3 minutes to the gentleman from New Jersey (Mr. PALLONE)

Mr. PALLONE. Mr. Chairman, I rise in opposition to H.R. 1335, the Magnuson-Stevens Act reauthorization before us today.

Management of fisheries in the United States is extremely important, especially in my home State of New Jersey, where the fishing industry is an important economic driver of the State's economy, generating billions of dollars a year in revenue and supporting tens of thousands of jobs.

This bill passed out of the House Natural Resources Committee without a single Democratic vote, and President Obama has threatened to veto it. This doesn't need to be a partisan issue. We should be working together in a bipartisan fashion to make commonsense reforms to Magnuson-Stevens.

There are important fishery management reforms in this bill that I strongly support, such as the flexibility language and modifications to the annual catch limit requirements. However, I am troubled by the language in the bill that makes unnecessary changes to NEPA, the Endangered Species Act, the National Marine Sanctuaries Act, and the Antiquities Act.

This bill would vest much of the authority over these statutes in the fishery management councils instead of with the appropriate Federal agency. It is not appropriate to vest regulatory authority for these purposes in a body like a fishery management council.

Fishery managers play an important role in crafting fishery management measures in consultation with NOAA fisheries. Yet, they lack the expertise to appropriately review and analyze the impacts and requirements of NEPA or the Endangered Species Act.

The legislation, Mr. Chairman, does include specific language I authored on recreational data collection, and I would like to thank the authors for including this important section. The goal of this language is to ensure the fishery management councils are collecting the best information possible about recreational fishing. It would implement a grant program to allow States to improve recreational data collection and require the National Research Council to issue a report on improvements that have been made and need to be made with recreational fishing data collection and surveying. This will help us understand what is actually happening with fishing in any given year and ensure that we aren't needlessly closing healthy fisheries.

Mr. Chairman, there are positive reforms to Magnuson-Stevens in this legislation, but unfortunately it weakens important environmental laws such as NEPA and the ESA in the process. I think that is unfortunate. I wish we could have had a bipartisan bill that actually reforms Magnuson-Stevens in a preferable way.

Mr. BISHOP of Utah. Mr. Chairman, I yield myself such time as I may consume.

I appreciate the gentleman from New Jersey joining us here. I have to admit

in somewhat chagrin, I quoted you earlier in my speech when you were saying something very positive about this bill last time around. But I would also like to state for the record the concept of the Garden State Seafood Association, which is from your home State of New Jersey and which also supports this bill, as they had said simply that it adjusts "certain specific problematic regulations that have not proven to function as intended since they were added or amended in the last reauthorization a decade ago."

There are problems with the status quo this bill fixes.

I yield 3 minutes to the gentleman from South Carolina (Mr. DUNCAN), also a farm worker of our committee, and with appreciation for an amendment that he added in committee that made a significant impact, especially for the recreational fisheries of America.

Mr. DUNCAN of South Carolina. Mr. Chairman, I want to thank the chairman of the committee.

I rise today in support of H.R. 1335, the Strengthening Fishing Communities and Increasing Flexibility in Fisheries Management Act.

I want to thank my colleagues on the Natural Resources Committee for including my amendment in support of the findings of the Morris-Deal Commission.

One of the top priorities of the Morris-Deal Commission was requiring a review, and adjustment if warranted, of the allocations of mixed-sector fisheries.

Despite the tremendous importance that allocation decisions have in maximizing the benefits that our fisheries provide to the Nation, Federal fisheries managers have refused to revisit allocations—most of which were determined decades ago—primarily because of a lack of clear guidance on how decisions should be made and because these decisions are inherently difficult.

My amendment included in the committee text would prompt the development of criteria that should be considered in allocation decisions and require periodic allocation reviews. The language does not prescribe any specific shifts in existing allocations but rather a science-based review and potential adjustment if needed.

Recognizing the high number of important recreational fisheries in the region, the geographic scope of this provision is limited to just the South Atlantic and the Gulf of Mexico.

You see the poster beside me. As vice chairman of the Congressional Sportsmen's Caucus, I represent 1.3 million anglers in the organizations on this poster that they belong to that support this bill.

Let us be clear: the goal here is to allow more fishermen, whether they are commercial fishermen or recreational anglers, to be able to take more fish in a responsible manner. We want policy based on sound science compatible with the facts in the water,

not the uninformed opinions of an agenda-driven desk jockey bureaucrat in Washington, D.C.

This provision was in the MSA reauthorization bills introduced by Senators RUBIO and Begich in the 113th Congress.

Again, I want to thank my colleagues on the Natural Resources Committee for helping include this language, and I urge passage of the final bill. This is common sense to reauthorize Magnuson-Stevens. The gentleman from Alaska has done a tremendous job on this, and I urge passage.

Mr. GRIJALVA. Mr. Chairman, I yield 2 minutes to the gentlewoman from Maine (Ms. PINGREE).

Ms. PINGREE. Mr. Chairman, I thank Mr. GRIJALVA for the time.

I rise to support the reauthorization of the Magnuson-Stevens Act, but not the bill we have before us today.

Like many of my colleagues here in Congress who represent coastal States, I know the importance of a vibrant fishery and the importance of Federal policy in this area that keeps our Nation's fisheries moving forward. I live on a small offshore island, and many of my neighbors make their living as fishermen, as do many of my constituents.

The most lucrative fishery in my area is for lobsters, and it is one of the most successful and sustainable fisheries in America because lobstermen and -women have taken the long-term view.

It is so successful and so sustainable because it has been carefully regulated for decades. Strict rules have led to bigger and bigger catches and rising income for fishermen.

This fishery is proof that building a strong fishery happens first by ensuring there is a resource for fishermen to harvest.

Iconic species like haddock and pollock have been devastated by overfishing. They can still make a comeback, but not if we turn our backs on them and the fishermen who depend on them.

The collapse of many of these fisheries has taken its toll on fishing families and fishing communities, but slowly rebuilding these species is rebuilding our hope for the future.

Now is not the time to abandon these efforts. Now is not the time to give up on the progress we have already made.

The only way to guarantee healthy fishing communities over the long term is to rebuild the fish stocks using science-based methods, and I would ask my colleagues to support more funding for science.

The future of many coastal communities is based on sustainable fisheries, not rolling back management systems that give just a few fishermen a short-term boost.

I urge my colleagues to support many of the amendments that will be on the floor this afternoon that will try to improve this legislation, and I urge a "no" vote on the underlying bill.

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Mr. BISHOP of Utah. Mr. Chairman, I am pleased to yield 2 minutes to the gentleman from New Jersey (Mr. MACARTHUR), another hard-working member of our committee.

Mr. MACARTHUR. Mr. Chairman, there are probably almost as many boats as people in my district, and that is because I represent one of the most beautiful stretches of the Atlantic Ocean, from north to south, the southern part of the Jersey Shore.

I have thousands of charter and commercial fishermen and tens of thousands of recreational fishermen who either make their living from the sea or get some respite and go out and do some recreational fishing.

I hear from them all the time that the current Magnuson-Stevens Act is simply not working any more for them. It is outdated. It is arbitrary. We are continuing to protect fish stocks that have been completely rebuilt, and it is based on knee jerk, not sound science today. It is desperately in need of reform.

The economic impact in my State alone is \$1.3 billion from the recreational side and over \$2 billion from the commercial side. It is 30,000 jobs. There is nobody who lives along the coast who wants to go back to the Wild West days when anyone can catch whatever they want and destroy the fish stocks. Nobody wants that, but the current system is not working, and it needs to be reformed. This is a good bill that offers real solutions.

It preserves fish stocks; yet it recognizes the needs of our fishermen, and it relies on fact-based science. An amendment that I proposed and I am particularly pleased with is that it encourages marine students to be involved in the data collection, and it requires the government to look to them for that. We can do it at a lower cost and with better results.

I encourage my colleagues not to let the perfect become the enemy of the good. It is a good bill, and it deserves to be approved. I urge my colleagues to stand behind it.

Mr. GRIJALVA. Mr. Chairman, I yield 2 minutes to the gentlewoman from Florida (Ms. GRAHAM).

Ms. GRAHAM. Mr. Chairman, in the panhandle of north Florida, red snapper is a way of life. Thousands of commercial fishermen and charter boat captains depend on a healthy catch to make a living.

Tens of thousands of recreational fishermen spend their free time and are personally invested in fishing, and hundreds of restaurants serve red snapper to hundreds of thousands of visitors to the area every year. Seafood is a \$7 billion industry the Gulf, and red snapper is a big part of it.

Like any valuable asset, we need to preserve our fisheries for future generations. I applaud the chairman and the ranking member for opening this dialogue about how we can improve current law, protect our ocean re-

sources, and best serve our constituents. Unfortunately, I think this bill falls short in its current form.

My constituents tell me there are more red snapper in the Gulf than there have been in a long time. I think that shows, at least in part, that this law is working, but I also hear of widespread distrust of the system and of the data that the system produces. In that regard, Magnuson isn't working nearly as well as it could, and I want to recognize some of the healthy reforms in this bill that could improve the situation.

It is an extraordinary challenge to count all of the fish in the sea—it is nearly as hard to count how many fish are being caught—but I think we could do both better by getting the States and stakeholders more involved and by promoting modern electronic monitoring technologies as this bill does.

Despite those good provisions, Florida would not be Florida without ample opportunities for recreational fishing and a robust commercial fishing sector. While current law isn't perfect, I think the contentious nature of this floor debate is a good indication that this bill isn't going to do anything to narrow the divisions between sectors.

The CHAIR. The time of the gentlewoman has expired.

Mr. GRIJALVA. I yield the gentlewoman an additional 30 seconds.

Ms. GRAHAM. The better alternative is to keep doing what is working and to improve data collection techniques where they are lacking.

To that end, I am proud to support an increase of \$10 million, included in the CJS appropriations bill, aimed at improving the stock assessments and research needs for Gulf of Mexico fish stocks. These are the kinds of efforts that build real confidence in the fishery. I look forward to a meaningful conversation about how we can work together going forward.

Mr. BISHOP of Utah. Mr. Chairman, I appreciate the courtesy you gave to the gentlewoman from Florida in allowing her to finish her statement. She illustrates very clearly how the problems that exist are structural problems that can't simply be solved if we just add more money to the situation.

To further that issue, I yield 4 minutes to the gentleman from Texas (Mr. WEBER).

Mr. WEBER of Texas. Mr. Chairman, I thank the gentlewoman from Florida for her comments.

In Texas, we have a great snapper fishing industry as well—anglers, recreational. We have charter boat captains. We have a lot of commercial industry as well. By the way, my daughter and first three grandchildren live in Florida, so Florida is my second home.

Mr. Chairman, I rise to talk about H.R. 1335 and a proposed amendment by the gentleman from Louisiana, my great friend, GARRET GRAVES, to change the snapper fishing system.

The problem is that the plan that has been developed in his amendment is ac-

tually a plan that was developed by five people in secrecy who want to change the way NOAA does things and turn it over to the five States. That is a bad idea, and I will tell you why for just a whole bunch of reasons.

The current plan has been working since 2007, which actually doubled the population of snapper. Indeed, it has provided a 30 percent increase in the quota this very season. Businesses have been working all along the Texas coast and—to my gentlewoman friend from Florida—the Florida coast and the whole Gulf Coast area to develop lasting fisheries because their livelihoods depend on it.

Mr. Chairman, I am an air conditioning contractor. We have an air conditioning commission there in Texas that regulates us. We want people on that commission who understand the HVAC industry. We do everything in the industry to promote the industry, to make sure that we have a good, stable industry that takes care of customers in Texas.

I have to know and believe that it is the same way about the fishing industry. They want the fisheries to last. Restaurants depend on it. Americans depend on it. It is not just the anglers but those who want to go eat at some of the restaurants the gentlewoman from Florida referenced. There are a lot of groups opposed to Mr. GRAVES' amendment—the National Restaurant Association, the Texas Restaurant Association. Mr. Chairman, I have a list of 42 others.

Gulf red snapper is an American treasure, and it should be accessible to all, not just to those who can get a boat and a trailer and go fish for themselves. They ought to be available to all of the restaurants. We have heard the facts and figures about the number of jobs and the amount of revenue that have been brought in and how big that industry is.

My good friend from Louisiana, Dr. JOHN FLEMING, who is a member of the committee, has publicly stated that some tweaking is needed, but by all three groups of stakeholders: charter boat fishing, the commercial fishing industry, and the individual anglers. I heard with my own ears the chairman of the Natural Resources Committee state his willingness to work with all three groups in the coming days.

Mr. Chairman, government should not be in the business of picking winners and losers. To allow the group of five States to implement a plan—an unknown plan, I might add—would only put pressure on those individual States to outsupply the other States with a longer fishing season to attract anglers, tourists, and their money to outcompete the other States.

Fisheries would be devastated, and the livelihoods, jobs, and markets that are supplying red snapper to restaurants all across the country would be gone. Ultimately, it is the American consumers, who have come to like the

local seafood, who would be disenfranchised, not to mention the businesses that supply them.

Let's not throw the baby out with the bathwater or, dare I say, the fish with the saltwater. Let's bring all parties together in a thoughtful, deliberate, meaningful discussion that benefits all involved, not just a few.

For this reason, Mr. Chairman, I urge my colleagues to vote against the gentleman from Louisiana's amendment, well intentioned though it may be.

Mr. GRIJALVA. Mr. Chairman, may I inquire as to how much time remains?

The CHAIR. The gentleman from Arizona has 14 minutes remaining.

Mr. GRIJALVA. Mr. Chairman, I yield 2 minutes to my esteemed colleague from California (Mr. LOWENTHAL), a member of the Natural Resources Committee.

Mr. LOWENTHAL. Mr. Chairman, if gutting the successful conservation provisions of Magnuson were not enough, the problem also is that this bill will also weaken other bedrock environmental laws.

First, it makes Magnuson then in this reauthorization the controlling statute in the case of any kind of conflict with the Antiquities Act or the National Marine Sanctuaries Act.

If we think about this, there is no rationale for giving the councils that are authorized in Magnuson the authority to regulate fishing in marine sanctuaries or in monuments. Those areas represent just a tiny fraction of U.S. waters, and now, they are managed by scientists and other staff who consider more than just fishing interests.

We are really here to understand how do we balance fishing with the other purposes in order to protect vulnerable species and habitats. For the same reason that we don't allow State fish and game departments to make decisions about hunting in national parks or monuments on land, which we don't allow, these councils should not make decisions about fishing in our parks, our national marine sanctuaries, or in our national monuments at sea, but that is not enough.

The bill also takes a swipe at the Endangered Species Act by requiring these councils, not Federal agencies which are now responsible for the recovery of species, to implement the fishery restrictions necessary for Endangered Species compliance. These councils lack expertise, and they lack the resources to implement the Endangered Species Act.

What are we going to end up with? We are going to end up with recoveries that are going to be delayed, and the negative impacts to fishing communities are going to be prolonged, just the very thing that we wish not to happen.

The CHAIR. The time of the gentleman has expired.

Mr. GRIJALVA. Mr. Chairman, I yield the gentleman an additional 1 minute.

Mr. LOWENTHAL. As I said before, these assaults on key conservation

laws are far outside the scope of a fisheries bill. We are really talking about a fisheries bill. We should not be talking about gutting key conservation laws.

It is unfortunate that an historically bipartisan effort like the Magnuson reauthorization has now become the subject of an antienvironmental crusade.

Mr. BISHOP of Utah. Mr. Chairman, I yield 2 minutes to the gentleman from Georgia (Mr. AUSTIN SCOTT), who will address an issue that will be part of this bill and the discussion as it comes up.

Mr. AUSTIN SCOTT of Georgia. I thank the chairman, and I would also like to thank DON YOUNG for helping those of us recreational anglers as we try to remedy an injustice that has been done to the American sportsmen of the Gulf of Mexico.

I have listened to some of my colleagues say we should be fair and people should come to the table. Let me tell you what is happening at the table.

Mr. Chairman, the commercial fishermen get to fish 365 days a year for red snapper in the Gulf of Mexico. They get to use long lines and winches; yet the National Marine Fisheries Services and Dr. Roy Crabtree, through the Gulf Council, have chosen to limit to 10 days the man and the woman who just want to take their kid fishing, 10 days.

They think, by expanding the recreational season back to where it was before, that somehow that would hurt the fish in the Gulf of Mexico.

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Now they tell us that the reason they have had to cut us to 10 days is because there are so many more fish today and they are so much larger today that the recreational fishermen simply catch them much faster.

Well, in 2007, the recreational angler had 194 days to fish with their families in the Gulf of Mexico—194 days. In 8 years, they have taken the American family, the American sportsman, down to simply 10 days. It is proof that the American sportsman doesn't have a chance with the Federal Government in charge of the rulemaking process in the Gulf of Mexico with regard to the recreational snapper season.

The Garrett amendment, which I support, as I support the chairman's main piece of legislation, would simply give the States the right to set, based on science—not some arbitrary number, but based on science—the recreational seasons and bag limits for the recreational angler in the Gulf of Mexico.

Mr. Chairman, that is the only way—that is the only way—that the recreational season will be restored as we, the recreational anglers, were promised it would be restored when the stocks came back.

Now, one of the things I think we also need to discuss as we go forward with regard to snapper is who do the snapper belong to.

The CHAIR. The time of the gentleman has expired.

Mr. BISHOP of Utah. I yield an additional 30 seconds to the gentleman.

Mr. AUSTIN SCOTT of Georgia. Mr. Chairman, there are about 300 people that are currently allocated about 50 percent of the fish, the red snapper, in the Gulf of Mexico. When the commercial quota goes up, they automatically get an increase. Those fish belong to the public, and I think it is time to discuss whether or not any increase in the commercial quota should actually come and be auctioned as any other public resource would be when we made those additional resources available.

For now, the Garrett amendment goes a long way towards restoring the rights of the American angler, and I certainly hope that this House will support it.

Mr. GRIJALVA. Mr. Chairman, I yield myself such time as I may consume.

In closing, Congress first enacted the Fishery Conservation and Management Act in 1976, and the primary goals were two: to end the unregulated fishing by foreign fleets in U.S. waters, and to develop our domestic fleets that could reap the economic benefits of all the fishery resources, considerable resources that our Nation had.

The law worked. Foreign fishing was phased out and investments in domestic fleets were increased. Unfortunately, this capitalization worked so well that domestic fishing soon replaced foreign fleets in overexploiting U.S. fisheries.

In 1996 to 2007, the reauthorizations were enacted to end overfishing, period, promote rebuilding of overfished stocks, protect fish habitats, improve fisheries and habitats, and minimize bycatch. These changes ended overfishing in nearly all fisheries and put overfished stocks on a path to rebuilding. Most important, they insulated fishery management councils from pressure to make politically driven decisions that hurt fishing communities in the long run.

Contrary to those previous reauthorizations, H.R. 1335 was developed with very little input from Democrats and was ordered reported on a party line. I should note, at the last reauthorization, the other body made significant changes to the House-passed legislation and created a more bipartisan template that many of us could support.

The supporters of this bill will argue that the requirement to rebuild overfished stocks needs more flexibility, but the Magnuson Act has already proven to be plenty flexible. The law allows councils to delay rebuilding when the biology of the stock environmental conditions or international management considerations present challenges. Because of these broad but fair exemptions, more than 50 percent of all overfished stocks have rebuilding plans longer than a 10-year baseline in the act.

Further, current law gives councils 2 years to put a rebuilding plan in place and an additional year to reduce, rather than end, overfishing. That is 3 years of lead time before significant harvest restrictions go into effect.

What is more, the act only requires a rebuilding plan to have a 50 percent likelihood of success. If a council loses this coin flip, it does not have to shut down the fishery; instead, it has to start over. This is exactly how things have played out over the past few years with Atlantic cod in New England, where many argue the act has been too flexible.

History shows us that when councils have an excuse to delay rebuilding overfished stocks, the job will never get done. This bill makes up the following excuses that allow councils to avoid rebuilding:

It is too hard to work with other countries that may be impacting the stock of the fish, so we should just catch more, too, and deplete the stock faster;

The stock of the fish cannot be rebuilt by only limited fishing, so there is no point in trying to limit fishing if the effort is 99 percent of the problem;

It is inconvenient to rebuild the overfished stocks that swim with healthy stocks, so we should just keep catching the weak ones until they are listed under the Endangered Species Act;

And my personal favorite, there are unusual events that make rebuilding more difficult.

These excuses are each bad enough alone, but together they would render the rebuilding requirements of Magnuson completely meaningless. This bill would not give the Magnuson Act more flexibility; it would break it. With that, I urge a “no” vote on the legislation.

I yield back the balance of my time.

Mr. BISHOP of Utah. Mr. Chairman, I yield myself such time as I may consume.

There are some agencies of government that, if a bird were to fly over the Capitol, they would claim credit for it. That, perhaps, is one of the situations in which we find ourselves today. The problem is the status quo is not effective; it is not working.

Those who work and live in this area deal with this industry. They recognize that there is something that needs to be changed. That is why, as I stated earlier, the Garden State Seafood Association said there are problematic regulations that have not proven to function as intended—that is, in the status quo—while the National Fisheries Institute, another group that actually supports this bill, wants to do so because it would more effectively coordinate with the councils who are currently there.

We have a situation right now in which Southerners have spoken here—the gentleman from Texas, the gentlewoman from Florida—about problems that exist within the status quo. We are presenting, now, a bill that is supported by those who are working in the industry, supported by those who are commercial fishermen, and it is also supported by all the groups that represent the recreational fishers. They realize that this bill needs more flexibility.

To have a standard 10-year plan for every species when some of those species don't last 10 years is silly; it lacks common sense. We need to do that. There needs to be transparency, as some decisions are made behind closed doors. This bill mandates that that would not be the case. It needs to make sure that scientific data from all sources is used and recognized. That is not happening in the status quo. There needs to be the ability of cutting red tape.

Some people have talked about the change of NEPA without recognizing first that the law already mandates a similar process to NEPA, which has the exact same information. Requiring all these agencies to go through their process and then go through NEPA does not add to effectiveness or efficiency but does add to the opportunity of greater litigation costs.

All those issues are addressed in this particular bill. It needs to be reauthorized. We need to move forward. This is one of the bills that has taken a long time. It is 4 years in the process, with lots of discussion, lots of amendments. We are now moving this bill forward so it can go to the Senate. They can work their will. We can come back to a conference if necessary, but we must move forward in this for the benefit of the communities that use this area as their livelihood as well as this area as their recreation. The present system has flaws that need to be fixed.

Mr. Chairman, I yield back the balance of my time.

Mr. THOMPSON of California. Mr. Chair, I rise today in opposition to H.R. 1335, the Strengthening Fishing Communities and Increasing Flexibility in Fisheries Management Act. This short-sighted legislation undermines the longterm sustainability of fish populations putting fish stocks, coastal communities, and our nation's economy at risk.

In California, we are fortunate to have access to one of the world's most productive marine ecosystems. The California Current system drives highly productive fisheries that support 158,000 jobs and more than \$25 billion annually in commercial and recreational sales impacts. Nationwide, fisheries generated \$199 billion in sales impacts in 2012 and provided 1.7 million jobs. Commercial and recreational fisheries are a critical part of this nation's economy whose continued prosperity depends on getting fisheries management right.

In 2015, California entered its fourth year of extreme drought. This winter's snowpack levels were the lowest since 1950 and precipitation levels are at critical lows. That spells bad news for California salmon. High water temperatures lead to poor survival and low flows leave salmon stranded in drying pools. Unfortunately, this is not the first time we have faced this problem. In 2008, low flows and high in-stream temperatures coupled with low ocean productivity caused a crash in salmon populations, and for the first time since 1848, the California salmon fishery was closed and declared a federal fishery disaster. The Pacific Fishery Management Council had already prepared a fishery management plan for salmon, in accordance with the Magnuson-Stevens

Fishery Conservation and Management Act (MSA) guidelines, that prompted the fishery closure and set strict limits on harvest while the stock was rebuilding. Since the closure, salmon fisheries have rebounded, due in no small part to the swift action of the Council under the fishery management plan and rebuilding guidelines established by the MSA.

While we cannot make it rain in California, we can ensure that well-informed management of offshore salmon fisheries do not jeopardize the sustainability of this commercially-valuable species. The more fish we conserve in the ocean, the more return to streams to spawn, increasing our chances of making it through this drought with a salmon fishery intact.

The fact is, MSA is working. The implementation of stock rebuilding plans and annual catch limits have resulted in the recovery of 37 fish stocks since 2000. NOAA's 2014 Status of Stocks report indicates that fish stocks that are overfished or subject to overfishing are at an all-time low. This is a far cry from the over-exploited, overcapitalized fisheries of the past. We should be moving forward to build on those successes, not rolling them back. Since 2006, commercial fisheries revenue has risen 43 percent, and the rebuilding of all U.S. fish stocks would provide an additional \$31 billion in annual sales impacts and support 500,000 new jobs. Instead, H.R. 1335 would delay rebuilding timelines and allow exemptions to continue overfishing on depleted stocks, which is both ecologically and economically irresponsible. Current MSA provisions have proven their effectiveness in rebuilding stocks and provide the way forward for realizing our fisheries' full economic potential. There's something to be said for the old adage, “If it's not broken, don't fix it.”

That's not to say that fisheries management should remain stagnant. Just as scientific data collection and fisheries science is changing and improving, our fisheries management statute should also change to reflect the best available science. Fisheries managers and scientists have acknowledged that there are areas for improvement, including providing more clarity and flexibility within the current statutory limits. To that end, NOAA's National Marine Fisheries Service is currently undertaking a revision of the National Standard 1 guidelines, the regulations that govern fisheries management objectives and stock rebuilding timelines, to provide greater clarity on which fish stocks require rebuilding plans, greater flexibility for rebuilding timelines, and to incorporate the latest in ecosystem-based fisheries management. The proposed revisions would address many of the concerns outlined in this bill without undermining the critical conservation measures that have led to MSA's success. The determination on how to best manage fish stocks for a sustainable, profitable future is best left to the scientists, not Members of Congress.

Our oceans are increasingly under threat from climate change and ocean acidification, making strong, effective fisheries management more critical than ever. Unfortunately, H.R. 1335 does not deliver and I urge a NO vote on H.R. 1335.

The CHAIR. All time for general debate has expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule.

In lieu of the amendment in the nature of a substitute recommended by the Committee on Natural Resources, printed in the bill, it shall be in order to consider as an original bill for the purpose of amendment under the 5-minute rule an amendment in the nature of a substitute consisting of the text of Rules Committee Print 114-16. That amendment in the nature of a substitute shall be considered as read.

The text of the amendment in the nature of a substitute is as follows:

H.R. 1335

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

SECTION 1. SHORT TITLE.

This Act may be cited as the “Strengthening Fishing Communities and Increasing Flexibility in Fisheries Management Act”.

SEC. 2. DEFINITIONS.

In this Act, any term used that is defined in section 3 of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1802) shall have the same meaning such term has under that section.

SEC. 3. REFERENCES.

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

SEC. 4. FLEXIBILITY IN REBUILDING FISH STOCKS.

(a) GENERAL REQUIREMENTS.—Section 304(e) (16 U.S.C. 1854(e)) is amended—

(1) in paragraph (4)—

(A) in subparagraph (A)(i), by striking “possible” and inserting “practicable”;

(B) by amending subparagraph (A)(ii) to read as follows:

“(ii) may not exceed the time the stock would be rebuilt without fishing occurring plus one mean generation, except in a case in which—

“(I) the biology of the stock of fish, other environmental conditions, or management measures under an international agreement in which the United States participates dictate otherwise;

“(II) the Secretary determines that the cause of the stock being depleted is outside the jurisdiction of the Council or the rebuilding program cannot be effective only by limiting fishing activities;

“(III) the Secretary determines that one or more components of a mixed-stock fishery is depleted but cannot be rebuilt within that timeframe without significant economic harm to the fishery, or cannot be rebuilt without causing another component of the mixed-stock fishery to approach a depleted status;

“(IV) the Secretary determines that recruitment, distribution, or life history of, or fishing activities for, the stock are affected by informal transboundary agreements under which management activities outside the exclusive economic zone by another country may hinder conservation and management efforts by United States fishermen; and

“(V) the Secretary determines that the stock has been affected by unusual events that make rebuilding within the specified time period improbable without significant economic harm to fishing communities.”;

(C) by striking “and” after the semicolon at the end of subparagraph (B), by redesignating subparagraphs (B) and (C) as subparagraphs (C) and (D), and by inserting after subparagraph (A) the following:

“(B) take into account environmental condition including predator/prey relationships.”; and

(D) by striking the period at the end of subparagraph (D) (as so redesignated) and insert-

ing “; and”, and by adding at the end the following:

“(E) specify a schedule for reviewing the rebuilding targets, evaluating environmental impacts on rebuilding progress, and evaluating progress being made toward reaching rebuilding targets.”; and

(2) by adding at the end the following:

“(8) A fishery management plan, plan amendment, or proposed regulations may use alternative rebuilding strategies, including harvest control rules and fishing mortality-rate targets to the extent they are in compliance with the requirements of this Act.

“(9) A Council may terminate the application of paragraph (3) to a fishery if the Council’s scientific and statistical committee determines and the Secretary concurs that the original determination that the fishery was depleted was erroneous, either—

“(A) within the 2-year period beginning on the effective date a fishery management plan, plan amendment, or proposed regulation for a fishery under this subsection takes effect; or

“(B) within 90 days after the completion of the next stock assessment after such determination.”.

(b) EMERGENCY REGULATIONS AND INTERIM MEASURES.—Section 305(c)(3)(B) (16 U.S.C. 1855(c)(3)(B)) is amended by striking “180 days after” and all that follows through “provided” and inserting “1 year after the date of publication, and may be extended by publication in the Federal Register for one additional period of not more than 1 year, if”.

SEC. 5. MODIFICATIONS TO THE ANNUAL CATCH LIMIT REQUIREMENT.

Section 302 (16 U.S.C. 1852) is amended by adding at the end the following:

“(m) CONSIDERATIONS FOR MODIFICATIONS TO ANNUAL CATCH LIMIT REQUIREMENTS.—

“(1) CONSIDERATION OF ECOSYSTEM AND ECONOMIC IMPACTS.—In establishing annual catch limits a Council may, consistent with section 302(h)(6), consider changes in an ecosystem and the economic needs of the fishing communities.

“(2) LIMITATIONS TO ANNUAL CATCH LIMIT REQUIREMENT FOR SPECIAL FISHERIES.—Notwithstanding subsection (h)(6), a Council is not required to develop an annual catch limit for—

“(A) an ecosystem component species;

“(B) a fishery for a species that has a life cycle of approximately 1 year, unless the Secretary has determined the fishery is subject to overfishing; or

“(C) a stock for which—

“(i) more than half of a single-year class will complete their life cycle in less than 18 months; and

“(ii) fishing mortality will have little impact on the stock.

“(3) RELATIONSHIP TO INTERNATIONAL FISHERY EFFORTS.—Each annual catch limit may, consistent with section 302(h)(6), take into account—

“(A) management measures under international agreements in which the United States participates;

“(B) informal transboundary agreements under which fishery management activities by another country outside the exclusive economic zone may hinder conservation efforts by United States fishermen for a fish species for which any of the recruitment, distribution, life history, or fishing activities are transboundary; and

“(C) in instances in which no transboundary agreement exists, activities by another country outside the exclusive economic zone that may hinder conservation efforts by United States fishermen for a fish species for which any of the recruitment, distribution, life history, or fishing activities are transboundary.

“(4) AUTHORIZATION FOR MULTISPECIES COMPLEXES AND MULTIYEAR ANNUAL CATCH LIMITS.—For purposes of subsection (h)(6), a Council may establish—

“(A) an annual catch limit for a stock complex; or

“(B) annual catch limits for each year in any continuous period that is not more than three years in duration.

“(5) ECOSYSTEM COMPONENT SPECIES DEFINED.—In this subsection the term ‘ecosystem component species’ means a stock of fish that is a nontarget, incidentally harvested stock of fish in a fishery, or a nontarget, incidentally harvested stock of fish that a Council or the Secretary has determined—

“(A) is not subject to overfishing, approaching a depleted condition or depleted; and

“(B) is not likely to become subject to overfishing or depleted in the absence of conservation and management measures.”.

SEC. 6. DISTINGUISHING BETWEEN OVERFISHED AND DEPLETED.

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

(1) in paragraph (34), by striking “The terms ‘overfishing’ and ‘overfished’ mean” and inserting “The term ‘overfishing’ means”;

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

“(8a) The term ‘depleted’ means, with respect to a stock of fish or stock complex, that the stock or stock complex has a biomass that has declined below a level that jeopardizes the capacity of the stock or stock complex to produce maximum sustainable yield on a continuing basis.”.

(b) SUBSTITUTION OF TERM.—The Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.) is amended—

(1) in the heading of section 304(e), by striking “OVERFISHED” and inserting “DEPLETED”; and

(2) by striking “overfished” each place it appears and inserting “depleted”.

(c) CLARITY IN ANNUAL REPORT.—Section 304(e)(1) (16 U.S.C. 1854(e)(1)) is amended by adding at the end the following:

“The report shall distinguish between fisheries that are depleted (or approaching that condition) as a result of fishing and fisheries that are depleted (or approaching that condition) as a result of factors other than fishing. The report shall state, for each fishery identified as depleted or approaching that condition, whether the fishery is the target of directed fishing.”.

SEC. 7. TRANSPARENCY AND PUBLIC PROCESS.

(a) ADVICE.—Section 302(g)(1)(B) (16 U.S.C. 1852(g)(1)(B)) is amended by adding at the end the following: “Each scientific and statistical committee shall develop such advice in a transparent manner and allow for public involvement in the process.”.

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

“(G) Each Council shall make available on the Internet Web site of the Council—

“(i) to the extent practicable, a Webcast, an audio recording, or a live broadcast of each meeting of the Council, and of the Council Coordination Committee established under subsection (l), that is not closed in accordance with paragraph (3); and

“(ii) audio, video (if the meeting was in person or by video conference), or a searchable audio or written transcript of each meeting of the Council and of the meetings of committees referred to in section 302(g)(1)(B) of the Council by not later than 30 days after the conclusion of the meeting.

“(H) The Secretary shall maintain and make available to the public an archive of Council and scientific and statistical committee meeting audios, videos, and transcripts made available under clauses (i) and (ii) of subparagraph (G).”.

(c) FISHERY IMPACT STATEMENTS.—

(1) REQUIREMENT.—Section 303 (16 U.S.C. 1853) is amended—

(A) in subsection (a), by striking paragraph (9) and redesignating paragraphs (10) through (15) as paragraphs (9) through (14), respectively; and

(B) by adding at the end the following:

“(d) FISHERY IMPACT STATEMENT.—

“(1) Any fishery management plan (or fishery management plan amendment) prepared by any Council or by the Secretary pursuant to subsection (a) or (b), or proposed regulations deemed necessary pursuant to subsection (c), shall include a fishery impact statement which shall assess, specify and analyze the likely effects and impact of the proposed action on the quality of the human environment.

“(2) The fishery impact statement shall describe—

“(A) a purpose of the proposed action;

“(B) the environmental impact of the proposed action;

“(C) any adverse environmental effects which cannot be avoided should the proposed action be implemented;

“(D) a reasonable range of alternatives to the proposed action;

“(E) the relationship between short-term use of fishery resources and the enhancement of long-term productivity;

“(F) the cumulative conservation and management effects; and

“(G) economic, and social impacts of the proposed action on—

“(i) participants in the fisheries and fishing communities affected by the proposed action;

“(ii) participants in the fisheries conducted in adjacent areas under the authority of another Council, after consultation with such Council and representatives of those participants; and

“(iii) the safety of human life at sea, including whether and to what extent such measures may affect the safety of participants in the fishery.

“(3) A substantially complete fishery impact statement, which may be in draft form, shall be available not less than 14 days before the beginning of the meeting at which a Council makes its final decision on the proposal (for plans, plan amendments, or proposed regulations prepared by a Council pursuant to subsection (a) or (c)). Availability of this fishery impact statement will be announced by the methods used by the council to disseminate public information and the public and relevant government agencies will be invited to comment on the fishery impact statement.

“(4) The completed fishery impact statement shall accompany the transmittal of a fishery management plan or plan amendment as specified in section 304(a), as well as the transmittal of proposed regulations as specified in section 304(b).

“(5) The Councils shall, subject to approval by the Secretary, establish criteria to determine actions or classes of action of minor significance regarding subparagraphs (A), (B), (D), (E), and (F) of paragraph (2), for which preparation of a fishery impact statement is unnecessary and categorically excluded from the requirements of this section, and the documentation required to establish the exclusion.

“(6) The Councils shall, subject to approval by the Secretary, prepare procedures for compliance with this section that provide for timely, clear, and concise analysis that is useful to decisionmakers and the public, reduce extraneous paperwork and effectively involve the public, including—

“(A) using Council meetings to determine the scope of issues to be addressed and identifying significant issues related to the proposed action;

“(B) integration of the fishery impact statement development process with preliminary and final Council decisionmaking in a manner that provides opportunity for comment from the public and relevant government agencies prior to these decision points; and

“(C) providing scientific, technical, and legal advice at an early stage of the development of the fishery impact statement to ensure timely transmittal and Secretarial review of the proposed fishery management plan, plan amendment, or regulations to the Secretary.

“(7) Actions taken in accordance with this section are deemed to fulfill the requirements of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and all related implementing regulations.”

(2) EVALUATION OF ADEQUACY.—Section 304(a)(2) (16 U.S.C. 1854(a)(2)) is amended by striking “and” after the semicolon at the end of subparagraph (B), striking the period at the end of subparagraph (C) and inserting “; and”, and by adding at the end the following:

“(D) evaluate the adequacy of the accompanying fishery impact statement as basis for fully considering the environmental impacts of implementing the fishery management plan or plan amendment.”

(3) REVIEW OF REGULATIONS.—Section 304(b) (16 U.S.C. 1854(b)) is amended by striking so much as precedes subparagraph (A) of paragraph (1) and inserting the following:

“(b) REVIEW OF REGULATIONS.—

“(1) Upon transmittal by the Council to the Secretary of proposed regulations prepared under section 303(c), the Secretary shall immediately initiate an evaluation of the proposed regulations to determine whether they are consistent with the fishery management plan, plan amendment, this Act and other applicable law. The Secretary shall also immediately initiate an evaluation of the accompanying fishery impact statement as a basis for fully considering the environmental impacts of implementing the proposed regulations. Within 15 days of initiating such evaluation the Secretary shall make a determination and—”

(4) EFFECT ON TIME REQUIREMENTS.—Section 305(e) (16 U.S.C. 1855(e)) is amended by inserting “the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.)” after “the Regulatory Flexibility Act (5 U.S.C. 601 et seq.)”.

SEC. 8. LIMITATION ON FUTURE CATCH SHARE PROGRAMS.

(a) CATCH SHARE DEFINED.—Section 3 (16 U.S.C. 1802) is amended by inserting after paragraph (2) the following:

“(2a) The term ‘catch share’ means any fishery management program that allocates a specific percentage of the total allowable catch for a fishery, or a specific fishing area, to an individual, cooperative, community, processor, representative of a commercial sector, or regional fishery association established in accordance with section 303A(c)(4), or other entity.”

(b) CATCH SHARE REFERENDUM PILOT PROGRAM.—

(1) IN GENERAL.—Section 303A(c)(6)(D) (16 U.S.C. 1853a(c)(6)(D)) is amended to read as follows:

“(D) CATCH SHARE REFERENDUM PILOT PROGRAM.—

“(i) The New England, Mid-Atlantic, South Atlantic, and Gulf of Mexico Councils may not submit a fishery management plan or amendment that creates a catch share program for a fishery, and the Secretary may not approve or implement such a plan or amendment submitted by such a Council or a secretarial plan or amendment under section 304(c) that creates such a program, unless the final program has been approved, in a referendum in accordance with this subparagraph, by a majority of the permit holders eligible to participate in the fishery. For multispecies permits in the Gulf of Mexico, any permit holder with landings from within the sector of the fishery being considered for the catch share program within the 5-year period preceding the date of the referendum and still active in fishing in the fishery shall be eligible to participate in such a referendum. If a catch share program is not approved by the requisite number of permit holders, it may be revised and submitted for approval in a subsequent referendum.

“(ii) The Secretary may, at the request of the New England Fishery Management Council, allow participation in such a referendum for a fishery under the Council’s authority, by fishing vessel crewmembers who derive a significant portion of their livelihood from such fishing.

“(iii) The Secretary shall conduct a referendum under this subparagraph, including notifying all permit holders eligible to participate in the referendum and making available to them—

“(I) a copy of the proposed program;

“(II) an estimate of the costs of the program, including costs to participants;

“(III) an estimate of the amount of fish or percentage of quota each permit holder would be allocated; and

“(IV) information concerning the schedule, procedures, and eligibility requirements for the referendum process.

“(iv) For the purposes of this subparagraph, the term ‘permit holder eligible to participate’ only includes the holder of a permit for a fishery under which fishing has occurred in 3 of the 5 years preceding a referendum for the fishery, unless sickness, injury, or other unavoidable hardship prevented the permit holder from engaging in such fishing.

“(v) The Secretary may not implement any catch share program for any fishery managed exclusively by the Secretary unless first petitioned by a majority of those permit holders eligible to participate in the fishery.”

(2) LIMITATION ON APPLICATION.—The amendment made by paragraph (1) shall not apply to a catch share program that is submitted to, or proposed by, the Secretary of Commerce before the date of enactment of this Act.

(3) REGULATIONS.—Before conducting a referendum under the amendment made by paragraph (1), the Secretary of Commerce shall issue regulations implementing such amendment after providing an opportunity for submission by the public of comments on the regulations.

SEC. 9. REPORT ON FEE.

Section 304(d)(2) (16 U.S.C. 1854(d)(2)) is amended by adding at the end the following:

“(D) The Secretary shall report annually on the amount collected under this paragraph from each fishery and detail how the funds were spent in the prior year on a fishery-by-fishery basis, to—

“(i) Congress; and

“(ii) each Council from whose fisheries the fee under this paragraph were collected.”

SEC. 10. DATA COLLECTION AND DATA CONFIDENTIALITY.

(a) ELECTRONIC MONITORING.—

(1) ISSUANCE OF REGULATIONS.—

(A) REQUIREMENT.—The Secretary shall issue regulations governing the use of electronic monitoring for the purposes of monitoring fisheries that are subject to the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.).

(B) CONTENT.—The regulations shall—

(i) distinguish between monitoring for data collection and research purposes and monitoring for compliance and enforcement purposes; and

(ii) include minimum criteria, objectives, or performance standards for electronic monitoring.

(C) PROCESS.—In issuing the regulations the Secretary shall—

(i) consult with the Councils and fishery management commissions;

(ii) publish the proposed regulations; and

(iii) provide an opportunity for the submission by the public of comments on the proposed regulations.

(2) IMPLEMENTATION OF MONITORING.—

(A) IN GENERAL.—Subject to subparagraph (B), and after the issuance of the final regulations, a Council, or the Secretary for fisheries referred to in section 302(a)(3) of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1852(a)(3)), may, in accordance with the regulations, on a fishery-by-fishery basis and consistent with the existing objectives and management goals of a fishery management plan and the Act for a fishery issued by the Council or the Secretary, respectively, amend such plan—

(i) to incorporate electronic monitoring as an alternative tool for data collection and monitoring purposes or for compliance and enforcement purposes (or both); and

(ii) to allow for the replacement of a percentage of on-board observers with electronic monitoring.

(B) **COMPARABILITY.**—Subparagraph (A) shall apply to a fishery only if the Council or Secretary, respectively, determines that such monitoring will yield comparable data collection and compliance results.

(3) **PILOT PROJECTS.**—Before the issuance of final regulations, a Council, or the Secretary for fisheries referred to in section 302(a)(3), may, subject to the requirements of the Magnuson-Stevens Fishery Conservation and Management Act, on a fishery-by-fishery basis, and consistent with the existing objectives and management goals of a fishery management plan for a fishery issued by the Council or the Secretary, respectively, conduct a pilot project for the use of electronic monitoring for the fishery.

(4) **DEADLINE.**—The Secretary shall issue final regulations under this subsection by not later than 12 months after the date of enactment of this Act.

(b) **VIDEO AND ACOUSTIC SURVEY TECHNOLOGIES.**—The Secretary shall work with the Regional Fishery Management Councils and nongovernmental entities to develop and implement the use pursuant to the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.) of video survey technologies and expanded use of acoustic survey technologies.

(c) **CONFIDENTIALITY OF INFORMATION.**—

(1) **IN GENERAL.**—Section 402(b) (16 U.S.C. 1881a(b)) is amended—

(A) in paragraph (1)—

(i) by amending subparagraph (B) to read as follows:

“(B) to State or Marine Fisheries Commission employees as necessary for achievement of the purposes of this Act, subject to a confidentiality agreement between the State or Commission, respectively, and the Secretary that prohibits public disclosure of the identity of any person and of confidential information.”;

(ii) in subparagraph (E), by striking “limited access” and inserting “catch share”; and

(iii) in subparagraph (G), by striking “limited access” and inserting “catch share”;

(B) in paragraph (2)—

(i) in the matter preceding subparagraph (A), by inserting “, and information obtained through a vessel monitoring system or other technology used onboard a fishing vessel for enforcement or data collection purposes,” after “information”;

(ii) by striking “or” after the semicolon at the end of subparagraph (B); and

(iii) by striking subparagraph (C) and inserting the following:

“(C) as authorized by any regulations issued under paragraph (6) allowing the collection of observer information, pursuant to a confidentiality agreement between the observers, observer employers, and the Secretary prohibiting disclosure of the information by the observers or observer employers, in order—

“(i) to allow the sharing of observer information among observers and between observers and observer employers as necessary to train and prepare observers for deployments on specific vessels; or

“(ii) to validate the accuracy of the observer information collected; or

“(D) to other persons if the Secretary has obtained written authorization from the person who submitted such information or from the person on whose vessel the information was collected, to release such information for reasons not otherwise provided for in this subsection.”;

(C) by redesignating paragraph (3) as paragraph (6); and

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

“(3) Any information submitted to the Secretary, a State fisheries management agency, or a Marine Fisheries Commission by any person in compliance with the requirements of this Act, including confidential information, may only be used for purposes of fisheries management and monitoring and enforcement under this Act.

“(4) The Secretary may enter into a memorandum of understanding with the heads of other Federal agencies for the sharing of confidential information to ensure safety of life at sea or for fisheries enforcement purposes, including information obtained through a vessel monitoring system or other electronic enforcement and monitoring systems, if—

“(A) the Secretary determines there is a compelling need to do so; and

“(B) the heads of the other Federal agencies agree—

“(i) to maintain the confidentiality of the information in accordance with the requirements that apply to the Secretary under this section; and

“(ii) to use the information only for the purposes for which it was shared with the agencies.

“(5) The Secretary may not provide any vessel-specific or aggregate vessel information from a fishery that is collected for monitoring and enforcement purposes to any person for the purposes of coastal and marine spatial planning under Executive Order 13547, unless the Secretary determines that providing such information is important for maintaining or enhancing national security or for ensuring fishermen continued access to fishing grounds.”.

(2) **CONFIDENTIAL INFORMATION DEFINED.**—Section 3 (16 U.S.C. 1802) is further amended by inserting after paragraph (4) the following:

“(4a) The term ‘confidential information’ means—

“(A) trade secrets;

“(B) proprietary information;

“(C) observer information; and

“(D) commercial or financial information the disclosure of which is likely to result in harm to the competitive position of the person that submitted the information to the Secretary.”.

(d) **INCREASED DATA COLLECTION AND ACTIONS TO ADDRESS DATA-POOR FISHERIES.**—Section 404 (16 U.S.C. 1881c) is amended by adding at the end the following:

“(e) **USE OF THE ASSET FORFEITURE FUND FOR FISHERY INDEPENDENT DATA COLLECTION.**—

“(1) **IN GENERAL.**—

“(A) The Secretary, subject to appropriations, may obligate for data collection purposes in accordance with prioritizations under paragraph (3) a portion of amounts received by the United States as fisheries enforcement penalties.

“(B) Amounts may be obligated under this paragraph only in the fishery management region with respect to which they are collected.

“(2) **INCLUDED PURPOSES.**—The purposes referred to in paragraph (1) include—

“(A) the use of State personnel and resources, including fishery survey vessels owned and maintained by States to survey or assess data-poor fisheries for which fishery management plans are in effect under this Act; and

“(B) cooperative research activities authorized under section 318 to improve or enhance the fishery independent data used in fishery stock assessments.

“(3) **DATA-POOR FISHERIES PRIORITY LISTS.**—Each Council shall—

“(A) identify those fisheries in its region considered to be data-poor fisheries;

“(B) prioritize those fisheries based on the need of each fishery for up-to-date information; and

“(C) provide those priorities to the Secretary.

“(4) **DEFINITIONS.**—In this subsection:

“(A) The term ‘data-poor fishery’ means a fishery—

“(i) that has not been surveyed in the preceding 5-year period;

“(ii) for which a fishery stock assessment has not been performed within the preceding 5-year period; or

“(iii) for which limited information on the status of the fishery is available for management purposes.

“(B) The term ‘fisheries enforcement penalties’ means any fine or penalty imposed, or proceeds of any property seized, for a violation of this Act or of any other marine resource law enforced by the Secretary.

“(5) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated to the Secretary for each fiscal year to carry out this subsection up to 80 percent of the fisheries enforcement penalties collected during the preceding fiscal year.”.

SEC. 11. COOPERATIVE RESEARCH AND MANAGEMENT PROGRAM.

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

(1) in subsection (a), by inserting “(1)” before the first sentence, and by adding at the end the following:

“(2) Within one year after the date of enactment of the Strengthening Fishing Communities and Increasing Flexibility in Fisheries Management Act, and after consultation with the Councils, the Secretary shall publish a plan for implementing and conducting the program established in paragraph (1). Such plan shall identify and describe critical regional fishery management and research needs, possible projects that may address those needs, and estimated costs for such projects. The plan shall be revised and updated every 5 years, and updated plans shall include a brief description of projects that were funded in the prior 5-year period and the research and management needs that were addressed by those projects.”; and

(2) in subsection (c)—

(A) in the heading, by striking “FUNDING” and inserting “PRIORITIES”; and

(B) in paragraph (1), by striking all after “including” and inserting an em dash, followed on the next line by the following:

“(A) the use of fishing vessels or acoustic or other marine technology;

“(B) expanding the use of electronic catch reporting programs and technology; and

“(C) improving monitoring and observer coverage through the expanded use of electronic monitoring devices.”.

SEC. 12. COUNCIL JURISDICTION FOR OVERLAPPING FISHERIES.

Section 302(a)(1) (16 U.S.C. 1852(a)) is amended—

(1) in subparagraph (A), in the second sentence—

(A) by striking “18” and inserting “19”; and

(B) by inserting before the period at the end “and a liaison who is a member of the Mid-Atlantic Fishery Management Council to represent the interests of fisheries under the jurisdiction of such Council”;

(2) in subparagraph (B), in the second sentence—

(A) by striking “21” and inserting “22”; and

(B) by inserting before the period at the end “and a liaison who is a member of the New England Fishery Management Council to represent the interests of fisheries under the jurisdiction of such Council”.

SEC. 13. GULF OF MEXICO FISHERIES COOPERATIVE RESEARCH AND RED SNAPPER MANAGEMENT.

(a) **REPEAL.**—Section 407 (16 U.S.C. 1883), and the item relating to such section in the table of contents in the first section, are repealed.

(b) **REPORTING AND DATA COLLECTION PROGRAM.**—The Secretary of Commerce shall—

(1) in conjunction with the States, the Gulf of Mexico Fishery Management Council, and the recreational fishing sectors, develop and implement a real-time reporting and data collection program for the Gulf of Mexico red snapper fishery using available technology; and

(2) make implementation of this subsection a priority for funds received by the Secretary and allocated to this region under section 2 of the Act of August 11, 1939 (commonly known as the “Saltonstall-Kennedy Act”) (15 U.S.C. 713c-3).

(c) FISHERIES COOPERATIVE RESEARCH PROGRAM.—The Secretary of Commerce—

(1) shall, in conjunction with the States, the Gulf States Marine Fisheries Commission and the Atlantic States Marine Fisheries Commission, the Gulf of Mexico and South Atlantic Fishery Management Councils, and the commercial, charter, and recreational fishing sectors, develop and implement a cooperative research program authorized under section 318 for the fisheries of the Gulf of Mexico and South Atlantic regions, giving priority to those fisheries that are considered data-poor; and

(2) may, subject to the availability of appropriations, use funds received by the Secretary under section 2 of the Act of August 11, 1939 (commonly known as the “Saltonstall-Kennedy Act”) (15 U.S.C. 713c-3) to implement this subsection.

(d) STOCK SURVEYS AND STOCK ASSESSMENTS.—The Secretary of Commerce, acting through the National Marine Fisheries Service Regional Administrator of the Southeast Regional Office, shall for purposes of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.)—

(1) develop a schedule of stock surveys and stock assessments for the Gulf of Mexico Region and the South Atlantic Region for the 5-year period beginning on the date of the enactment of this Act and for every 5-year period thereafter;

(2) direct the Southeast Science Center Director to implement such schedule; and

(3) in such development and implementation—

(A) give priority to those stocks that are commercially or recreationally important; and

(B) ensure that each such important stock is surveyed at least every 5 years.

(e) USE OF FISHERIES INFORMATION IN STOCK ASSESSMENTS.—The Southeast Science Center Director shall ensure that fisheries information made available through fisheries programs funded under Public Law 112-141 is incorporated as soon as possible into any fisheries stock assessments conducted after the date of the enactment of this Act.

(f) STATE FISHERIES MANAGEMENT IN THE GULF OF MEXICO WITH RESPECT TO RED SNAPPER.—Section 306(b) (16 U.S.C. 1856(b)) is amended by adding at the end the following:

“(4) Notwithstanding section 3(11), for the purposes of managing the recreational sector of the Gulf of Mexico red snapper fishery, the seaward boundary of a coastal State in the Gulf of Mexico is a line 9 miles seaward from the baseline from which the territorial sea of the United States is measured.”.

(g) FUNDING OF STOCK ASSESSMENTS.—The Secretary of Commerce and the Secretary of the Interior, acting through the Bureau of Ocean Energy Management, shall enter into a cooperative agreement for the funding of stock assessments that are necessitated by any action by the Bureau with respect to offshore oil rigs in the Gulf of Mexico that adversely impacts red snapper.

SEC. 14. NORTH PACIFIC FISHERY MANAGEMENT CLARIFICATION.

Section 306(a)(3)(C) (16 U.S.C. 1856(a)(3)(C)) is amended—

(1) by striking “was no” and inserting “is no”; and

(2) by striking “on August 1, 1996”.

SEC. 15. ENSURING CONSISTENT MANAGEMENT FOR FISHERIES THROUGHOUT THEIR RANGE.

(a) IN GENERAL.—The Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.) is amended by inserting after section 4 the following:

“SEC. 5. ENSURING CONSISTENT FISHERIES MANAGEMENT UNDER CERTAIN OTHER FEDERAL LAWS.

“(a) NATIONAL MARINE SANCTUARIES ACT AND ANTIQUITIES ACT OF 1906.—In any case of a con-

flict between this Act and the National Marine Sanctuaries Act (16 U.S.C. 1431 et seq.) or the Antiquities Act of 1906 (16 U.S.C. 431 et seq.), this Act shall control.

“(b) FISHERIES RESTRICTIONS UNDER ENDANGERED SPECIES ACT OF 1973.—To ensure transparency and consistent management of fisheries throughout their range, any restriction on the management of fish in the exclusive economic zone that is necessary to implement a recovery plan under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) shall be implemented—

“(1) using authority under this Act; and

“(2) in accordance with processes and time schedules required under this Act.”.

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

“Sec. 4. Authorization of appropriations.

“Sec. 5. Ensuring consistent fisheries management under certain other Federal laws.”.

SEC. 16. LIMITATION ON HARVEST IN NORTH PACIFIC DIRECTED POLLOCK FISHERY.

Section 210(e)(1) of the American Fisheries Act (title II of division C of Public Law 105-277; 16 U.S.C. 1851 note) is amended to read as follows:

“(1) HARVESTING.—

“(A) LIMITATION.—No particular individual, corporation, or other entity may harvest, through a fishery cooperative or otherwise, a percentage of the pollock available to be harvested in the directed pollock fishery that exceeds the percentage established for purposes of this paragraph by the North Pacific Council.

“(B) MAXIMUM PERCENTAGE.—The percentage established by the North Pacific Council shall not exceed 24 percent of the pollock available to be harvested in the directed pollock fishery.”.

SEC. 17. RECREATIONAL FISHING DATA.

(a) RECREATIONAL DATA COLLECTION.—Section 401(g) (16 U.S.C. 1881(g)) is amended by redesignating paragraph (4) as paragraph (5), and by inserting after paragraph (3) the following:

“(4) FEDERAL-STATE PARTNERSHIPS.—

“(A) ESTABLISHMENT.—The Secretary shall establish partnerships with States to develop best practices for implementation of State programs established pursuant to paragraph (2).

“(B) GUIDANCE.—The Secretary shall develop guidance, in cooperation with the States, that details best practices for administering State programs pursuant to paragraph (2), and provide such guidance to the States.

“(C) BIENNIAL REPORT.—The Secretary shall submit to the Congress and publish biennial reports that include—

“(i) the estimated accuracy of the registry program established under paragraph (1) and of State programs that are exempted under paragraph (2);

“(ii) priorities for improving recreational fishing data collection; and

“(iii) an explanation of any use of information collected by such State programs and by the Secretary, including a description of any consideration given to the information by the Secretary.

“(D) STATES GRANT PROGRAM.—The Secretary shall make grants to States to improve implementation of State programs consistent with this subsection. The Secretary shall prioritize such grants based on the ability of the grant to improve the quality and accuracy of such programs.”.

(b) STUDY ON RECREATIONAL FISHERIES DATA.—Section 401(g) (16 U.S.C. 1881(g)) is further amended by adding at the end the following:

“(6) STUDY ON PROGRAM IMPLEMENTATION.—

“(A) IN GENERAL.—Not later than 60 days after the enactment of this paragraph, the Secretary shall enter into an agreement with the National Research Council of the National

Academy of Sciences to study the implementation of the programs described in this section. The study shall—

“(i) provide an updated assessment of recreational survey methods established or improved since the publication of the Council’s report ‘Review of Recreational Fisheries Survey Methods (2006)’;

“(ii) evaluate the extent to which the recommendations made in that report were implemented pursuant to paragraph (3)(B); and

“(iii) examine any limitations of the Marine Recreational Fishery Statistics Survey and the Marine Recreational Information Program established under paragraph (1).

“(B) REPORT.—Not later than 1 year after entering into an agreement under subparagraph (A), the Secretary shall submit a report to Congress on the results of the study under subparagraph (A).”.

SEC. 18. STOCK ASSESSMENTS USED FOR FISHERIES MANAGED UNDER GULF OF MEXICO COUNCIL’S REEF FISH MANAGEMENT PLAN.

(a) IN GENERAL.—Title IV (16 U.S.C. 1881 et seq.) is amended by adding at the end the following:

“SEC. 409. STOCK ASSESSMENTS USED FOR FISHERIES MANAGED UNDER GULF OF MEXICO COUNCIL’S REEF FISH MANAGEMENT PLAN.

“(a) IN GENERAL.—The Gulf States Marine Fisheries Commission shall conduct all fishery stock assessments used for management purposes by the Gulf of Mexico Fishery Management Council for the fisheries managed under the Council’s Reef Fish Management Plan.

“(b) USE OF OTHER INFORMATION AND ASSETS.—

“(1) IN GENERAL.—Such fishery assessments shall—

“(A) incorporate fisheries survey information collected by university researchers; and

“(B) to the extent practicable, use State, university, and private assets to conduct fisheries surveys.

“(2) SURVEYS AT ARTIFICIAL REEFS.—Any such fishery stock assessment conducted after the date of the enactment of the Strengthening Fishing Communities and Increasing Flexibility in Fisheries Management Act shall incorporate fishery surveys conducted, and other relevant fisheries information collected, on and around natural and artificial reefs.

“(c) CONSTITUENT AND STAKEHOLDER PARTICIPATION.—Each such fishery assessment shall—

“(1) emphasize constituent and stakeholder participation in the development of the assessment;

“(2) contain all of the raw data used in the assessment and a description of the methods used to collect that data; and

“(3) employ an assessment process that is transparent and includes—

“(A) includes a rigorous and independent scientific review of the completed fishery stock assessment; and

“(B) a panel of independent experts to review the data and assessment and make recommendations on the most appropriate values of critical population and management quantities.”.

(b) CLERICAL AMENDMENT.—The table of contents in the first section is amended by adding at the end of the items relating to title IV the following:

“Sec. 408. Deep sea coral research and technology program.

“Sec. 409. Stock assessments used for fisheries managed under Gulf of Mexico Council’s Reef Fish Management Plan.”.

SEC. 19. ESTIMATION OF COST OF RECOVERY FROM FISHERY RESOURCE DISASTER.

Section 312(a)(1) (16 U.S.C. 1861a(1)) is amended—

(1) by inserting “(A)” after “(1)”;

(2) by redesignating existing subparagraphs (A) through (C) as clauses (i) through (iii), respectively, of subparagraph (A) (as designated by the amendment made by paragraph (1)); and

(3) by adding at the end the following:

“(B) The Secretary shall publish the estimated cost of recovery from a fishery resource disaster no later than 30 days after the Secretary makes the determination under subparagraph (A) with respect to such disaster.”.

SEC. 20. DEADLINE FOR ACTION ON REQUEST BY GOVERNOR FOR DETERMINATION REGARDING FISHERY RESOURCE DISASTER.

Section 312(a) (16 U.S.C. 1861a(a)) is amended by redesignating paragraphs (2) through (4) as paragraphs (3) through (5), and by inserting after paragraph (1) the following:

“(2) The Secretary shall make a decision regarding a request from a Governor under paragraph (1) within 90 days after receiving an estimate of the economic impact of the fishery resource disaster from the entity requesting the relief.”.

SEC. 21. PROHIBITION ON CONSIDERING RED SNAPPER KILLED DURING REMOVAL OF OIL RIGS.

Any red snapper that are killed during the removal of any offshore oil rig in the Gulf of Mexico shall not be considered in determining under the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.) whether the total allowable catch for red snapper has been reached.

SEC. 22. PROHIBITION ON CONSIDERING FISH SEIZED FROM FOREIGN FISHING.

Any fish that are seized from a foreign vessel engaged in illegal fishing activities in the Exclusive Economic Zone shall not be considered in determining under the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.) the total allowable catch for that fishery.

SEC. 23. SUBSISTENCE FISHING.

(a) DEFINITION.—Section 3 (16 U.S.C. 1802) is amended by inserting after paragraph (43) the following:

“(43a)(A) 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 handicraft articles out of nonedible byproducts taken for personal or family consumption, for barter, or sharing for personal or family consumption; and for customary trade.

“(B) In this paragraph—

“(i) the term ‘family’ means all persons related by blood, marriage, or adoption, or any person living within the household on a permanent basis; and

“(ii) the term ‘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.”.

(b) COUNCIL SEAT.—Section 302(b)(2) (16 U.S.C. 1852(b)(2)) is amended—

(1) in subparagraph (A), by striking “or recreational” and inserting “, recreational, or subsistence fishing”; and

(2) in subparagraph (C), in the second sentence, by inserting “, and in the case of the Governor of Alaska with the subsistence fishing interests of the State,” after “interests of the State”.

(c) PURPOSE.—Section 2(b)(3) (16 U.S.C. 1801(b)(3)) is amended by striking “and recreational” and inserting “, recreational, and subsistence”.

SEC. 24. INTER-SECTOR TRADING OF COMMERCIAL CATCH SHARE ALLOCATIONS IN THE GULF OF MEXICO.

Section 301 (16 U.S.C. 1851) is amended by adding at the end the following:

“(c) INTER-SECTOR TRADING OF COMMERCIAL CATCH SHARE ALLOCATIONS IN THE GULF OF MEXICO.—Notwithstanding any other provision of this Act, any commercial fishing catch share allocation in a fishery in the Gulf of Mexico may only be traded by sale or lease within the same commercial fishing sector.”.

SEC. 25. 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 the Fishery Management Plan for Fish Resources of the Arctic Management Area issued by such Council, that makes available to commercial fishing, and establishes a sustainable harvest level, for any part of such zone, the Council shall set aside not less than 10 percent of the total allowable catch therein as a community development quota for coastal villages located north and east of the Bering Strait.”.

SEC. 26. PREFERENCE FOR STUDENTS STUDYING WATER RESOURCE ISSUES.

Section 402(e) (16 U.S.C. 1881a(e)) is amended by adding at the end the following:

“(4) The Secretary shall require that in the hiring of individuals to collect information regarding marine recreational fishing under this subsection, preference shall be given to individuals who are students studying water resource issues at an institution of higher education.”.

SEC. 27. PROCESS FOR ALLOCATION REVIEW FOR SOUTH ATLANTIC AND GULF OF MEXICO MIXED-USE FISHERIES.

(a) STUDY OF ALLOCATIONS IN MIXED-USE FISHERIES.—Not later than 60 days after the date of the enactment of this Act, the Secretary of Commerce shall enter into an arrangement with the National Academy of Sciences to conduct a study of the South Atlantic and Gulf of Mexico mixed-use fisheries—

(1) to provide guidance to Regional Fishery Management Councils established under section 302 of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1852) 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, in the preparation of a fishery management plan under that Act;

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

(3) to develop procedures for allocation reviews and potential adjustments in allocations based on the guidelines and requirements established by this section.

(b) PROCESS FOR ALLOCATION REVIEW AND ESTABLISHMENT.—The South Atlantic Fishery Management Council and the Gulf of Mexico Fishery Management Council shall—

(1) within 2 years after the date of the enactment of this Act, review the allocations of all mixed-use fisheries in the Councils’ respective jurisdictions; and

(2) every 3 years thereafter, perform subsequent reviews of such allocations; and

(3) consider the conservation and socioeconomic benefits of each sector in any allocation decisions for such fisheries.

SEC. 28. AUTHORIZATION OF APPROPRIATIONS.

Section 4 (16 U.S.C. 1803) is amended—

(1) by striking “this Act” and all that follows through “(7)” and inserting “this Act”; and

(2) by striking “fiscal year 2013” and inserting “each of fiscal years 2015 through 2019”.

The CHAIR. No amendment to the amendment in the nature of a substitute shall be in order except those

printed in House Report 114–128. Each such amendment may be offered only in the order printed in the report, by a Member designated in the report, shall be considered read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, may be withdrawn by the proponent at any time before action thereon, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

AMENDMENT NO. 1 OFFERED BY MRS. DINGELL

The CHAIR. It is now in order to consider amendment No. 1 printed in House Report 114–128.

Mrs. DINGELL. I have an amendment at the desk, Mr. Chairman.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Beginning at page 14, strike line 15 and all that follows through page 16, line 3 and insert closing quotation marks and a following period.

The CHAIR. Pursuant to House Resolution 274, the gentlewoman from Michigan (Mrs. DINGELL) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Michigan.

Mrs. DINGELL. Mr. Chairman, the National Environmental Policy Act, also called NEPA, is a critically important law, not only for protecting the environment, but also for protecting the people’s right to participate in government decisionmaking. Sadly, H.R. 1335, the bill we are considering today, would short-circuit public review and comment on fisheries management decisions, casting NEPA aside in favor of an inadequate, poorly defined process that would make regional fishery management councils the ultimate arbiters of whether or not their own decisions would impact coastal communities and ocean ecosystems.

Forcing important NEPA analysis to be fast-tracked onto a council’s timeline would eliminate crucial oversight steps that provide stakeholders an opportunity to impact the public policy. While I know my colleagues had good intentions, the practical impact of this language means that local communities and businesses will not have the same opportunity to comment and have input on decisions that will impact their livelihood.

I don’t think my colleagues on the other side of the aisle really want to limit public participation in this manner. My amendment simply strikes the harmful language from the bill that undermines NEPA because limiting transparency and accountability is not the right thing to do.

NEPA has a simple premise: look before you leap. For decades, NEPA has improved our environment and fostered fairness in our communities by ensuring that government remains accountable to the people. The NEPA process requires Federal agencies to review their proposed actions in light of their potential impacts on the human environment: the places where we all live, work, and play.

Most importantly, NEPA gives the public an opportunity to review and comment on actions proposed by the government, adding unique perspectives to the evaluation process that highly specialized, mission-driven agencies might otherwise ignore. In that way, NEPA is the ultimate check on Big Government, a uniquely American and quintessentially democratic—small D—law written and executed to help people protect their rights and freedoms. Our Founding Fathers would certainly be proud.

I hope that my colleagues will agree that existing NEPA protections should be preserved, and I ask that you vote in favor of my amendment.

I reserve the balance of my time.

Mr. BISHOP of Utah. Mr. Chairman, I claim time in opposition to the amendment.

The CHAIR. The gentleman is recognized for 5 minutes.

Mr. BISHOP of Utah. Mr. Chairman, in response to the amendment, I simply have to say no, it does not assume the system.

We do have a problem with transparency in the process that we have. The underlying bill changes that by requiring these decisions to be made public and made openly, but the specific issue that dealing with NEPA misses a step, misses an important point here.

Current law requires fishery management plans contain a fishery impact statement. That is required by law now, required by the bill as well. That is in line with everything you go through to do an environmental impact statement under NEPA.

What this amendment would do is simply require the process to do everything twice. You do a fishery impact statement first, and then you restate and redo the same business with the same cost attached to it for the NEPA analysis. That is simply red tape.

□ 1645

It is an unnecessary delay. It makes some of the scientific information obsolete before they are done. It burdens the management and the resource council, which is why those, once again, who work in this system have said this is an unnecessary part and one of the reasons they like the efficiency that has been added by the basic, underlying bill.

The most important reason, though, why you don't want to accept this amendment is, if you add two different approaches, two different statements that have to be made, you give attorneys two different opportunities to liti-

gate. You give more opportunities to litigate, more opportunities to delay, and that is ridiculous. It lacks common sense because you are doing the same thing in both processes. Cut the red tape, cut the litigation opportunity, cut the delays, and help us move forward.

I reject this amendment, and I reserve the balance of my time.

Mrs. DINGELL. Mr. Chairman, how much time do I have remaining?

The CHAIR. The gentlewoman from Michigan has 2 minutes remaining.

Mrs. DINGELL. I yield 1 minute to the gentlewoman from Maine (Ms. PINGREE).

Ms. PINGREE. Mr. Chairman, I rise today to support the Dingell amendment.

As many of us in Congress know, our Nation's fisheries do not work on artificial timelines. If we want to be sure that fishery plans are getting the critical National Environmental Policy Act analysis that conserve and preserve our resources, we can't force these NEPA studies to be fast-tracked.

The underlying bill would force important environmental analyses to be rushed and, therefore, cut stakeholders out of the process due to rapid timelines.

At a time when we are trying to make sure that we keep stakeholders engaged in the process, they would actually get less consideration under the bill that we have on the floor today.

We need to ensure that our communities are given a chance to weigh in on these plans, and in that process that we take a thorough look at the environmental impacts of these plans.

My colleague has said that her amendment would restore common sense and requires us to look before we leap. I couldn't agree more.

I urge my colleagues to oppose artificial timelines for environmental reviews, and I urge my colleagues to support the Dingell amendment.

Mr. BISHOP of Utah. I reserve the balance of my time.

Mrs. DINGELL. Mr. Chairman, I want to quickly respond to some of the comments made by the other side.

Federal agency responsibility for NEPA is effectively being eliminated by this law and an alternative, undefined process is being established hindering the public's ability to influence policies and protect their rights.

Stakeholders, including businesses and individuals, would get less consideration in the council process and would not have a way of voicing their concerns and influencing the directions of plans or projects that could threaten the environment or the livelihoods of these people. It is simply common sense that plans to manage our valuable resources be properly assessed before resources are harvested.

I urge adoption of my amendment, and I yield back the balance of my time.

Mr. BISHOP of Utah. I yield 1 minute to the gentleman from Alaska (Mr. YOUNG), the sponsor of the bill.

Mr. YOUNG of Alaska. I would just, again, like to remind my colleagues this was requested by the communities so there wouldn't be a delay. We are not eliminating NEPA. There is already a process in the Magnuson Act which was not there in the original act, I will say that, and I did support it when it went in. But to duplicate it and to require outside interests that they cannot respect those in the community—which is really what her amendment would do. It lets other outside interest groups get involved in this issue of sustainable fisheries.

This has always been a fishery community bill, not an outside bill or interest groups getting into the issues of sustainability and community activity through transparency. What you do is you start a duplication of the process. It is not necessary. We are not eliminating NEPA. We are just adding to it.

Mr. BISHOP of Utah. Let me close by simply saying this. The environmentally friendly approach would be not to accept this amendment because think of all the trees you are going to save from reprinting an extra report that says the same thing over again.

We are already doing this process in the law. Requiring NEPA plus the fishery statement is simply a replication of the process that is already there. It does not need to be there. You are not cutting anyone out, as has been said. It is simply one of those things that you need to do it the first time and do it right the first time, and you don't have to redo it a second time to allow lawyers to then come up with another chance to litigate one more time.

I reject the amendment. I urge its rejection.

I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentlewoman from Michigan (Mrs. DINGELL).

The question was taken; and the Chair announced that the noes appeared to have it.

Mrs. DINGELL. Mr. Chair, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from Michigan will be postponed.

The Chair understands that amendment No. 2 will not be offered.

AMENDMENT NO. 3 OFFERED BY MR. KEATING

The CHAIR. It is now in order to consider amendment No. 3 printed in House Report 114-128.

Mr. KEATING. Mr. Chair, I rise to offer an amendment.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 28, line 7, strike "and".

Page 28, line 11, strike the period and insert "; and".

Page 28, after line 11, insert the following: "(C) fishery research and independent stock assessments, conservation gear engineering, at-sea and shoreside monitoring, fishery impact statements, and other priorities established by the Council as necessary

to rebuild or maintain sustainable fisheries, ensure healthy ecosystems, and maintain fishing communities.”.

The CHAIR. Pursuant to House Resolution 274, the gentleman from Massachusetts (Mr. KEATING) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Massachusetts.

Mr. KEATING. Mr. Chairman, my amendment builds off of years of efforts to reform the use of the asset forfeiture fund. During this time, NOAA has conducted internal reviews and audits for the use of asset forfeiture monies. Yet I believe it is important that we authorize specific uses to help our struggling fishermen and, at the same time, promote sustainable fishing.

My amendment would ensure that forfeiture funds are used for five things: first, enhancing fishery research and stock assessments. This bill authorizes the use of State personnel and resources, things like cooperative research between industry and public science and use of vessels to serve a data-poor fisheries. My amendment expands beyond data-poor fisheries by authorizing broader use of forfeiture funds for research and independent stock assessments.

This is particularly important in the Northeast, where timely information may be the difference between the success or failure of a small fishing business.

Secondly, it deals with at-sea and shoreside monitoring. If there is one concern that I have heard consistently voiced from fishermen from New Bedford to the South Shore to Provincetown in Massachusetts, it is the transition of funding for monitoring from NOAA to fishermen.

It has been nearly 3 years since the Department of Commerce declared a fishing disaster in the Northeast. As the fishing industry continues to face the long-term challenges coming back from this disaster, this is no time to switch the burden of the cost of monitoring onto them.

Third, it advances conservation gear engineering. Additional funds will help fishermen develop and adopt new gear and technology to improve efficiency, reduce the impact on the marine environment, and promote sustainable fishing for future generations.

Commercial and recreational fishermen use an array of gear to target their catch. An unfortunate and fatal consequence is the inclusion of untargeted fish, turtles, and marine mammals as bycatch. Fortunately, there have been efforts underway nationwide to promote sustainable means of fishing, like scallopers in New Bedford developing the turtle dredge to protect sea turtles from interaction during scalloping, and the New England Aquarium collaborative that has developed acoustic pingers that successfully warn marine mammals away from gill nets.

Fourth, the amendment will help with additional research for fishery im-

pact statements. Under the bill, councils are required to develop fishery impact statements that take into account the purpose of a proposed management plan and its potential impact on fisheries and fishing communities. In doing so, the bill shifts the responsibility from NEPA to the councils. And while I have concerns about how this will be implemented, I do believe it is critical that we provide councils with adequate resources.

Finally, the bill and the amendment will help funding priorities of the regional fishery management councils, like efforts to rebuild or maintain sustainable fisheries and ensure healthy ecosystems.

There is no doubt that additional funding for these efforts is a win for fishermen on all coasts of our country.

With that, I yield the balance of my time to my colleague from Massachusetts (Mr. MOULTON).

Mr. MOULTON. I would like to thank my colleague and friend from Massachusetts (Mr. KEATING) for the time, and for all the work that he has done, along with Mr. LYNCH, on behalf of our Commonwealth's fishing communities.

I rise in strong support of this amendment, which clarifies the uses of NOAA's asset forfeiture fund so we can make smart investments in scientific research and preserve an economically viable fishing industry.

This amendment will provide our fishermen, shoreside businesses, and fishing communities with the assurance that the money in NOAA's asset forfeiture fund will go towards improving the science behind sustainable fishery management practices.

Additionally, the amendment offers fisheries councils the resources they need to better serve our fisheries and fishing communities.

At the end of the day, both the fishermen and the environmentalists want the same thing: healthy and sustainable fisheries. I believe that the amendment will help achieve this objective through meaningful and targeted uses of NOAA's asset forfeiture fund. I urge a “yes” vote on this amendment.

Mr. KEATING. I yield back the balance of my time.

Mr. BISHOP of Utah. Mr. Chairman, I ask unanimous consent to claim the time in opposition to the amendment, although I am not opposed to the amendment.

The CHAIR. Is there objection to the request of the gentleman from Utah?

There was no objection.

The CHAIR. The gentleman is recognized for 5 minutes.

Mr. BISHOP of Utah. In 2010, the Department of Commerce inspector general reported that NOAA was misusing these funds for all sorts of purposes not actually helping the fishing community. That is one of the reasons why we are clearly saying the status quo has problems, and this bill needs to go forward.

This bill recognized that these funds should not be used to add to the bu-

reaucracy, and therefore in the base bill we actually put in provisions to allow up to 80 percent of these enforcement funds to be used for collection and data and science.

What Mr. KEATING and others have done, though, is take the process one step further in something I think is a very commonsense solution to a problem that we do have in the status quo. I appreciate what you are doing, and I support this amendment.

I urge everyone to vote “yes,” and I yield back balance of my time.

Mr. LYNCH. Mr. Chair, I rise in strong support of the Keating-Lynch-Moulton amendment to allow monies from the asset forfeiture fund to be available for expanded uses. I want to commend my colleagues from Massachusetts for their continued efforts on behalf of our fishing industry.

Massachusetts has a long and proud fishing history. In fact, the “sacred cod”, a nearly five foot long woodcarving of an atlantic codfish, has hung in the Massachusetts House of Representatives since 1794, representing the importance of the cod fishery to the commonwealth.

We all know the state of the fishing industry today. Depleted stocks and the policies put in place to rebuild those stocks have exacted a heavy toll. And we have all heard the stories of fishing families struggling to make ends meet and keep their generations-long family businesses alive. Our amendment is a common sense amendment which, if adopted, will build on and improve the systems put in place to assess and rebuild stocks while also providing some financial relief to the men and women who continue to earn a living at sea.

Our amendment, if adopted, will provide the funding necessary for fisheries councils to undertake certain reporting requirements of the underlying bill. Our amendment will also provide funding for independent research and stock assessments and for the development and implementation of gear that will reduce the impact on the marine environment and promote sustainable fishing for future generations. And, importantly, this amendment will also provide a funding stream to pay for at-sea and shore-side monitoring, a financial burden that fishermen simply cannot bear.

We simply cannot allow the money in the NOAA's asset forfeiture fund to be wasted when fishermen stand to benefit from targeted scientific research and resources dedicated to the fishing industry.

The health of the resource is the basic building block upon which all industry dependents rely. And it is critical that all parties; fishermen, fisheries councils, researchers and conservationists work cooperatively and also strike an appropriate balance towards sustainability. Our amendment provides the financial support to help all stakeholders further invest in and maximize the outcomes of their piece of the larger puzzle.

I urge my colleagues to support the Keating-Lynch-Moulton Amendment.

The CHAIR. The question is on the amendment offered by the gentleman from Massachusetts (Mr. KEATING).

The amendment was agreed to.

AMENDMENT NO. 4 OFFERED BY MR. LOWENTHAL

The CHAIR. It is now in order to consider amendment No. 4 printed in House Report 114-128.

Mr. LOWENTHAL. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of section 13 (page 34, after line 22), add the following:

(h) PROCESS FOR DECOMMISSIONING OIL AND GAS PLATFORMS AND DRILLING RIGS.—The National Ocean Council, operating under Executive Order 13547, shall convene a meeting of representatives of the National Oceanic and Atmospheric Administration, the Bureau of Safety and Environmental Enforcement, the States represented on the Gulf of Mexico Fishery Management Council, and stakeholders, to develop a process for decommissioning oil and gas platforms and drilling rigs that eliminates harm to the Gulf of Mexico red snapper stock of fish and enhances conservation of habitat of such stock.

The CHAIR. Pursuant to House Resolution 274, the gentleman from California (Mr. LOWENTHAL) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. LOWENTHAL. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, unfortunately, the bill before us, H.R. 1335, undermines nearly two decades of progress making U.S. fisheries profitable and sustainable.

A few weeks ago, NOAA reported that overfishing has hit an all-time low, and the number of rebuilt stocks has hit an all-time high, largely because of the success of the Magnuson-Stevens Act reforms of both 1996 and 2007—the same reforms that this bill today before us would undercut.

In an attempt to add some good policy to an otherwise unproductive bill, I am offering an amendment to improve the management of one important fish stock: the Gulf of Mexico red snapper.

Last year, during a series of Natural Resources Committee hearings on fisheries policies, we heard from members and witnesses who were irate over the fact that the Interior Department was allowing offshore oil platforms and drilling rigs in the Gulf of Mexico to be decommissioned in a way that was killing red snapper and destroying important snapper habitat. After intense questioning, it became clear that in the current process for decommissioning rigs, NOAA, which is part of the Department of Commerce, is not regularly consulted by Interior agencies.

□ 1700

As a result, NOAA does not even conduct surveys to determine if the Department of the Interior is about to dismantle a productive artificial reef teeming with red snapper and other fish.

Mr. Chair, I agree with my colleagues from the Gulf States who feel this is ridiculous and needs to stop; but how do we do it? Then I remembered that we already have a mechanism in place for resolving exactly this kind of multi-stakeholder conflict at sea. It is called the National Ocean Policy.

Through the National Ocean Policy, the National Ocean Council facilitates commonsense governance of public resources. Like air traffic control for the seas, the council coordinates all of the users of our oceans and helps them determine safer, less contentious, and more efficient utilization of ocean resources.

My amendment would direct the agencies responsible for implementing the National Ocean Policy to work with the Gulf States and other stakeholders to develop a transparent process that would preserve red snapper habitat during rig decommissioning.

A vote for this amendment is a vote for more recreational fishing opportunities in the Gulf of Mexico and a vote for a bipartisan solution to promoting red snapper habitat.

I urge my colleagues to vote “yes” on the Lowenthal amendment.

Mr. Chair, I reserve the balance of my time.

Mr. BISHOP of Utah. Mr. Chairman, I claim time in opposition to the amendment.

The CHAIR. The gentleman is recognized for 5 minutes.

Mr. BISHOP of Utah. Mr. Chairman, I yield 1 minute to the gentleman from Alaska (Mr. YOUNG) on this particular amendment.

Mr. YOUNG of Alaska. Mr. Chairman, this same amendment was offered in committee; it failed. It is my understanding that rigs and platforms are already required to eliminate harm under their leases. In fact, most of the fishermen I talk to on the Gulf say the platforms are really manmade reefs, and the red snapper love them.

Overall, I don’t support giving the National Ocean Council any authorities. The council is created by executive action, and until the Congress passes legislation regarding the National Ocean Policy, Congress should not implement measures to support it.

This is not an action of Congress. This is an action by executive order. Remember, this bill originally was sustainable yield, sustainable communities, nothing to do with an ocean council deciding what is going to happen to override the Magnuson-Stevens Act.

This is a bad amendment, and I oppose the gentleman’s amendment.

Mr. LOWENTHAL. Mr. Chairman, how much time do I have remaining?

The CHAIR. The gentleman has 2 minutes remaining.

Mr. LOWENTHAL. As you just heard from the other side of the aisle, Mr. Chair, they agree with me that there needs to be more coordination amongst all the stakeholders to make smart decisions about rig decommissioning in red snapper habitat; but they refuse to move forward with this proposal simply because they oppose the National Ocean Policy which incidentally, as we all know in this room, that its predecessor was the U.S. Commission on Ocean Policy, which was first established by President Bush.

They oppose the National Ocean Policy on the grounds that it is a program that is authorized by an executive action or an executive order of a President that they don’t like. This seems to me to be pretty petty.

Why would we create now a new group to bring together the stakeholders to address just this one issue, when we already have a council and a policy that can do exactly what everyone wants to be done?

National Ocean Policy is not a failed policy like some suggest, nor is it an instance of executive overreach. It is merely a commonsense way to facilitate multistakeholder collaboration on complex ocean issues.

Mr. Chair, my amendment directs agencies and stakeholders to work together to come up with solutions to decommission rigs that work for everyone involved. This is a commonsense solution that promotes red snapper habitat and more recreational fishing opportunities.

I urge a “yes” vote on the Lowenthal amendment, and I yield back the balance of my time.

Mr. BISHOP of Utah. Mr. Chair, I yield 1 minute to the gentleman from Louisiana (Mr. GRAVES).

Mr. GRAVES of Louisiana. Mr. Chairman, I want to thank the gentleman from California for offering this amendment. We had the opportunity to discuss this in committee.

I am very sensitive to the fact that we do things in a manner that sustains all of our fisheries and protects our ecosystem.

However, as we discussed in committee, I did request of you, number one, that if you let us get together as Gulf States, continue to work together with the Department of the Interior—as I mentioned in committee, we have even larger concerns about the way that some of this important reef structure, such as rigs and reefs programs and others, have been handled by the Federal Government.

I respect the gentleman for offering this amendment, but I am going to vote in opposition, giving us time to work together with industry, work together with the fisherman, and find the right way to do this to ensure that we protect the species.

Mr. BISHOP of Utah. Mr. Chairman, allow me to conclude the debate, if I may.

Last year, in Congress, we had a hearing where we saw a huge number of red snappers who were killed by the removal of a decommissioned oil platform that had been authorized by the Department of the Interior. This amendment does not really change that.

What this amendment would do is an attempt—hopefully, futile attempt—to basically give validity to the administration’s National Ocean Policy, a policy that was done without transparency, almost in the cover of darkness, and implemented by executive order.

What we are talking about is not something that is an executive action, but, as properly said by the last two speakers from our side, it is a legislative action, and this bill takes that legislative responsibility and does it the right way.

We do not need a nontransparent executive order to be enforced here. What we need to do is allow the agencies of jurisdiction to actually do their job, defend their rules, and allow the legislative branch to work its will.

I urge a "no" vote on this amendment, and I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from California (Mr. LOWENTHAL).

The question was taken; and the Chair announced that the noes appeared to have it.

Mr. LOWENTHAL. Mr. Chair, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from California will be postponed.

AMENDMENT NO. 5 OFFERED BY MR. YOUNG OF ALASKA

The Acting CHAIR (Mr. DUNCAN of Tennessee). It is now in order to consider amendment No. 5 printed in House Report 114-128.

Mr. YOUNG of Alaska. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 46, strike lines 5 through 9 and insert the following:

"(4) The Secretary shall, to the extent practicable, when hiring individuals to collect information regarding marine recreational fishing under this subsection, give preference to students studying fisheries conservation and management, water resource issues, or other relevant subjects at an institution of higher education in the United States."

Page 46, beginning at line 19, strike "Regional Fishery" and all that follows through line 22 and insert "the South Atlantic Fishery Management Council and Gulf of Mexico Fishery Management Council on criteria that"

Page 47, after line 22, insert the following:

SEC. ____ . REQUIREMENTS FOR LIMITED ACCESS PRIVILEGES.

Section 3303A(c)(1)(G) (16 U.S.C. 1853a(c)(1)(G)) is amended to read as follows:

"(G) include provisions for a formal and detailed review 5 years after the implementation of the program, and thereafter the regular monitoring and review by the Council and the Secretary of the operations and impacts of the program, to coincide with scheduled Council review of the relevant fishery management plan (but no less frequently than once every 7 years) including—

"(i) determining progress in meeting the goals of the program and this Act;

"(ii) delineating the positive and negative economic effects of the program on fishermen and processors who are part of the program and the coastal communities in which they reside; and

"(iii) any necessary modification of the program to meet those goals, including a formal schedule for action to be taken within 2 years;"

SEC. ____ . HEALTHY FISHERIES THROUGH BETTER SCIENCE.

(a) DEFINITION OF STOCK ASSESSMENT.—Section 3 (16 U.S.C. 1802), as amended by section 23(a) of this Act, is further amended by redesignating the paragraphs after paragraph (42) in order as paragraphs (44) through (53), and by inserting after paragraph (42) the following:

"(43) The term 'stock assessment' means an evaluation of the past, present, and future status of a stock of fish, that includes—

"(A) a range of life history characteristics for such stock, including—

"(i) the geographical boundaries of such stock; and

"(ii) information on age, growth, natural mortality, sexual maturity and reproduction, feeding habits, and habitat preferences of such stock; and

"(B) fishing for the stock."

(b) STOCK ASSESSMENT PLAN.—

(1) IN GENERAL.—Section 404 (16 U.S.C. 1881c), as amended by section 10(d) of this Act, is further amended by adding at the end the following:

"(f) STOCK ASSESSMENT PLAN.—

"(1) IN GENERAL.—The Secretary shall develop and publish in the Federal Register, on the same schedule as required for the strategic plan required under subsection (b) of this section, 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 conducted—

"(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) every 5 years; or

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

"(B) for each 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 within 3 years after the plan is published in the Federal Register unless another time period is specified and justified by the Secretary in the plan; and

"(C) identify data and analysis, especially concerning recreational fishing, that, if available, would reduce uncertainty in and improve the accuracy of future stock assessments, including whether such data and analysis could be provided by fishermen, fishing communities, universities, and research institutions.

"(3) WAIVER OF STOCK ASSESSMENT REQUIREMENT.—Notwithstanding subparagraphs (A)(i) and (B)(ii), a stock assessment is not required for a stock of fish in the plan if the Secretary determines that such a stock assessment is not necessary and justifies such determination in the Federal Register notice required by this subsection."

(2) DEADLINE.—Notwithstanding paragraph (1) of section 404(f) of the Magnuson-Stevens Fishery Conservation and Management Act, as amended by this section, the Secretary of Commerce shall issue the first stock assessment plan under such section by not later than 2 years after the date of enactment of this Act.

(c) IMPROVING SCIENCE.—

(1) INCORPORATION OF INFORMATION FROM WIDE VARIETY OF SOURCES.—Section 2(a)(8) of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801) is amended by adding at the end the following: "Fisheries management is most effective when it incorporates information provided by governmental and nongovernmental sources, including State and Federal agency staff, fishermen, fishing communities, universities, and research institutions. As appropriate, such information should be considered the best scientific information available and form the basis of conservation and management measures as required by this Act."

(2) IMPROVING DATA COLLECTION AND ANALYSIS.—Section 404 (16 U.S.C. 1881c), as amended by this section, is further amended by adding at the end the following:

"(g) IMPROVING DATA COLLECTION AND ANALYSIS.—

"(1) IN GENERAL.—The Secretary, in consultation with the Councils acting in reliance on their science and statistical committees established under section 302(g), shall develop and publish in the Federal Register guidelines that will facilitate greater incorporation of data, analysis, and stock assessments from nongovernmental sources, including fishermen, fishing communities, universities, and research institutions, into fisheries management decisions.

"(2) CONTENT.—The guidelines shall—

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

"(B) provide specific guidance for collecting data and performing analyses identified as necessary to reduce the uncertainty referred to in section 404(f)(2)(C).

"(3) ACCEPTANCE AND USE OF DATA AND ANALYSES.—The Secretary and Regional Fishery Management Councils shall—

"(A) use all data and analyses that meet the guidelines published under paragraph (1) as the best scientific information available for purposes of this Act in fisheries management decisions, unless otherwise determined by the science and statistical committee of the Councils established pursuant to section 302(g) of the Act; and

"(B) explain in the Federal Register notice announcing the fishery management decision how such data and analyses have been used to establish conservation and management measures."

(3) DEADLINE.—The Secretary of Commerce shall develop and publish guidelines under the amendment made by paragraph (2) by not later than 1 year after the date of enactment of this Act.

(d) COST REDUCTION REPORT.—Within 1 year after the date of enactment of this Act, the Secretary of Commerce, in consultation with the Regional Fishery Management Councils, shall submit a report to Congress that, with respect to each fishery governed by a fishery management plan in effect under the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.)—

(1) identifies the goals of the applicable programs governing monitoring and enforcement of fishing that is subject to such plan;

(2) identifies methods to accomplish those goals, including human observers, electronic monitoring, and vessel monitoring systems;

(3) certifies which such methods are most cost-effective for fishing that is subject to such plan; and

(4) explains why such most-cost-effective methods are not required, if applicable.

The Acting CHAIR. Pursuant to House Resolution 274, the gentleman from Alaska (Mr. YOUNG) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Alaska.

Mr. YOUNG of Alaska. Mr. Chairman, I yield myself such time as I may consume.

(Mr. YOUNG of Alaska asked and was given permission to revise and extend his remarks.)

Mr. YOUNG of Alaska. Mr. Chairman, the amendment I am offering today makes a few clarifications to the underlying bill.

It modifies language in the bill allowing for the use of graduate students in the collection of recreational fishing data. The fields of science the graduate students are studying is expanded, and when the students can be used is clarified.

The amendment also clarifies that guidance prepared by the National Academy of Sciences regarding the economic benefits of commercial and recreational fishing within the mixed-use fisheries is to be given to the south Atlantic and the Gulf of Mexico councils.

The amendment will also modify the provisions in law regarding the council review of limited access programs to include not only the benefits of the program, but also any adverse impacts.

Lastly, the amendment includes language to allow stock assessments to include information from universities, fishermen, fishing communities, and research institutions, in addition to State and Federal fisheries data.

It will also require a schedule for when stock assessments should occur and allows for a waiver if certain stocks don't need assessments.

These are good additions to the legislation, and I urge the Members to support the amendment.

I yield back the balance of my time.

Mr. GRIJALVA. Mr. Chairman, I claim time in opposition to the amendment.

The Acting CHAIR. The gentleman from Arizona is recognized for 5 minutes.

Mr. GRIJALVA. The catch share reporting requirements and stock assessment mandates in this amendment would impose significant new costs on NOAA, but the amendment provides no additional funding.

The majority already complains that NOAA does not conduct stock assessments frequently or quickly enough. This unfunded mandate would further slow that process.

Further, these concepts have not been vetted by the Natural Resources Committee. We have not had an opportunity to get feedback on the legislation from NOAA, the agency that would inevitably be responsible for implementing it.

We need to hear from the administration about any potential costs or unin-

tended consequences of this amendment.

In particular, the rigid requirements of the guidelines envisioned in this bill would take away the discretion of expert scientists and undermine an ongoing effort NOAA is conducting to improve stock assessments across regions.

Further, the mandates, deadlines, and reports would likely cost money that is not authorized to be appropriated.

I would like to have additional input on the requirements this bill imposes with respect to developing and following new guidelines on data collection and on cost recovery by the agency.

For these reasons, I urge a "no" vote on the amendment, and I reserve the balance of my time.

Mr. YOUNG of Alaska. Mr. Chairman, I ask unanimous consent to reclaim the balance of my time.

The Acting CHAIR. Is there objection to the request of the gentleman from Alaska?

There was no objection.

Mr. YOUNG of Alaska. Mr. Chairman, I disagree with the gentleman from New Mexico's comments on this. This does not add an additional cost, and why people say that, I don't know.

All this does is very simple, and I explained it when I explained my amendment, and I urge the passage of the amendment.

I yield back the balance of my time.

Mr. GRIJALVA. My good friend, Mr. YOUNG, is perpetually trying to move me to New Mexico. I still love Arizona and will remain in Arizona.

Mr. Chairman, I want to say that the reasons of opposition have not changed to the amendment. The unintended consequences, the lack of full information as to what the data collection will be, any impending costs that would be secured that NOAA would have to undertake, and feedback both by the agency that would be responsible, feedback from the Natural Resources Committee, and feedback by the administration to this amendment would be, I think, important additions in order for this House to be able to make an informed decision on the amendment.

Lacking that information, I remain urging a "no" vote on the amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Alaska (Mr. YOUNG).

The amendment was agreed to.

AMENDMENT NO. 6 OFFERED BY MR. GRAVES OF LOUISIANA

The Acting CHAIR. It is now in order to consider amendment No. 6 printed in House Report 114-128.

Mr. GRAVES of Louisiana. Mr. Chairman, I have an amendment made in order.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Add at the end the following:

SEC. 29. TRANSFER TO STATES OF MANAGEMENT OF RED SNAPPER FISHERIES IN THE GULF OF MEXICO.

(a) IN GENERAL.—The Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.) is amended by adding at the end the following:

"TITLE V—TRANSFER TO STATES OF MANAGEMENT OF RED SNAPPER FISHERIES IN THE GULF OF MEXICO

"SEC. 501. SHORT TITLE.

"This title may be cited as the 'Gulf States Red Snapper Management Authority Act'.

"SEC. 502. DEFINITIONS.

"In this title:

"(1) COASTAL WATERS.—The term 'coastal waters' means all waters of the Gulf of Mexico—

"(A) shoreward of the baseline from which the territorial sea of the United States is measured; and

"(B) seaward from the baseline described in subparagraph (A) to the outer boundary of the exclusive economic zone.

"(2) GULF COASTAL STATES.—The term 'Gulf coastal State' means each of the following States:

"(A) Alabama.

"(B) Florida.

"(C) Louisiana.

"(D) Mississippi.

"(E) Texas.

"(3) GULF OF MEXICO FISHERY MANAGEMENT COUNCIL.—The term 'Gulf of Mexico Fishery Management Council' means the Gulf of Mexico Fishery Management Council established under section 302(a).

"(4) GULF OF MEXICO RED SNAPPER.—The term 'Gulf of Mexico red snapper' means members of stocks or populations of the species *Lutjanus campechanus*, which ordinarily are found within the waters of the exclusive economic zone and adjacent territorial waters of the Gulf of Mexico.

"(5) GULF STATES RED SNAPPER MANAGEMENT AUTHORITY.—The term 'Gulf States Red Snapper Management Authority' and 'GSR SMA', means the Gulf States Red Snapper Management Authority established under section 503(a).

"(6) RED SNAPPER FISHERY MANAGEMENT PLAN.—The term 'red snapper fishery management plan' means a plan created by one or more Gulf coastal States to manage Gulf of Mexico red snapper in the coastal waters adjacent to such State or States, respectively.

"(7) REEF FISH FEDERAL FISHERY MANAGEMENT PLAN.—The term 'Reef Fish Federal fishery management plan' means the Fishery Management Plan for the Reef Fish Resources of the Gulf of Mexico, as amended, prepared by the Gulf of Mexico Fishery Management Council pursuant to title III and implemented under part 622 of title 50, Code of Federal Regulations (or similar successor regulation).

"(8) STATE TERRITORIAL WATERS.—The term 'State territorial waters', with respect to a Gulf coastal State, means the waters adjacent to such State seaward to the line three marine leagues seaward from the baseline from which of the territorial sea of the United States is measured.

"SEC. 503. MANAGEMENT OF GULF OF MEXICO RED SNAPPER.

"(a) GULF STATES RED SNAPPER MANAGEMENT AUTHORITY.—

"(1) REQUIREMENT TO ESTABLISH.—Not later than 60 days after the date of the enactment of this title, the Secretary shall establish a Gulf States Red Snapper Management Authority that consists of the principal fisheries manager of each of the Gulf coastal States.

"(2) DUTIES.—The duties of the GSR SMA are as follows:

“(A) To review and approve red snapper fishery management plans, as set out in the Act.

“(B) To provide standards for each Gulf coastal State to use in developing fishery management measures to sustainably manage Gulf of Mexico red snapper in the coastal waters adjacent to such State.

“(C) To the maximum extent practicable, make scientific data, stock assessments and other scientific information upon which fishery management plans are based available to the public for inspection prior to meetings described in paragraph (c)(2).

“(b) REQUIREMENT FOR PLANS.—

“(1) DEADLINE FOR SUBMISSION OF PLANS.—The GRSRMA shall establish a deadline for each Gulf coastal State to submit to the GRSRMA a red snapper fishery management plan for such State.

“(2) CONSISTENCY WITH FEDERAL FISHERY MANAGEMENT PLANS.—To the extent practicable, the Gulf Coastal States fishery management plans shall be consistent with the requirements in section 303(a) of the Fishery Conservation and Management Act of 1976 (16 U.S.C. 1853(a)).

“(c) REVIEW AND APPROVAL OF PLANS.—

“(1) IN GENERAL.—Not later than 1 year after the date of the enactment of this title and not more than 60 days after one or more Gulf coastal States submits a red snapper fishery management plan and annually thereafter, the GRSRMA shall review and approve by majority vote the red snapper fishery management plan if such plan meets the requirements of this title.

“(2) PUBLIC PARTICIPATION.—Prior to approving a red snapper fishery management plan submitted by one or more Gulf coastal States, the GRSRMA shall provide an adequate opportunity for public participation, including—

“(A) at least 1 public hearing held in each respective Gulf coastal State; and

“(B) procedures for submitting written comments to GRSRMA on the fishery management plan.

“(3) PLAN REQUIREMENTS.—A red snapper fishery management plan submitted by one or more Gulf coastal States shall—

“(A) contain standards and procedures for the long-term sustainability of Gulf of Mexico red snapper based on the best available science;

“(B) comply with the standards described in subsection (a)(2)(B); and

“(C) determine quotas for the red snapper fishery in the coastal waters adjacent to such Gulf coastal State or States, respectively, based on stock assessments, and—

“(i) any recommendation by the GRSRMA to reduce quota apportioned to the commercial sector by more than 10 percent shall be reviewed and approved by the Gulf Fishery Management Council;

“(ii) during the 3-year period beginning on the date of enactment of this title and consistent with subsection (d), the GRSRMA shall not determine a quota apportioned to the commercial sector; and

“(iii) nothing in this Act shall be construed to change the individual quota shares currently in place in the commercial sector of the Gulf of Mexico red snapper fishery

“(4) REVIEW AND APPROVAL.—Not later than 60 days after the date the GRSRMA receives a red snapper fishery management plan from one or more Gulf coastal State or States, the GRSRMA shall review and approve such plan if such plan satisfies the requirements of subsection (b).

“(d) CONTINUED MANAGEMENT BY THE SECRETARY.—During the 3-year period beginning on the date of the enactment of this title, the Secretary, in coordination with the Gulf of Mexico Fishery Management Council, shall continue to manage the commercial

sector of the Gulf of Mexico red snapper fishery.

“(e) REPORTING REQUIREMENTS.—

“(1) REPORTS BY GULF COASTAL STATES.—Each Gulf coastal State shall submit to the GRSRMA an annual report on the status of the Gulf of Mexico red snapper fishery in coastal waters adjacent to such State.

“(2) REPORT BY THE GRSRMA.—Not less often than once every 5 years, the GRSRMA shall use the information submitted in the annual reports required by paragraph (1) to prepare and submit to the Secretary a report on the status of the Gulf of Mexico red snapper fishery.

“(3) ANNUAL REPORT BY NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION.—The Administrator of the National Oceanic and Atmospheric Administration shall submit to Congress an annual report on the implementation of this title.

“SEC. 504. STATE IMPLEMENTATION OF THE RED SNAPPER FISHERY MANAGEMENT PLANS.

“(a) ALLOCATION OF MANAGEMENT TO THE GULF STATES.—

“(1) CERTIFICATION OF APPROVED PLANS.—The GRSRMA shall certify to the Secretary that a red snapper fishery management plan is approved under section 503 for each of the Gulf coastal States.

“(2) TRANSFER OF MANAGEMENT.—Upon receipt of the certification described in paragraph (1) and subject to section 503 (d), the Secretary shall—

“(A) publish a notice in the Federal Register revoking the regulations and portions of the Reef Fish Federal fishery management plan that are in conflict with any red snapper fishery management plan approved by the GRSRMA; and

“(B) transfer management of Gulf of Mexico red snapper to the GRSRMA.

“(b) IMPLEMENTATION.—

“(1) IN GENERAL.—Upon the transfer of management described in subsection (a)(2)(B) and subject to section 503 (d), each Gulf coastal State shall implement and enforce the red snapper fishery management plans approved under section 503 for the Gulf of Mexico red snapper fishery in the coastal waters adjacent to each Gulf coastal State.

“(2) FAILURE TO TRANSFER MANAGEMENT.—If the certification described in subsection (a)(1) is not made the transfer of management described in subsection (a)(2)(B) may not be accomplished and the Secretary shall remain responsible for management of the Gulf of Mexico red snapper.

“SEC. 505. OVERSIGHT OF GULF OF MEXICO RED SNAPPER MANAGEMENT.

“(a) IMPLEMENTATION AND ENFORCEMENT OF FISHERY MANAGEMENT PLANS.—Not later than December 1 of the year following the transfer of management described in section 504(a)(2), and at any other time the GRSRMA considers appropriate after that date, the GRSRMA shall determine if—

“(1) each Gulf coastal State has fully adopted and implemented the red snapper fishery management plan approved under section 503 for such State;

“(2) each such plan continues to be in compliance with the standards for sustainability provided by the GRSRMA pursuant to section 503(a)(2); and

“(3) the enforcement of the plan by each Gulf coastal State is satisfactory to maintain the long-term sustainability and abundance of Gulf of Mexico red snapper.

“(b) OVERFISHING AND REBUILDING PLANS.—

“(1) CERTIFICATION.—If the Gulf of Mexico red snapper in the coastal waters adjacent to a Gulf coastal State is experiencing overfishing or is subject to a rebuilding plan, such Gulf coastal State shall submit a certification to the GRSRMA showing that such State—

“(A) has implemented the necessary measures to end overfishing or rebuild the fishery; and

“(B) in consultation with the National Oceanic and Atmospheric Administration, has implemented a program to provide for data collection adequate to monitor the harvest of Gulf of Mexico red snapper by such State.

“(2) NOTIFICATION TO SECRETARY.—If, after such time as determined by the GRSRMA, a Gulf coastal State that submitted a certification under paragraph (1) has not implemented the measures and requirements described in subparagraphs (A) and (B) of such paragraph, the GRSRMA shall vote on whether to notify the Secretary of a recommendation of closure of the red snapper fishery in the waters adjacent to the State territorial waters of the Gulf coastal State.

“(c) CLOSURE OF THE GULF OF MEXICO RED SNAPPER FISHERY.—

“(1) CONDITIONS FOR CLOSURE.—Not later than 60 days after the receipt of a notice under subsection (b)(2) for a Gulf coastal State, the Secretary may declare a closure of the Gulf of Mexico red snapper fishery within the waters adjacent to the State territorial waters of the Gulf coastal State.

“(2) CONSIDERATIONS.—Prior to making a declaration under paragraph (2), the Secretary shall consider the comments of such Gulf coastal State and the GRSRMA.

“(3) ACTIONS PROHIBITED DURING CLOSURE.—During a closure of the Gulf of Mexico red snapper fishery under paragraph (1), it is unlawful for any person—

“(A) to engage in fishing for Gulf of Mexico red snapper within the waters adjacent to the State territorial waters of the Gulf coastal State covered by the closure;

“(B) to land, or attempt to land, the Gulf of Mexico red snapper in the area of the closure; or

“(C) to fail to return to the water any Gulf of Mexico red snapper caught in the area of the closure that are incidental to commercial harvest or in the recreational fisheries.

“(4) CONSTRUCTION.—Nothing in this subsection shall be construed to allow the Secretary to close the red snapper fishery in the State territorial waters of a Gulf coastal State.

“SEC. 506. GULF STATES MARINE FISHERIES COMMISSION.

“(a) FUNDING TO THE GULF STATES MARINE FISHERIES COMMISSION.—The Secretary shall provide all Federal funding to the Gulf States Marine Fisheries Commission for all necessary stock assessments, research, and management for the red snapper fishery.

“(b) FUNDING TO THE GULF COASTAL STATES.—The Gulf States Marine Fisheries Commission shall be responsible for administering the Federal funds referred to in paragraph (1) to each of the Gulf coastal States for proper management of the red snapper fishery.

“(c) NO ADDITIONAL APPROPRIATIONS AUTHORIZED.—Nothing in this section may be construed to increase the amount of Federal funds authorized to be appropriated for Gulf of Mexico red snapper fishery management.

“SEC. 507. NO EFFECT ON MANAGEMENT OF SHRIMP FISHERIES IN FEDERAL WATERS.

“(a) BYCATCH REDUCTION DEVICES.—Nothing in this title may be construed to effect any requirement related to the use of Gulf of Mexico red snapper bycatch reduction devices in the course of shrimp trawl fishing activity.

“(b) BYCATCH OF RED SNAPPER.—Nothing in this title shall be construed to apply to or affect in any manner the Federal management of commercial shrimp fisheries in the Gulf of Mexico as in effect on the date of the enactment of this section, including any incidental catch of red snapper”.

(b) CONFORMING AMENDMENTS.—

□ 1715

(1) DATA COLLECTION.—Section 401(g)(3)(C) of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1881(g)(3)(G)) is amended by striking “and” after the semicolon at the end of clause (iv), by striking the period at the end of clause (v) and inserting “; and”, and by adding at the end the following:

“(vi) in the case of each fishery in the Gulf of Mexico, taking into consideration all data collection activities related to fishery effort that are undertaken by the marine resources division of each relevant State of the Gulf of Mexico Fishery Management Council.”.

(2) GULF STATE TERRITORIAL WATERS.—Section 306(b) of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1856(b)) is amended by adding at the end the following:

“(4) Notwithstanding section 3(11) and subsection (a) of this section, for purposes of managing fisheries in the Gulf of Mexico, the seaward boundary of a coastal State in the Gulf of Mexico is a line three marine leagues seaward from the baseline from which the territorial sea of the United States is measured.”.

(c) CLERICAL AMENDMENT.—The table of contents in the first section of such Act is amended by adding at the end the following:

“TITLE V—TRANSFER TO STATES OF MANAGEMENT OF RED SNAPPER FISHERIES IN THE GULF OF MEXICO

“Sec. 501. Short title.

“Sec. 502. Definitions.

“Sec. 503. Management of Gulf of Mexico red snapper.

“Sec. 504. State implementation of the red snapper fishery management plans.

“Sec. 505. Oversight of Gulf of Mexico red snapper management.

“Sec. 506. Gulf States Marine Fisheries Commission.

“Sec. 507. No effect on management of shrimp fisheries in Federal waters.”.

The Acting CHAIR. Pursuant to House Resolution 274, the gentleman from Louisiana (Mr. GRAVES) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Louisiana.

Mr. GRAVES of Louisiana. Mr. Chairman, I yield myself 2 minutes.

Mr. Chairman, when I was a child growing up in south Louisiana, recreational fishing for red snapper, we were allowed to go out all year round. All year long, we could go out and go enjoy fishing with our family and access the bounties of the Gulf of Mexico.

As a matter of fact, the Gulf of Mexico is so productive, we don't just have great recreational fishing in south Louisiana; we have great commercial as well. We have some of the best restaurants in the Nation.

We have a very robust commercial fishing industry. In fact, Mr. Chairman, it is the second biggest commercial fishing industry only to the State of Alaska, which I think is unfair because they get to weigh their crab shells.

Mr. Chairman, the reality is that we have seen the National Marine Fisheries Service, over the last several years, continue to use science that is not as robust as what the States are using to manage their fisheries.

Mr. Chairman, access for the recreational fishermen went down from year round when I was a child. Even in the 1990s, it was nearly 200 days, down to this year, where the National Marine Fisheries Service says that it is limited to only 10 days for recreational fishing. Parents and their children can go out for 10 days.

Meanwhile, for the first time ever, the National Marine Fisheries Service has split up the charter for hire and the recreational to allow the charter for hire to go out for 45 days and effectively allow the commercial fishermen to go out year round.

I want to be clear, Mr. Chairman. This isn't about pitting the different fishing sectors against one another. What this is about is ensuring that we are using the best science and ensuring that we are providing access to all fishers—the recreational, the charter for hire, and the commercial. It needs to be based upon the best science. We can have much better management of that resource by ensuring consistency between State waters and Federal waters.

The five Gulf States have come up with a plan. Unanimously, the five Gulf States have come up with a plan to manage those fisheries by the five fish and game agencies among the five Gulf States.

Mr. Chairman, my amendment simply codifies that agreement of the five Gulf States and allows those States to manage the red snapper fishery identical to how the striped bass fishery is managed on the Atlantic coast.

I reserve the balance of my time.

Mr. GRIJALVA. Mr. Chairman, I claim time in opposition to the amendment.

The Acting CHAIR. The gentleman from Arizona is recognized for 5 minutes.

Mr. GRIJALVA. Mr. Chairman, I am disappointed to see this amendment back again after it failed to pass in committee.

I understand that recreational fishermen in the Gulf of Mexico want to be able to keep more of the red snapper they catch, but the solution is not to steal fish from a responsibly managed and accountable commercial sector that provides millions of Americans the opportunity to choose healthy, fresh, sustainable Gulf red snapper at stores and restaurants; nor is it the solution to hand management over to Gulf States before they have developed a plan for managing the resource that consists of more than just “trust us.”

Simple arithmetic shows that there are too many people putting too much pressure on the red snapper stock just to sustain a recreational fishing season that lasts for more than a few days. To address that problem, private boat anglers will need to present creative solutions such as those that the commercial and charter for hire sectors have developed.

NOAA is doing an incredible job rebuilding this stock under Magnuson,

and the Gulf Council has the ability to debate and adopt a regional management approach or other alternative management strategies without interference from Washington.

I urge a “no” vote on the amendment, and I reserve the balance of my time.

Mr. GRAVES of Louisiana. Mr. Chairman, I yield 1 minute to the gentleman from Alaska (Mr. YOUNG).

Mr. YOUNG of Alaska. Mr. Chairman, I understand the concern of the gentleman from Louisiana on the current status of red snapper management in the Gulf of Mexico and your interest to support actions taken by the Gulf States that are supported by many of your constituents.

The amendment being offered today is a start in the process, but I respectfully suggest it needs further discussion. I support regional solutions but have concerns with proposals that will take the red snapper fishery outside of the Magnuson-Stevens Act management process.

I am willing to continue to work with the gentleman from Louisiana, Chairman BISHOP, and other Members, as well as fishing groups involved, to try to find a resolution to the management issues impacting the red snapper fishery.

Mr. GRIJALVA. Mr. Chairman, I reserve the balance of my time.

Mr. GRAVES of Louisiana. Mr. Chairman, this amendment is supported by the American Sportfishing Association; the Billfish Foundation; CCA, the Coastal Conservation Association; the Center for Coastal Conservation; the Congressional Sportsmen's Foundation; the International Game Fish Association; National Marine Manufacturers Association; Guy Harvey Ocean Foundation; Recreational Fishing Alliance; and the Theodore Roosevelt Conservation Partnership.

Mr. Chairman, I am struggling with understanding the concerns that I recently heard expressed by the other side.

Mr. Chairman, this is identical to how the Atlantic striped bass is managed on our East Coast. Why is there not an amendment to withdraw that authority if it is so problematic to have the five Gulf States consistently manage the natural resources in their State waters, as they do today, and in the adjacent Federal waters?

It has been proven through various hearings that the committee has had that the science being used by the States is much better than the science that is being used by the Federal Government.

Mr. Chairman, I reserve the balance of my time.

Mr. GRIJALVA. Mr. Chairman, I will continue to reserve the balance of my time.

Mr. GRAVES of Louisiana. I yield myself 30 seconds.

Mr. Chairman, I would like to include in the RECORD a one-pager that was released by the various groups that I

cited, and I would also like to include in the RECORD a document that was written in March of this year by the five Gulf States that explains the management.

THE STATE-BASED SOLUTION TO GULF OF MEXICO RED SNAPPER

In March 2015, the directors of the state fish and wildlife agencies from Alabama, Florida, Louisiana, Mississippi and Texas announced an agreement for state-based management of Gulf of Mexico red snapper, which in recent years has experienced increasing privatization of this public resource and decreasing recreational fishing opportunities.

Gulf of Mexico red snapper is presently managed by the Gulf of Mexico Fishery Management Council, under the National Marine Fisheries Service. The states' agreement, which is predicated on transferring management authority away from the Council, describes the key elements of a plan in which the five Gulf states would coordinate management of red snapper throughout the Gulf of Mexico through the proposed Gulf States Red Snapper Management Authority.

Numerous regional and national fisheries organizations have come out in support of the states' plan. The recreational fishing community has long had a strong relationship with state fish and wildlife agencies because of their ability to manage fisheries resources in a way that allows for healthy populations and public access. Most of the nation's most popular saltwater recreational fisheries are managed by the states. Rarely, if ever, does overfishing occur in state-managed recreational fisheries.

States are also tremendously successful at managing commercial fisheries. Nothing in the Gulf states' plan proposes to change how the commercial red snapper fishery is managed.

It has become abundantly clear that the current Gulf red snapper management system cannot produce successful outcomes for recreational fishermen. Somewhere along the way of rebuilding the fishery, to where it's now at an abundance level beyond anyone's expectations, management went off the tracks. A new path forward is needed, the states' are to be commended for their willingness to take on this task.

Representatives Garret Graves of Louisiana and Jeff Miller of Florida are championing this plan. They are working to ensure congressional action on this issue aligns with the five Gulf states.

MARCH 13, 2015.

TO WHOM IT MAY CONCERN: Management of the red snapper fishery in the Gulf of Mexico continues to be a major challenge with increasing dissatisfaction among anglers and serious calls for restructuring the Gulf red snapper management system. As a result, a number of proposals and various drafts of legislation for changing this system have emerged. Recognizing that significant changes are being considered, the marine fisheries directors from the five Gulf States have been engaged in an effort to develop and document an alternative to the current management strategy that has mutual agreement and support. Together, we have developed a framework for cooperative state-based management of Gulf red snapper; the enclosed document outlines the conceptual elements of that plan.

Under this alternative concept, the Gulf States would coordinate management of red snapper throughout the Gulf of Mexico through a new, independent body called the Gulf States Red Snapper Management Authority (GSRMSA). The GSRMSA would be comprised of the principle marine fisheries

managers from each Gulf States, and the management authority for Gulf-red snapper would no longer reside within the Gulf of Mexico Fishery Management Council.

The GSRMSA framework outlines a straightforward process that would allow states to use flexible management approaches to manage red snapper to meet local needs as well as Gulf-wide conservation goals. Each state would be responsible for all management of red snapper in their respective state and adjacent federal waters. The GSRMSA would approve each state's management plan, coordinate population assessments, provide consistent accountability measures, and distribute federal funding for research, assessment, and management.

Each state fisheries management agency places great value in working together in partnership and collaboration to ensure we have a robust, sustainable, and accessible red snapper fishery in the Gulf. The states recognize the importance of the red snapper fishery to the fabric and identity of local communities throughout the Gulf as well as the tremendous economic impact that it provides each state.

Thank you for the opportunity to present to you the GSRMSA concept agreed upon by each state. If there are any questions or comments about the concept, please do not hesitate to contact any of us directly.

Sincerely,

ROBIN RIECHERS,
Director of Coastal Fisheries, Texas Parks and Wildlife Department.

RANDY PAUSINA,
Assistant Secretary, Office of Fisheries, Louisiana Department of Wildlife and Fisheries.

JAMIE MILLER,
Executive Director, Mississippi Department of Marine Resources.

CHRIS BLANKENSHIP,
Director, Marine Resources Division, Alabama Department of Conservation and Natural Resources.

JESSICA MCCAWLEY,
Director, Division of Marine Fisheries Management, Florida Fish and Wildlife Conservation Commission.

Enclosure.

GULF STATES RED SNAPPER MANAGEMENT AUTHORITY (GSRMSA)

This document outlines elements of a plan in which the Gulf States would coordinate management of red snapper throughout the Gulf of Mexico through the Gulf States Red Snapper Management Authority (GSRMSA).

MANAGEMENT

The governing body of GSRMSA would be comprised of the principal fisheries manager (or his/her proxy) from each of the five Gulf States. There would be a rotating chair serving a two-year term. All actions of GSRMSA would be by majority vote. The primary function of the GSRMSA would be approval of each state's or group of states' Red Snapper Fisheries Management Plan (hereafter referred to as the Plan) which would address all components (commercial and recreational) of the Gulf States red snapper fishery. The Plan may extend to multiple years with annual review of specific components to include, but not limited to: assess-

ment methodology, data collection, annual management measures and timelines.

The Plan would include an initial three-year prohibition on any actions that might affect individual fishing quotas or management structure of the commercial fishery, effective from date of adoption by GSRMSA. During this period, NOAA Fisheries through the Gulf of Mexico Fishery Management Council would continue to manage the commercial fishery under existing regulations.

Each state would be responsible for the management of the fishery in their respective state territorial sea and adjacent exclusive economic zone (EEZ) water using the best available science and information. The states would be required to ensure overfishing will not occur through the full range of management and assessment strategies available to each state or group of states acting in concert. These strategies would not be limited to those based on total allowable catch. The GSRMSA, as a whole would annually review and approve the red snapper management actions of an individual state or groups of states acting in concert. If the status of the fishery in each state is in equilibrium or expanding, no change in management actions may be required. If the status of the fishery is below equilibrium or declining, the responsible state or states would be required to take appropriate action to revise existing management actions to establish equilibrium, and those actions would have to be approved by the GSRMSA.

The GSRMSA or each state would be required to prepare an annual report on the status of the fishery based on the individual states (or states acting in concert) management strategies and assessment methodologies. The GSRMSA will conduct a periodic gulf-wide population review of red snapper on a schedule not to exceed every 5 years.

ASSESSMENT

Each individual state or group of states would conduct an assessment of the status of red snapper populations within their adjacent waters. The full range of assessment methodologies would be available to each state or group of states using the best available science to inform management actions.

Assessments would be conducted periodically on a timeline determined by the GSRMSA. Assessment methodologies and data collection strategies for both fisheries dependent and independent data would be approved by the GSRMSA. The GSRMSA would be required to conduct a periodic and Gulf-wide population review of the health of the fishery and status of red snapper on a schedule not to exceed five years between such assessments.

ACCOUNTABILITY

Each Gulf state would formally agree to comply fully with management measures developed through the GSRMSA-approved Plan under a memorandum of agreement. The GSRMSA could request additional accountability actions through the Secretary of Commerce if a Gulf state or group of Gulf states adopted management measures or regulations significantly inconsistent with the red snapper management framework identified in the Plan when such inconsistent measures could negatively impact the interests of other Gulf states with regard to red snapper management.

The procedures established as part of the Striped Bass Act, Sec. 5153—Monitoring of Implementation and Enforcement by Coastal States would serve as a model for developing procedures for action through the Secretary of Commerce specific to the red snapper fishery in the Gulf of Mexico. Federal action to provide accountability and ensure consistency would be limited to the federal waters adjacent to the state(s) that adopted inconsistent management measures or actions.

Under no circumstances would federal authority or action supersede that of an individual state within designated state waters. The following link provides greater detail on the procedures used by the Atlantic States Marine Fisheries Commission in regards to management of striped bass: http://www.asmfc.org/uploads/file/Striped_Bass_Act.pdf

State regulation of red snapper would extend seaward from a state's shoreline to the 200 mile limit (Figure 1). Individual states would enforce regulations within their boundaries under licensing to that state or with agreement and appropriate licensing in other adjacent states. State regulations related to red snapper under the Plan would apply to all fishing activities associated with red snapper landed in a given state, not just state registered vessels.

State waters for all Gulf States would extend to nine nautical miles for the purpose of uniform enforcement and management actions related to red snapper.

FUNDING

Federal funding specific to red snapper now going to federal research, assessment and management would be appropriated to the Gulf States Marine Fisheries Commission and passed through to the states for use and distribution under the GSRMSA.

Federal funding of enforcement that is currently provided to the Gulf States for fisheries enforcement shall not be reduced because of transfer of red snapper management to GSRMSA. Federal agents will work in concert with deputized state agents to enforce state regulations approved by the GSRMSA.

The National Marine Fisheries Service will continue to provide access to all fisheries data and services available before transfer of red snapper management under the same arrangements and conditions after the transfer of management authority to GSRMSA.

Figure 1. Jurisdictional boundaries designated for enforcement purposes at a state level. These boundaries may be adjusted based on state(s) exercising the option to work in concert on regulations with each other.

STATUTORY PROVISIONS

In order to establish the GSRMSA, the management of red snapper must be vacated from the Gulf of Mexico Fishery Management Council Reef Fish Fishery Management Plan and any provisions that have been established for red snapper with that plan or any amendments to that plan.

Additionally, this Act and any provisions of this Act regarding management and enforcement of any regulations and management provisions to the extent that there is any conflict will take precedence over the MSA and any portions of the Gulf of Mexico Fishery Management Council's Reef Fish Fishery Management Plan.

KEY PROVISIONS

GULF STATES RED SNAPPER MANAGEMENT AUTHORITY (GSRMSA)

This document provides a summary of the key elements of a plan in which the Gulf states would coordinate management of red snapper throughout the Gulf of Mexico through the proposed Gulf States Red Snapper Management Authority (GSRMSA).

MANAGEMENT & ASSESSMENT

The governing body for the GSRMSA would be comprised of the principal fisheries manager (or his/her proxy) from each of the five Gulf States.

Primary function of the GSRMSA would be approval of each state's Red Snapper Fisheries Management Plan which would address all components of the fishery.

Within each Plan there would be an initial three year prohibition on actions affecting individual fishing quotas.

Using the best available science, each state would be responsible for the management of the fishery in their respective state territorial sea and adjacent exclusive economic zone (EEZ) waters to ensure that overfishing would not occur.

Reporting requirements will include an annual report on the status of the fishery from each state(s) and a gulf-wide population review will be conducted at least every 5 years.

ACCOUNTABILITY

Each state would formally agree to comply fully with management measures developed through the GSRMSA-approved Plan.

The GSRMSA could request additional accountability actions through the Secretary of Commerce if a Gulf state or group of Gulf states adopted management measures or regulations significantly inconsistent with the Plan.

Any accountability action based on a request to the Secretary of Commerce would be limited to federal waters adjacent to the state or states that adopted measures inconsistent with the Plan.

State regulations and enforcement of those regulations for red snapper would extend seaward from a state's shoreline to the 200 mile limit.

State waters for all Gulf States would extend to nine nautical miles for the purpose of uniform enforcement and management actions related to red snapper.

FUNDING

Federal funding for research, assessment and management of red snapper would be appropriated to the Gulf States Marine Fisheries Commission and passed to the states.

Federal funding for fisheries enforcement shall continue at current levels and NMFS will continue to share fisheries data and other data necessary for management after transfer of authority.

STATUTORY PROVISIONS

Provisions of this Act will take precedence over the MSA and any portions of the Gulf of Mexico Fishery Management Council Reef Fish Fishery Management Plan.

Mr. GRAVES of Louisiana. I yield such time as he may consume to the gentleman from Utah (Mr. BISHOP), the distinguished chairman.

Mr. BISHOP of Utah. Mr. Chairman, in the same way Federal lands must be accessible to sportsmen and -women, so must our Federal waters as well.

I concur with the gentleman that there is an access problem with the red snapper. The underlying bill extends the Gulf State coastal waters to 9 miles, requires fish to be counted around reefs, and requires the incorporation of State and local data on red snapper management so that the red snapper population will be counted.

Almost everyone agrees that the population is undercounted, but counting more fish does not guarantee that recreational fishermen will have more days in Federal waters.

I want to work with the gentleman from Louisiana, Mr. MILLER of Florida, and any other coastal States Representatives to have hearings and move along other bills that may come about.

Mr. GRAVES of Louisiana. Mr. Chairman, in closing, I just want to say that I appreciate Chairman BISHOP's offer to move legislation that

the distinguished chairman of the Veterans' Affairs Committee and I will be introducing soon that pertains to this exact issue and to have hearings on this as well.

Mr. BOUSTANY. Mr. Chair, in Louisiana, we fish—whether that's enjoying a Saturday on the water for fun or making a living as a commercial or charter fisherman.

That's why I stand with my Louisiana colleague, GARRET GRAVES, in support of this common-sense amendment.

As an expert on policies affecting our Gulf Coast, Congressman GRAVES knows it is rare for all 5 Gulf states to agree when it comes to ocean management and conservation policy.

So it's remarkable when these 5 states come together on a proposal to transfer Red Snapper management in the Gulf of Mexico away from the federally managed program that continues to fail recreational anglers.

That's all this common-sense amendment does—make this existing management agreement into law.

I believe as Representative GRAVES does when states come together to present a working proposal to Congress, we as their Representatives should listen.

I urge my colleagues to support states' rights and support this amendment.

Mr. GRAVES of Louisiana. With that, I withdraw the amendment.

AMENDMENT NO. 7 OFFERED BY MR. WITTMAN

The Acting CHAIR. It is now in order to consider amendment No. 7 printed in House Report 114-128.

Mr. WITTMAN. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill, add the following:
SEC. 29. AUTHORITY TO USE ALTERNATIVE FISHERY MANAGEMENT MEASURES.

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

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

(2) 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 targets, and harvest control rules, in developing a fishery management plan, plan amendment, or proposed regulations.”.

The Acting CHAIR. Pursuant to House Resolution 274, the gentleman from Virginia (Mr. WITTMAN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Virginia.

Mr. WITTMAN. Mr. Chairman, my amendment would give the National Oceanic and Atmospheric Administration, NOAA, Fisheries the authority to implement management practices better suited to the nature and scope of recreational fishing.

I hope we can all agree that commercial and recreational fisheries are fundamentally different activities, with dissimilar harvest data collection systems that can benefit from different management techniques.

Commercial fisheries are managed for yield. Commercial landings can usually be counted or weighed in realtime; thus, quotas can be enforced in realtime. This allows managers to close a fishery well before the allowable catch is exceeded. In short, a commercial fishery's catch can be managed in realtime based on data from verified landings.

Recreational fisheries are different and should be managed for expectation, as opposed to yield. Anglers fish for a variety of reasons, but a lack of fish will make them go less frequently or stop altogether. Anglers and fishermen need to believe they will have opportunity to encounter fish, with the hopes they may catch some, possibly including some large enough to take home.

Instead of yield, abundance and age structure are key elements to recreational fisheries since those factors govern both the rate of encounters and the size of fish caught. Maximizing yield has little meaning in most recreational fisheries. That is why NOAA's National Marine Fisheries Service should manage recreational fisheries based on expected long-term harvest rates, not strictly on yield or poundage-based quotas.

This strategy has been successfully used by State fisheries managers in our freshwater and coastal fisheries, providing exceptional recreational fishing opportunities while ensuring sustainable fish populations.

By managing the recreational sector based on harvest rate as opposed to a poundage-based quota, managers have been able to provide predictability in regulations while also sustaining a healthy population.

While the Magnuson-Stevens Act does not specifically prohibit such an approach, it should specifically direct the National Marine Fisheries Service and regional councils to consider alternative strategies to commercial management for appropriate recreationally valuable fisheries.

I urge my colleagues to support this amendment that provides additional flexibility to improve the management of important recreational fisheries.

I reserve the balance of my time.

Mr. GRIJALVA. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Arizona is recognized for 5 minutes.

Mr. GRIJALVA. Mr. Chairman, I understand and appreciate the motivation behind the gentleman's amendment. Recreational fisheries are inherently different from commercial fisheries. The language is similar to the alternative rebuilding strategy section in the underlying bill, one of the few parts that does not harm conservation efforts.

However, that provision states clearly that the alternative strategies must be in compliance with the requirements of the Magnuson-Stevens Act, including ending overfishing, setting

science-based catch limits, and sticking to rebuilding timelines.

This amendment does not include those safeguards and, therefore, could be construed as to allow overfishing or delay the rebuilding of overfished stock. We have made too much progress in managing fisheries to back-track now.

I urge a "no" vote on the amendment and reserve the balance of my time.

Mr. WITTMAN. Mr. Chairman, I would tell the gentleman from Arizona that this amendment does not in any way stop National Marine Fisheries Service or the councils from preventing overfishing and making the needed changes to management.

This bill purely provides them the flexibility and adaptability to properly manage recreational fisheries which, as the gentleman from Arizona said, we all know are different than those commercial fisheries.

I want to make sure that they have the opportunity to manage the fisheries properly and especially in light of recreational fishermen and the local economies that depend on viable, sustainable recreational fisheries.

We know that we have to make sure we are making good resource decisions, and we do that by providing that flexibility and adaptability. This amendment allows us to do that.

It allows recreational fisheries and the management thereof to be treated different than commercial fisheries which we have all seen through time we must do if we are to manage them in the best interest not only of the resource itself—that is the fish—but to manage it in the best interest of our recreational fishermen and the economies that depend on them.

Mr. Chairman, I yield back the balance of my time.

Mr. GRIJALVA. Mr. Chairman, without the safeguards that are included in the Magnuson-Stevens Act being part of this amendment, we continue to recommend a "no" vote on the amendment.

I yield back the balance of my time. The Acting CHAIR. The question is on the amendment offered by the gentleman from Virginia (Mr. WITTMAN).

The amendment was agreed to.

AMENDMENT NO. 8 OFFERED BY MR. HUFFMAN

The Acting CHAIR. It is now in order to consider amendment No. 8 printed in House Report 114-128.

Mr. HUFFMAN. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Strike all and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Fishing Economy Improvement Act".

SEC. 2. REFERENCES.

Except as otherwise specifically provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a provision, the reference shall be considered to be made to a provision

of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.).

SEC. 3. AMENDMENTS TO DEFINITIONS.

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

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

"(1a) The term 'artisanal fishing' means subsistence or small scale traditional fishing involving fishing households (as opposed to commercial companies)—

"(A) using a relatively small amount of capital and energy and relatively small fishing vessels (if any);

"(B) making short fishing trips, close to shore; and

"(C) mainly for local consumption.";

(2) by inserting after paragraph (27) the following:

"(27a) The term 'marine aquaculture' means the propagation and rearing of aquatic species in controlled or selected environments in the exclusive economic zone."; and

(3) in paragraph (16), by adding at the end the following: "Such term does not include marine aquaculture.".

SEC. 4. TRANSPARENCY AND PUBLIC PROCESS.

(a) ADVICE.—Section 302(g)(1)(B) (16 U.S.C. 1852(g)(1)(B)) is amended by adding at the end the following: "Each scientific and statistical committee shall develop such advice in a transparent manner and allow for public involvement in the process.".

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

"(G) Each Council shall make available on the Internet website of the Council—

"(i) to the extent practicable, a Web cast or a live audio or video broadcast of each meeting of the Council, and of the Council Coordination Committee established under subsection (1), that is not closed in accordance with paragraph (3); and

"(ii) an audio or video recording (if the meeting was in person or by video conference), or a searchable audio recording or written transcript, of each meeting of the Council and of the meetings of committees referred to in section 302(g)(1)(B) of the Council, by not later than 30 days after the conclusion of the meeting.

"(H) The Secretary shall maintain and make available to the public an archive of Council and scientific and statistical committee meeting audios, videos, and transcripts made available under clauses (i) and (ii) subparagraph (G)."

SEC. 5. INCLUSION OF ARTISANAL FISHING SECTORS IN FISHERY MANAGEMENT PLANS.

Section 303(a)(13) (16 U.S.C. 1853(a)(13)) is amended by inserting "artisanal," after "include a description of the commercial, recreational,".

SEC. 6. IMPROVING FISHERIES DATA COLLECTION.

(a) ELECTRONIC MONITORING.—

(1) ISSUANCE OF GUIDANCE.—

(A) REQUIREMENT.—The Secretary of Commerce shall issue guidance regarding the use of electronic monitoring for the purposes of monitoring fisheries that are subject to the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.).

(B) CONTENT.—The guidance shall—

(i) distinguish between monitoring for data collection and research purposes and monitoring for compliance and enforcement purposes; and

(ii) include minimum criteria, objectives, or performance standards for electronic monitoring.

(C) PROCESS.—In issuing the guidance the Secretary shall—

(i) consult with the Regional Fishery Management Councils and interstate fishery management commissions;

(ii) publish the proposed guidance; and
 (iii) provide an opportunity for the submission by the public of comments on the proposed guidance.

(2) IMPLEMENTATION OF MONITORING.—

(A) **IN GENERAL.**—Subject to subparagraph (B), and after the issuance of the final guidance, a Council, or the Secretary for fisheries referred to in section 302(a)(3) of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1852(a)(3)), may, in accordance with the guidance, on a fishery-by-fishery basis and consistent with the existing objectives and management goals of a fishery management plan and the Act for a fishery issued by the Council or the Secretary, respectively, amend such plan—

(i) to incorporate electronic monitoring as an alternative tool for data collection and monitoring purposes or for compliance and enforcement purposes (or both); and

(ii) to allow for the replacement of a percentage of on-board observers with electronic monitoring.

(B) **COMPARABILITY.**—Subparagraph (A) shall apply to a fishery only if the Council or Secretary, respectively, determines that such monitoring will yield comparable data collection and compliance results.

(3) **PILOT PROJECTS.**—Before the issuance of final guidance, a Council, or the Secretary for fisheries referred to in section 302(a)(3) of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1852(a)(3)), may, subject to the requirements of such Act, on a fishery-by-fishery basis, and consistent with the existing objectives and management goals of a fishery management plan for a fishery issued by the Council or the Secretary, respectively, conduct a pilot project for the use of electronic monitoring for the fishery.

(4) **DEADLINE.**—The Secretary shall issue final guidance under this subsection not later than 12 months after the date of enactment of this Act.

(b) **VIDEO AND ACOUSTIC SURVEY TECHNOLOGIES.**—The Secretary shall work with the Regional Fishery Management Councils and nongovernmental entities to develop and implement the use pursuant to the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.) of video survey technologies and expanded use of acoustic survey technologies.

SEC. 7. COOPERATIVE RESEARCH AND MANAGEMENT PROGRAM.

(a) **PLAN.**—Section 318 (16 U.S.C. 1867) is amended—

(1) in subsection (a), by inserting “(1)” before the first sentence, and by adding at the end the following:

“(2) Not later than one year after the date of enactment of the Fishing Economy Improvement Act, and after consultation with the Councils, the Secretary shall publish a plan for implementing and conducting the program established in paragraph (1). Such plan shall identify and describe critical regional fishery management and research needs, including for data-poor stocks for which limited scientific or commercial information is available, possible projects that may address those needs, and estimated costs for such projects. The plan shall be revised and updated every 5 years, and updated plans shall include a brief description of projects that were funded in the prior 5-year period and the research and management needs that were addressed by those projects.”;

(2) in subsection (b), by striking “in consultation with the Secretary.” and inserting “. Each Council shall provide a list of such needs to the Secretary on an annual basis, identifying and prioritizing such needs.”; and

(3) in subsection (c)—

(A) in the heading, by striking “FUNDING” and inserting “PRIORITIES”; and

(B) in paragraph (1), by striking all after “including” and inserting an em dash, followed on the next line by the following:

“(A) the use of fishing vessels or acoustic or other marine technology;

“(B) expanding the use of electronic catch reporting programs and technology; and

“(C) improving monitoring and observer coverage through the expanded use of electronic monitoring devices and satellite tracking systems such as vessel monitoring systems (VMS) on small vessels.”.

(b) **ZEKE GRADER FISHERIES CONSERVATION AND MANAGEMENT FUND.**—

(1) **IN GENERAL.**—Section 208 of the Magnuson-Stevens Fishery Conservation and Management Reauthorization Act of 2006 (16 U.S.C. 1891b) is amended—

(A) in the section heading, by inserting “ZEKE GRADER” before “FISHERIES CONSERVATION AND MANAGEMENT FUND”;

(B) in subsection (a), by inserting “Zeke Grader” before “Fisheries Conservation and Management Fund”; and

(C) in subsection (c), by striking “Fishery Conservation and Management Fund” each place it appears and inserting “Zeke Grader Fisheries Conservation and Management Fund”.

(2) **CLERICAL AMENDMENT.**—The table of contents is amended by striking the item relating to section 208 and inserting the following:

“Sec. 208. Zeke Grader Fisheries Conservation and Management Fund.”.

(3) **REFERENCES.**—Any reference in a law, map, regulation, document, paper, or other record of the United States to the “Fisheries Conservation and Management Fund” is deemed to be a reference to the “Zeke Grader Fisheries Conservation and Management Fund”.

SEC. 8. GULF OF MEXICO FISHERIES COOPERATIVE RESEARCH AND RED SNAPPER MANAGEMENT.

(a) **REPORTING AND DATA COLLECTION PROGRAM.**—The Secretary of Commerce shall—

(1) in conjunction with the States, the Gulf of Mexico Fishery Management Council, and the recreational fishing sectors, develop and implement a real-time reporting and data collection program for the Gulf of Mexico red snapper fishery using available technology; and

(2) make implementation of this subsection a priority for funds received by the Secretary and allocated to the Gulf of Mexico region under section 2 of the Act of August 11, 1939 (commonly known as the “Saltonstall-Kennedy Act”) (15 U.S.C. 713c-3).

(b) **STOCK SURVEYS AND STOCK ASSESSMENTS.**—The Secretary of Commerce, acting through the National Marine Fisheries Service Regional Administrator of the Southeast Regional Office, shall for purposes of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.)—

(1) develop a schedule of stock surveys and stock assessments for the Gulf of Mexico Region and the South Atlantic Region for the 5-year period beginning on the date of the enactment of this Act and for every 5-year period thereafter;

(2) direct the Southeast Science Center Director to implement such schedule; and

(3) in such development and implementation—

(A) give priority to those stocks that are commercially or recreationally important; and

(B) ensure that each such important stock is surveyed at least every 5 years.

(c) **USE OF FISHERIES INFORMATION IN STOCK ASSESSMENTS.**—The Southeast Science Cen-

ter Director shall ensure that fisheries information made available through fisheries programs funded under Public Law 112-141 is incorporated as soon as possible into any fisheries stock assessments conducted after the date of the enactment of this Act.

SEC. 9. RECREATIONAL FISHING DATA.

(a) **RECREATIONAL DATA COLLECTION.**—Section 401(g) (16 U.S.C. 1881(g)) is amended by redesignating paragraph (4) as paragraph (5), and by inserting after paragraph (3) the following:

“(4) **FEDERAL-STATE PARTNERSHIPS.**—

“(A) **ESTABLISHMENT.**—The Secretary shall establish partnerships with States to develop best practices for implementation of State programs that are exempted under paragraph (2).

“(B) **GUIDANCE.**—The Secretary shall develop guidance, in cooperation with the States, that details best practices for administering State programs that are exempted under paragraph (2), and provide such guidance to the States.

“(C) **BIENNIAL REPORT.**—The Secretary shall submit to the Congress and publish biennial reports that include—

“(i) the estimated accuracy of the registry program established under paragraph (1) and of State programs that are exempted under paragraph (2);

“(ii) priorities for improving recreational fishing data collection; and

“(iii) an explanation of any use of information collected by such State programs and by the Secretary, including a description of any consideration given to the information by the Secretary.

“(D) **STATE GRANT PROGRAM.**—The Secretary shall make grants to States to improve implementation of State programs consistent with this subsection. The Secretary shall prioritize such grants based on the ability of the grant to improve the quality and accuracy of such programs.”.

(b) **STUDY OF RECREATIONAL FISHERIES DATA.**—

(1) **IN GENERAL.**—Not later than 60 days after the date of the enactment of this Act, the Secretary of Commerce shall enter into an agreement with the National Research Council of the National Academy of Sciences to study the implementation of the programs described in section 401 of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1881). The study shall—

(A) provide an updated assessment of recreational survey methods established or improved since the publication of the Council’s report entitled “Review of Recreational Fisheries Survey Methods (2006)”;

(B) evaluate the extent to which the recommendations made in that report were implemented pursuant to subsection (g)(3)(B) of that section; and

(C) examine any limitations of the Marine Recreational Fishery Statistics Survey and the marine recreational information program established under subsection (g)(3)(A) of that section.

(2) **REPORT.**—Not later than 1 year after entering into an agreement under paragraph (1) the Secretary shall submit a report to Congress on the results of the study under paragraph (1).

SEC. 10. AUTHORIZATION OF APPROPRIATIONS.

Section 4 (16 U.S.C. 1803) is amended—

(1) by striking “this Act” and all that follows through “(7)” and inserting “this Act”; and

(2) by striking “fiscal year 2013” and inserting “each of fiscal years 2016 through 2021”.

The Acting CHAIR. Pursuant to House Resolution 274, the gentleman from California (Mr. HUFFMAN) and a

Member opposed each will control 10 minutes.

The Chair recognizes the gentleman from California.

Mr. HUFFMAN. Mr. Chairman, I yield myself such time as I may consume.

I rise in support of our amendment in the nature of a substitute.

I do want to express my respect and appreciation for the gentleman from Alaska (Mr. YOUNG) and his commitment to fisheries management issues over the years. I know many Members, including myself, are very concerned about the sustainability of the fishing industry in our own districts.

I represent about a third of the California coast, including many working coastal communities; and the importance of marine fisheries to my district and, I would say, to our country cannot be overstated.

U.S. fisheries have not only shaped the cultural identity of coastal communities, such as those I represent and our country, but they have also contributed economically in a very significant way, nearly \$90 billion and 1.5 million jobs.

□ 1730

Recreational fishing provides important opportunities to bring families and communities together, and, of course, subsistence fishing is a culturally significant tradition that provides an important food source for many people.

However, I do not believe that H.R. 1335 represents a constructive approach to ensuring abundant resources for current and future generations of fishermen. This bill would take us backward in many respects. It would roll back important elements of the Magnuson Act that are critical to making fisheries and the fishing industry in the United States economically and environmentally sustainable. I also don't believe that successful fisheries management has to include taking potshots at bedrock environmental laws like the Endangered Species Act, the Antiquities Act, and NEPA, as this bill seeks to do. For these reasons, I can't support it.

Congress first enacted the Magnuson-Stevens Act in 1976, with two main goals: first, to put an end to unregulated fishing by foreign fleets in U.S. waters, and, second, to develop domestic fleets that could reap the economic benefit of our considerable fisheries resources. It worked, and it worked so well that domestic fishing soon replaced foreign fleets in overexploiting U.S. fisheries.

The 1996 reauthorization required regional fisheries management councils, for the first time, to end domestic overfishing and to develop rebuilding plans, and then the 2007 reauthorization added an important timeline for rebuilding plans and also enforced catch limits. The original law, together with these amendments, established a fisheries management system in the

United States that is now a model for the rest of the world.

The important point here is that all three of these acts were bipartisan bills, developed and approved by Republicans and Democrats alike, because everybody recognized the need to maintain sustainable fish stocks and to support domestic commercial and recreational fishing. Now, these were also effective progressive endeavors that drastically improved the fisheries in our country. In fact, our Federal fisheries today have the lowest ever number of stocks that are overfished or subject to overfishing, and a total of 37 stocks have been rebuilt. This is evidence that our science-based approach to determining stock status and the managing for sustainability is working.

But contrary to previous bipartisan acts of Congress, this bill was developed with very little input from Democrats. Subsequently, it was passed out of committee on a strict party-line vote—no Democrats voting in favor and not a single Democratic amendment accepted. Every witness at each hearing that the committee held on this topic in the last Congress agreed on one thing: the Magnuson-Stevens Act was largely working.

This is not a situation where we should be overhauling the law in a wholesale way. It is a situation where we should be making small improvements so that the law can continue to work well into the future.

Now, Mr. Chairman, we want to have meaningful discussions with our Republican colleagues and develop bipartisan legislation in the spirit of previous successful Magnuson Act authorizations. To this end, I introduced the Fishing Economy Improvement Act with my friend, Mr. SABLAN, and we are offering a germane version as a substitute amendment that would reauthorize Magnuson and leave intact the core conservation and management provisions, including the requirements to rebuild overfished stocks and set annual catch limits.

The substitute amendment would also make improvements to the act. It would prioritize cooperation between scientists and fishermen on research efforts, a collaboration that produces useful information, breeds confidence in the system, and improves management outcomes. It infuses new funding into cooperative research, allowing the agency to accept outside funding, and it modernizes fishery collection and management by encouraging the use of electronic monitoring.

The amendment makes improvements to the operations of the regional fishery management councils, as well, by increasing transparency and public participation in the process; and it requires that the councils consider the interests of Native Alaskans, Pacific Islanders, and American Indians, who often depend on fish for their livelihoods, in fishery management plans.

Our hope is that we can use this reauthorization process to start a thought-

ful, constructive, and bipartisan conversation about fisheries management in the United States. At a time when our oceans face many stressors, including the combined effects of pollution, acidification, and ocean warming, it is essential that we reauthorize Magnuson and build on the act's legacy of successful science-based management.

Mr. Chairman, the fishermen and coastal communities I represent and those whom my colleagues represent deserve that conversation; and, more importantly, they deserve a bill that honors the decades of work that have gone into making American fishery management more sustainable, both economically and ecologically. I urge my colleagues to support our substitute amendment, and I reserve the balance of my time.

Mr. BISHOP of Utah. I claim the time in opposition.

The Acting CHAIR. The gentleman is recognized for 10 minutes.

Mr. BISHOP of Utah. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I appreciate the amendment that has been presented by the gentleman from California. It is a much better amendment than was presented in the committee in which there were elements that were in there that dealt with the California drought, that dealt with NGOs being able to contribute that should never have been a part of it, and I appreciate his not putting those in this particular amendment that is on the floor. But at the same time, it does roll back all the flexibility that was significant and important here. It rolls back the transparency that needs to be in effect.

The underlying bill specifically requires the scientific and statistical committees to develop the scientific advice provided to the councils in a transparent manner and allows them to allow for public involvement in the process. It requires councils to provide Webcasts or audio of each council meeting and posting such recordings on their Web site within 30 days of that particular meeting, and it requires an opportunity for public comment or proposals that are relating to the use of electronic monitoring technology. Those would also not be included if this amendment were to take place.

Some of the "bedrock" laws that are referred to here are indeed not taken out of the process. That was handled in one of the other debates we had on a different amendment, which simply says what we are trying to do is avoid just going through the motions a second time, to try and cut the red tape for more efficiency so that a NEPA law or fish management act, they are the same thing, why do it twice when once is sufficient? Why waste the time, energy, and effort of public bodies to do that? And all those, once again, would be reinstated, that double effort would be reinstated at the same time.

With that, Mr. Chairman, this bill, as a 4-year process, not a recent process,

goes back to several other times. And in my opening statement, I did quote from the leadership of the minority party at the time 2 years ago, in that committee, how much they were grateful for the input they had on this bill and for taking ideas from the Democrat side that were incorporated, and those ideas are still in the base bill.

It is one of the concepts here that I would love to have a bipartisan bill. But more importantly, I want to have a good bill, a bill that solves the problems. You have heard speeches from both sides of the aisle that simply the status quo is not working. There are too many problems that need to be solved. That is one of the reasons why the underlying bill is still being supported by all the people who are involved in the industry—by the commercial side, by the charter fishing side, and by the recreation people—and the first time that has ever happened.

So I commend the gentleman from Alaska for having done a good process, and I would say go with the underlying bill. It has a better chance of moving us forward to provide better progress and better significance in the future.

Mr. Chairman, I reserve the balance of my time.

Mr. HUFFMAN. Mr. Chairman, I yield 2 minutes to the gentlewoman from Maine (Ms. PINGREE), a district that certainly understands the importance of sustainable commercial and recreational fisheries.

Ms. PINGREE. I thank Mr. HUFFMAN for giving this opportunity and for caring so deeply about our coastal communities and our fisheries.

Mr. Chairman, I rise today to support the Huffman-Sablan amendment because it would update the process we use to manage our Nation's fisheries without throwing away core programs. In particular, the Huffman-Sablan amendment would modernize fishery data collection by using electronic monitoring and fisheries survey technologies. These are the technologies that our fishermen need to update the current program, and they are the wave of the future—no pun intended.

I think it is helpful for all of us to recognize the fact that NOAA's budget for the so-called wet-side programs has been facing devastating cuts as well as the sequester cuts over the past several years. As a result, now more than ever, we need to look at about how we can make our dollars do more with our fisheries. Electronic monitoring is a place where we can make an investment in the future that will help our fishermen today.

Also, the substitute amendment will ensure that we leave intact conservation programs that have been helping us to address overfished stocks. In the Gulf of Maine, we have seen the crisis in our fisheries firsthand, and we want to make sure that we are not forgetting all the work that our men and women who make their livings on the water have done. We do not want to roll back important conservation and management guidelines.

So again, Mr. Chairman, I support the Huffman-Sablan amendment. I appreciate my colleagues for working on this, and I urge all of my other colleagues to do the same.

Mr. BISHOP of Utah. Mr. Chairman, I yield 2 minutes to the gentleman from Alaska (Mr. YOUNG), the sponsor of the bill.

Mr. YOUNG of Alaska. Mr. Chairman, the gentleman's amendment, I am pleased to report he has accepted some portion of our bill, but there is some question about the Endangered Species Act. We had a case in Alaska where NOAA, which I don't know how it happened, they put the Steller sea lion on endangered species because of fishing. There was no real connection between the fishing and the so-called decline in the Steller sea lions, and they killed a community with no science. We come to find out the Steller sea lion had moved away from the area where there was more abundant food, not from fishing. The fishing hadn't caused any problem at all, but it killed that community.

I argue that in this case, if any of the fishing is endangered, that is okay, the fish itself. But when you have a species hurt the fishing community and it didn't affect the sustainable yield, you see why I think this amendment is incorrect.

I think you have to consider, again, the purposes of the Magnuson-Stevens Act, which originated in the House, was for sustainable fisheries and sustainable communities. When you have another act interfere with that, that doesn't have any science, then I think it is incorrect.

So I understand what the gentleman is saying. Electronically monitoring fisheries is good. The gentlewoman from Maine mentioned that. It is in the bill. There is a lot in this bill that is in the Sablan amendment. But what you are trying to suggest, you roll back the transparency and, I think, the community activity, which hurts the original base bill, which is the bill that I sponsored.

Mr. HUFFMAN. Mr. Chairman, I would just note that the process for listing under the Endangered Species Act requires best available science. It is a very rigorous and public process, and it is subject to being challenged in various ways. So we think it is robust and has proven itself.

With that, Mr. Chairman, I yield 2 minutes to the gentleman from Virginia (Mr. BEYER), who also represents a coastal State that understands the importance of sustainably managing our fisheries.

Mr. BEYER. Mr. Chairman, I thank Mr. HUFFMAN.

Mr. Chairman, I am proud to speak in support of the Huffman-Sablan substitute amendment. This amendment would complement, rather than overhaul, the fishery management process in place under the Magnuson-Stevens Act, MSA.

While the current MSA may not be perfect, we have heard from many

groups again and again that it works. We have made incredible gains since the last reauthorization in 2007.

In its annual report issued in April, NOAA reported that the number of domestic fish stocks listed as overfished or subject to overfishing has dropped to an all-time low since 1997. Three more fish stocks were rebuilt to target levels in 2014, bringing the total number of rebuilt U.S. marine fish stocks to 37 since 2000. This amazing progress is a result of the combined efforts of NOAA, the regional fishery management councils, the fishing industry, and other stakeholders.

NOAA currently has pending proposals to tweak the implementation of MSA. That process should be allowed to continue. What is needed now are updates to the MSA that address specific issues that keep the law current, not a weakening of the law and roll-back of conservation measures such as those proposed in H.R. 1335.

H.R. 1335 would undermine the great improvements we have made to make our fisheries economically and environmentally sustainable, without addressing some important factors impacting our fisheries today. For example, I had hoped to offer an amendment to H.R. 1335 that would have product councils with a way of taking the effects of climate change into account when establishing annual catch limits and rebuilding timelines, but the Rules Committee declined to allow me to offer it on the floor today, despite the critical need for us to deal with the very real impacts that climate change is already having on our oceans and our fisheries.

Mr. Chairman, I urge my colleagues to support the Huffman-Sablan amendment, which would modernize the data collection and management of fisheries data, improve recreational fisheries data collection and reporting, and provide a way for NOAA to accept outside funding to support cooperative research efforts between scientists and fishermen.

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Mr. BISHOP of Utah. Mr. Chairman, I reserve the balance of my time.

Mr. HUFFMAN. Mr. Chairman, I have nothing further, and I urge an "aye" vote on the amendment in the nature of a substitute.

With that, I yield back the balance of my time.

Mr. BISHOP of Utah. Mr. Chairman, I appreciate the opportunity of going through all these amendments. This is one amendment that does not necessarily move us forward in the process. I wish it did. It did not. Sometimes there are even little tiny bits and pieces that happen to be in there that are one of the reasons why, if we were starting from scratch again, I would ask to be removed.

For example, Mr. HUFFMAN does name one of the funds in here—the fisheries conservation and management fund—after a gentleman whose association's members have been party

to more than 20 Federal cases brought against the Federal agency since 2007. Much of that litigation has been aimed at the Bureau of Reclamation water projects and farmers and ranchers who serve by them. Congress should not be rewarding such serial litigation. That is one of the things I would have asked to have been removed had we started from scratch in this process.

But above all, the amendment simply erases the flexibility, erases the transparency, and erases the science improvements that are part of the underlying bill that are so essential; that the elements of those people who live in these communities, who recreate in these areas, who use the commercial side, the fishing side, have all said we are not doing what we need to do; that the present system does have flaws in it and needs to be changed, and we need to move forward on that bill. The underlying bill does that. This amendment does not do that.

I urge a “no” vote on this particular amendment and urge us to move forward with the bill as written.

With that, I yield back the balance of my time.

Mr. SABLAN. Mr. Chair, I am offering an Amendment in the Nature of a Substitute for H.R. 1335, which was submitted to the Rules Committee by my colleague Mr. HUFFMAN.

Mr. Chair, the Magnuson-Stevens Fishery Conservation and Management Act is a sterling example of good federal policy and has helped make the United States the world leader in sustainable fisheries management.

When we last reauthorized Magnuson-Stevens in 2007, we required the use of annual catch limits to end and prevent overfishing.

Using this management tool—annual catch limits—we have increased the number of American fish stocks with populations sufficiently large that we can count on their ability to continue reproducing.

Using annual catch limits as our guide, we have reduced the number of stocks being fished in excess of maximum sustainable yield—to an all-time low.

Magnuson-Stevens has proven to be effective environmental policy.

It is also good economic policy.

U.S. fisheries contributed nearly \$90 billion and 1.5 million jobs to the economy in 2012. And the National Oceanic and Atmospheric Administration estimates that, when we have fully rebuilt our fisheries, they will add another \$31 billion to our national economy and produce 500,000 new jobs.

Of course, we learn as we go; and there are ways that Magnuson-Stevens could be made even more effective as environmental and economic policy. The Huffman-Sablan amendment in the nature of a substitute provides some of that fine-tuning.

And our amendment does that without undermining the annual catch limits regime and other core principles that have made Magnuson-Stevens so effective.

H.R. 1335, on the other hand, risks backsliding on the progress we have made.

I recognize that some of these issues are technical in nature, but bear with me.

H.R. 1335 would allow non-target stocks in a fishery to be defined as ecosystem component species, which are not subject to annual

catch limits, even if these non-target stocks are depleted or overfished. For instance, H.R. 1335 would allow Atlantic halibut to be reclassified as an ecosystem component species, no longer subject to an annual catch limit. Yet, Atlantic halibut today are finally rebuilding after decades of decline. H.R. 1335 would put that progress at risk.

Another problem with H.R. 1335 is that it tries to conform the timelines in the National Environmental Policy Act with timelines in Magnuson-Stevens. This could force the Secretary of Commerce to approve fishery management plans that have not had the full benefit of National Environmental Policy Act analysis—particularly, by reducing the amount of time that the public has to comment on federal action. I do not think we want to be cutting the public out of this important decision-making process.

A third problem area for H.R. 1335 is that it prohibits information sharing. Fisheries data collected by NOAA in the process of administering Magnuson-Stevens could not be used in the management of other marine resources managed under the Marine Mammal Protection Act, the National Marine Sanctuaries Act, the Antiquities Act, the Endangered Species Act, and the Migratory Bird Treaty Act. Nor could the Magnuson-Stevens fisheries data be used in managing offshore energy exploration and development, or water pollution, or coastal resources. That does not really make much sense.

The substitute amendment Mr. HUFFMAN and I are offering avoids these pitfalls. We simply want to improve fisheries research and management to benefit fishermen and fishing communities.

How does our amendment do that?

By implementing electronic monitoring to lower costs for the fishing fleet;

By improving the collection of fisheries data, which we all agree is lacking;

By increasing cooperative research and management efforts between scientists and fishermen;

By making the operations of the Regional Fishery Management Councils more transparent and open to public participation;

By allowing the Councils to select individuals who have expertise on subsistence fishing practices, so we incorporate the interests and expertise of Alaska Natives, Pacific Islanders, and Indian Tribes; and

By recognizing the subsistence fishing may encompass more than personal consumption, but also includes some small-scale, low technology, commercial fishing.

And our amendment makes these improvements in Magnuson-Stevens without undermining core policies that have made the Act so effective.

Magnuson-Stevens is passed due for reauthorization. But let us do so in a way that does not jeopardize the progress we have made, so we can keep building more sustainable and more profitable fisheries for today and for our nation's future.

I ask my colleagues to support the Huffman-Sablan amendment.

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. HUFFMAN).

The amendment was rejected.

Mr. BISHOP of Utah. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. LOBIONDO) having assumed the chair, Mr. DUNCAN of Tennessee, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 1335) to amend the Magnuson-Stevens Fishery Conservation and Management Act to provide flexibility for fishery managers and stability for fishermen, and for other purposes, had come to no resolution thereon.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. DUNCAN of Tennessee). Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

Record votes on postponed questions will be taken later.

CONVEYANCE OF CERTAIN FEDERAL PROPERTY TO MUNICIPALITY OF ANCHORAGE, ALASKA

Mr. YOUNG of Alaska. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 336) to direct the Administrator of General Services, on behalf of the Archivist of the United States, to convey certain Federal property located in the State of Alaska to the Municipality of Anchorage, Alaska.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 336

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

SECTION 1. REAL PROPERTY CONVEYANCE.

(a) IN GENERAL.—As soon as practicable after the date of enactment of this Act and after completion of the survey and appraisal described in this section, the Administrator of General Services, on behalf of the Archivist of the United States, shall convey to the City by quitclaim deed for the consideration described in subsection (c), all right, title, and interest of the United States in and to a parcel of real property described in subsection (b).

(b) LEGAL DESCRIPTION OF PROPERTY.—

(1) IN GENERAL.—The parcel to be conveyed under subsection (a) consists of approximately 9 acres and improvements located at 400 East Fortieth Avenue in the City that is administered by the National Archives and Records Administration.

(2) SURVEY REQUIRED.—As soon as practicable after the date of enactment of this Act, the exact acreage and legal description of the real property to be conveyed under subsection (a) shall be determined by a survey, paid for by the City, that is satisfactory to the Archivist.

(c) TERMS AND CONDITIONS.—

(1) CONSIDERATION.—

(A) IN GENERAL.—As consideration for the conveyance of the property under subsection (a), the City shall pay to the Archivist an amount not less than the fair market value of the conveyed property, to be determined as provided in subparagraph (B).