

Now, when I have talked to the fire chiefs and crews there, they have told me: Look, in this community of 5,000, there is one road in and out.

If you have a fire that blows up like this out on the peninsula, out on the end, the fire chiefs basically said: If the conditions are wrong and there is wind, I am not going to put my firefighters' lives at risk, so we will probably not go in and fight that fire. We will just try and get people out.

Can you imagine, on a two-lane road, trying to evacuate more than 5,000 people with a monster fire breathing down your back? That is what we are trying to avoid here.

This WSA was determined in 1992 by the Bureau of Land Management and the Forest Service to not be suitable for inclusion as wilderness. They said: No, it doesn't meet the criteria. It should not be included.

But the way the Federal law works, once the agency decides to study one of these areas, all the restrictions come on the land. As you have heard from both sides of the aisle—well, at least our side of the aisle—that means that you can't go in and do mechanical thinning. You can't do the kind of work we need to do.

By the way, if there is a fire, it takes all kinds of permission to drop the retardant or to get in there with mechanical means.

All we are saying is, let's back that up 832 acres along the rim line, send people in, thin this back to where it is in balance and will not cause devastating wildfire to consume Crooked River Ranch. Let's look at what happens when that does occur.

You will remember this tragedy from my friend's home State in Santa Rosa, California. You don't think fires are monsters and killers and deadly? Look at what happened to this community, the homes and lives that were lost.

This is what we are trying to prevent from happening at Crooked River Ranch. With bipartisan support, the House is going to show its will today, and I think overwhelmingly, to say this is a measured, thoughtful piece of legislation with enormous support in the community and the county that will prevent a Santa Rosa from occurring at Crooked River Ranch.

Remember, there is one way in and one way out, and 5,500 people who live in this area.

I thank the gentleman from Alaska for his leadership on this. He and his staff have been terrific.

I thank my colleagues on the other side of the aisle. I know we have some differences about adding other things in. That can be dealt with, discussed at another time, but we have a serious and deadly threat staring us down every summer. We have fires already burning in the area.

If we want to save lives and prevent deadly fires, this is the bill to do it. This is the time to do it. Let's get it done.

Mr. MCCLINTOCK. Mr. Speaker, on behalf of the more than 5,000 residents

of the Crooked River Ranch and in the name of common sense, I ask for passage of this vital public safety measure, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. MCCLINTOCK) that the House suspend the rules and pass the bill, H.R. 2075, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The title of the bill was amended so as to read: "A bill to adjust the eastern boundary of the Deschutes Canyon-Steelhead Falls and Deschutes Canyon Wilderness Study Areas in the State of Oregon to facilitate fire prevention and response activities to protect private property, and for other purposes."

A motion to reconsider was laid on the table.

#### MESSAGE FROM THE SENATE

A message from the Senate by Ms. Lasky, one of the clerks, announced that the Senate insists upon its amendment to the bill (H.R. 5895) "An Act making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2019, and for other purposes.", disagreed to by the House and agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. SHELBY, Mr. ALEXANDER, Mr. BOOZMAN, Mr. DAINES, Mr. LANKFORD, Mr. LEAHY, Mrs. FEINSTEIN, Mr. SCHATZ, and Mr. MURPHY, be the conferees on the part of the Senate, with instructions.

#### STRENGTHENING FISHING COMMUNITIES AND INCREASING FLEXIBILITY IN FISHERIES MANAGEMENT ACT

##### GENERAL LEAVE

Mr. YOUNG of Alaska. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous material in H.R. 200.

The SPEAKER pro tempore (Mr. GRAVES of Louisiana). Is there objection to the request of the gentleman from Alaska?

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 965 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 200.

The Chair appoints the gentleman from Illinois (Mr. BOST) to preside over the Committee of the Whole.

□ 1457

##### IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the

consideration of the bill (H.R. 200) to amend the Magnuson-Stevens Fishery Conservation and Management Act to provide flexibility for fishery managers and stability for fishermen, and for other purposes, with Mr. BOST in the chair.

The Clerk read the title of the bill.

The CHAIR. Pursuant to the rule, the bill is considered read the first time.

The gentleman from Alaska (Mr. YOUNG) and the gentleman from California (Mr. HUFFMAN) each will control 30 minutes.

The Chair recognizes the gentleman from Alaska.

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

Mr. Chairman, today I rise in strong support of my legislation, H.R. 200, the Strengthening Fishing Communities and Increasing Flexibility in Fisheries Management Act.

Mr. Chairman, as one of the sponsors of the original bill way back in 1975, and I fought to secure enactment in 1976, I can say 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.

I first wrote what would become the Magnuson-Stevens Act, and it hasn't been reauthorized since 2006. For 6 years, I have worked with Members of this body on both sides of the aisle to improve this legislation.

I know some of my colleagues will say that I didn't do enough to ensure the act retains the strong bipartisan nature of the original bill. It is important to remember the legislative history. While it is true that the version of the Magnuson-Stevens Act that became law passed the House under suspension of the rules, the original bill passed the Natural Resources Committee after a long markup by a vote of 26-15, with only four Democrats voting in favor of the bill.

□ 1500

So this point that the previous reauthorizations were noncontroversial and nonpartisan is not true.

My legislation, H.R. 200, would make a number of improvements to the original act in order to ensure a proper balance between the biological needs of fish stocks and the economic needs of fishermen in coastal communities.

The legislation tailors Federal fishery authorities in order to give councils the proper tools and flexibility needed to effectively manage their fisheries, and will support a more robust domestic seafood industry and greater job creation across the country.

This legislation allows added flexibility for fishery managers to rebuild depleted fisheries, more transparency for fishermen in science and management, and a requirement for NOAA to provide better accountability on how fees are collected and used. It also authorizes appropriations for the act for 5 years.

I am proud to say my bill protects our commercial and recreational fishing interests, and will allow councils to do their job in a more streamlined and effective manner.

My bill would amend the Magnuson-Stevens Fisheries Conservation Act. 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.

This legislation was written for fishermen to ensure they are able to catch sustainable yields of fish for the communities. It is critical for the protection of coastal communities and for allowing the stakeholders to be part of the management of the fisheries.

To address the ever-changing needs of fisheries and fishery communities, 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 of habitat, improvements for fisheries science, and reductions in bycatch. These were the issues of the time, and they were addressed as needed. One of these problems also included the lack of resources to fund stock assessments to provide needed data to the regional fishery management councils, something that continues to be an issue today.

The act was last amended in 2007. Congress included measures that 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.

Work to develop H.R. 200 began 6 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. 200 takes a middle-of-the-road approach to fisheries management.

While some today may complain the bill's flexibility rolls back scientific protections, that statement 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 set at levels where overfishing will not occur. The regional councils will continue to follow recommendations of their science and statistical committee.

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

Again, I want to stress: this bill was written for fish and communities, not for the interest groups. 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 communities for other reasons and other causes.

While my name will be on the bill as the sponsor, we all know that bringing legislation to the floor is a group effort and we would not be here today talking about fish without the support of other members and a tremendous amount of hard work from staff. So I thank Chairman BISHOP and even Congressman HUFFMAN and his staff—I had to say that—the bill's cosponsors on both sides of the aisle; staff on the Natural Resources Committee, Lisa Pittman, Charles Park, Richie O'Connell, Bill Ball, and former staffer Dave Whaley; and members of my staff, Mike DeFilippis and Martha Newell.

Mr. Chairman, I have to remind people that when we had this bill passed originally, we were catching about, I would say, 2 percent of our fish, and after the passage of the Magnuson-Stevens Act, we are catching all but 1 percent and foreign countries are only catching 1 percent.

This is a good piece of legislation. It has worked in the past, and it will work better in the future.

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

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

Mr. Chairman, the Magnuson-Stevens Fishery Conservation and Management Act is our country's most important fisheries law. Magnuson is the framework for governing fishing in Federal waters, which is big business in this country: The National Oceanic and Atmospheric Administration estimates that commercial and recreational fishing generates roughly \$200 billion in economic value and supports 1.7 million jobs.

This significant economic impact depends on sustainable management of fish stocks and protecting the ocean ecosystems on which they depend. Now, the 1996 and 2006 reauthorizations of Magnuson moved us in that direction after decades of overfishing had led to the collapse of fisheries and devastation for fishing communities in many parts of the country.

Instead of building on that success, I am sad to say that H.R. 200, which many have called the empty oceans act, would roll back the important conservation and management standards

that have helped us get to this point, that have helped end overfishing, and that have helped rebuild a record number of fish stocks. This attempt to return us to the bad old days of failed fishery management policy and overfishing that inevitably follows from loose standards should be seen as unacceptable to everyone who cares about sustainable fisheries.

Now, Magnuson, as has been said, has traditionally been a bipartisan effort. I have tried to work with Mr. YOUNG in good faith to find a path towards a bipartisan compromise, and I thank him for his efforts to get there. We came close. I am disappointed that we fell short.

But we need to be very clear that Democrats are opposing H.R. 200 not for partisan reasons, but for important policy grounds that, in the past, have never been partisan and should not be partisan today.

That is also why many fishery stakeholders oppose this bill in its current form. They don't want to see Magnuson's core conservation provisions undermined. That is why letters have been pouring in in opposition to this bill, because it does undermine the very heart of our country's flagship fisheries law.

We have heard, for example, from the Alaska Longline Fishermen's Association, Fishing Communities Coalition, Cape Cod Commercial Fishermen's Alliance, Seafood Harvesters of America, Maine Coast Fishermen's Association, Marine Fish Conservation Network, Northwest Guides and Anglers Association, Gulf of Mexico Reef Fish Shareholders' Alliance, Association of Northwest Steelheaders, Gulf Restoration Network, American Fly Fishing Tackle Association, and on and on, including hundreds of chefs, scientists, and recreational anglers, among others. In fact, the stack of letters that we have received is quite voluminous, as I have them right here.

The changes my Republican colleagues are proposing to Magnuson are irresponsible. I am disappointed that they are ignoring the concerns that have been expressed from so many stakeholders who are telling them to be more careful as we reauthorize this important bill. There is an old saying: If it ain't broke, don't fix it.

The bottom line with this Magnuson reauthorization is this: the law is working as intended. Reauthorization is important, but it shouldn't come at the expense of the law's core provisions that have made it so successful.

Mr. Chairman, I have offered an alternate amendment to reauthorize Magnuson. It contains constructive, bipartisan ideas on how to best manage our fisheries by allowing for flexibility and modernizing aspects of fisheries management, but doing so without undermining the core provisions of the law.

As an angler myself, who represents many commercial and recreational fishing interests in northern California, I strongly believe that there

needs to be a bipartisan path forward. I would still very much like to have meaningful discussions with my colleagues across the aisle to develop legislation in the spirit of previous bipartisan Magnuson reauthorizations, while leaving the core conservation and management provisions intact.

We can also make progress and do more to support recreational fishing interests. We should do that together, without sacrificing the science-based framework that is so important to the long-term sustainability of fisheries management.

Unfortunately, H.R. 200 falls short in this regard, and I must request that my colleagues vote “no” on the bill in its current form.

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

Mr. YOUNG of Alaska. Mr. Chairman, I yield 2 minutes to the gentleman from Texas (Mr. BABIN).

Mr. BABIN. Mr. Chairman, I rise today in support of the Strengthening Fishing Communities and Increasing Flexibility in Fisheries Management Act.

Not only does this bill reauthorize the Magnuson-Stevens Fishery Conservation and Management Act, which is long overdue, but it also updates the language of the act to put more power in the hands of local councils to manage their fisheries effectively. One-size-fits-all approaches rarely work, so I am proud to cosponsor this bill which allows local councils to tailor management plans to the needs of their regions.

Further, this bill would lift burdens of outdated, arbitrary scientific practices and data which limit the American people's access to affordable domestically caught fish. The seafood industry is economically booming and it is past time that we lift these restricting regulations and allow a win for not only the recreational fishermen, which I have been a lifelong proponent of and a participant, but also of our commercial fishermen, the American people will be a winner as well, so I urge a vote for this bill.

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

Ms. PINGREE. Mr. Chairman, I thank my colleague for his eloquent defense of our oceans, and also for yielding me the time.

Mr. Chairman, I rise today in opposition to H.R. 200.

I represent the great State of Maine, with a rich maritime heritage, strong fisheries, and vibrant coastal communities that I am very proud to represent.

The hardworking men and women who earn their livings on or near the water in my State have been working for decades to follow the Magnuson-Stevens Act and Federal fishery policy. They are responsible stewards of our ocean resources. And while the current law could certainly be improved, it has been successful in allowing Mainers

and others to support their families while restoring and preserving the health of their fisheries. They want to pass this maritime heritage on to the next generation, and I am afraid this bill would make that task even harder for them.

The bill before us today, therefore, is a big disappointment to me because it misses the opportunity to update the Magnuson-Stevens Act. By reauthorizing Magnuson, we could work in a bipartisan way to address the current needs of our fisheries and provide more flexibility. We could bring Federal policy further into the 21st century.

This bill is the wrong approach for addressing fishery management. It weakens rebuilding requirements, creates loopholes in some conservation efforts, and has the effect of decreasing accountability that has been put in place to prevent overfishing.

H.R. 200 undoes efforts that have been proven to work, while failing to address some significant challenges in our fisheries. It is a lost opportunity and a bill that I cannot support.

Mr. YOUNG of Alaska. Mr. Chairman, I yield 2 minutes to the gentleman from Louisiana (Mr. HIGGINS), my good friend.

Mr. HIGGINS of Louisiana. Mr. Chairman, I rise today in support of H.R. 200, the Strengthening Fishing Communities and Increasing Flexibility in Fisheries Management Act. I am a cosponsor of this legislation.

Mr. Chairman, my State of Louisiana has a heavy presence of both commercial and recreational anglers, and they all know that reforms have been needed to our Federal fisheries data collection systems for decades.

In some cases, especially in relation to the red snapper fishery in the Gulf, rebuilding schedules, season lengths, and catch limits have been based off data models from the 1980s. Technology has come a long way since then, with universities and the Gulf States themselves utilizing new methods of data collection that are producing positive results that are at odds with the 1980s numbers that the Federal Government has been using.

This bill will go a long way in promoting a modern science-backed approach to management of our fisheries.

This reauthorization of the Magnuson-Stevens Fishery and Conservation Management Act provides flexibility and stability that will promote economic expansion through enhanced public access and opportunity for recreational fishing in saltwater.

Mr. Chairman, I thank my friend and colleague, Congressman YOUNG, for introducing this bill, and I urge my colleagues on both sides of the aisle to support its passage.

□ 1515

Mr. HUFFMAN. Mr. Chairman, I yield 2 minutes to the gentleman from Rhode Island (Mr. CICILLINE).

Mr. CICILLINE. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, I rise in opposition to H.R. 200, the so-called Strengthening Fishing Communities and Increasing Flexibility in Fisheries Management Act, which would undermine the years of progress made in rebuilding fish stocks and setting effective catch limits under the Magnuson-Stevens Act.

My home State of Rhode Island is home to a vibrant fishing community that relies on healthy fish populations in order to make a living.

Traditionally, reauthorization of fisheries management programs through the Magnuson-Stevens Act has been done on a bipartisan basis with the goal of strengthening sustainable fisheries. However, this entirely partisan bill weakens critical tools, like annual catch limits, which ensure that fisheries remain full for years to come.

This bill will gut science-based management for fisheries, roll back development of effective fisheries management techniques, and reduce accountability for recreational fisheries.

H.R. 200 removes several species from science-based quotas which help ensure that catches are sustainable each year. Under this bill, hundreds of species of fish would no longer have catch limits, which would lead to drastic overfishing.

The bill also harms efforts to rebuild fish stocks by including loopholes which remove rebuilding timeframes from many fish stocks and would extend recovery timeframes for others, thereby endangering healthy stocks of fish available to fishing communities.

In the last week, I have heard from fishermen from all over my district, from Greenville to Portsmouth, who have reached out to my office to tell me that H.R. 200 will harm their way of life by threatening already depleted fish populations and increase the threat of overfishing.

The fishermen in my State need legislation that would build on time-tested tools to strengthen fisheries and prevent overfishing instead of this bill, which would set management programs back and weaken effective conservation tools.

I join with those fishermen in opposing this misguided approach to reauthorizing the Magnuson-Stevens Act. I urge my colleagues on both sides of the aisle to vote “no” on final passage.

Mr. Chairman, I again thank the gentleman for yielding.

Mr. YOUNG of Alaska. Mr. Chairman, I yield 5 minutes to the gentleman from Louisiana (Mr. GRAVES).

Mr. GRAVES of Louisiana. Mr. Chairman, I want to thank the dean of the House, the gentleman from Alaska (Mr. YOUNG), the chairman emeritus, I think, for most committees in the Congress and many other great accomplishments for yielding time and for all the work on this bill.

Mr. Chairman, I find this whole debate interesting in that I have heard speaker after speaker come up on the other side of the aisle talking about the importance of their fisheries, talking about how this bill is going to ruin

resource management and sustainability of fisheries.

Mr. Chairman, I ask you to take a look at this poster right here, and I will also spout out just a few statistics.

Between my home State of Louisiana and the dean's home State of Alaska, I believe we have more than half of the commercial fisheries landings in the United States, and as demonstrated here, we have more than half of the recreational fishing in the United States.

I appreciate the concerns that are being raised, but I am not sure whom they are representing. We represent the recreational fishers. We have the largest commercial fishing industries in the United States.

What this bill does is this bill simply updates the science. It allows for updated science. It allows to build upon successful practices that have been carried out by States for coastal fisheries, for inland fisheries, allowing for better techniques, allowing for better science to ensure the sustainability of the fisheries.

Mr. Chairman, how rational is it that someone who represents Louisiana—and I also want to point to the comments that my colleague from Louisiana (Mr. HIGGINS) made a few minutes ago. We both represent the coast of Louisiana. How rational is it that the two of us and the gentleman who represents the entire State of Alaska would come out and advocate for policies that would undermine the sustainability of fisheries in two incredibly important industries in our State? That is completely nonsensical.

That is why, Mr. Chairman, this bill is bipartisan. It is why we have bipartisan support for this legislation by those who have cosponsored it. It is why the Congressional Sportsmen's Foundation; the National Coalition for Fishing Communities; the National Marine Manufacturers Association; the Theodore Roosevelt Conservation Partnership; the Coastal Conservation Association, or CCA; Guy Harvey Ocean Foundation; Florida Fish and Wildlife Commission; Center for Sport Fishing Policy; Freezer Longline Coalition; Mississippi State Legislature; Johnny Morris, who is the CEO of Bass Pro Shops; American Scallop Association; Garden State Seafood Association; West Coast Seafood Processors Association; Lund's Seafood; North Carolina Fisheries Association; Florida Keys Commercial Fishing Association; Gulf Coast Seafood Alliance; Southeastern Fisheries Association; and many, many others that have a genuine stake in the sustainability of our fisheries, some of the leaders in conservation in our fisheries, are supportive of this legislation.

So let me say it again, Mr. Chairman, this bill improves science. It uses updated science.

I am not going to point to the decades-long tenure of my friend, but I think the original legislation perhaps could use some updating, and so this

updates the science, and it provides for more transparency in the science and allows for public participation. These are all good things that we need to be supporting.

I do appreciate the input by my friend from California on this legislation, and I do hope that we can work together to get this to a posture to where everyone is supportive; but I do think it is important to refocus the fact that we are the ones who represent the majority of this economic driver, the majority of these jobs around the country, and they are the ones that represent these families that, for generations, have fished recreationally and that we want to ensure can fish for generations to come.

Mr. Chairman, I also want to thank the gentleman from Alaska for including our Modern Fish Act, which I think helps to update some practices where there is increased demand for recreational and commercial fisheries and providing a little bit better balance there.

Mr. Chairman, I urge support of this important bill. It moves our science and transparency and public participation in the right direction. It is going to improve the sustainability of our fisheries, the jobs associated with recreational and commercial fisheries, and the economic activity that these sustainable fisheries support.

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

Mr. Chairman, while I certainly appreciate the size of the Louisiana and Alaska fisheries—and to some extent, I am jealous of some of the fishing opportunities that exist in those places. I have fished, myself, in Alaska, but Mr. GRAVES has yet to invite me to Louisiana for some fishing, and we hope to fix that going forward.

I don't want to leave the impression that the fishing industry and fishing communities in other parts of the country are not just as important. I also don't want to leave the impression that there is universal support for H.R. 200 even in Alaska and Louisiana. So we are going to have a little bit of a battle of the posters, Mr. Chairman.

This is a partial listing of the groups that oppose H.R. 200 in its current form. They oppose it for the reasons that I have mentioned. They consider it irresponsible to undermine the science-based catch limits and rebuilding framework that have been so critical to the success of this bill going forward, and they don't want to see us backslide into the era of loose regulations and overfishing that will inevitably follow. They have seen this movie before, and they know what happens when we undermine core conservation provisions.

So among the many groups and organizations listed in opposition, we certainly have the Alaska Long Line Fishermen's Association, over here, the Gulf Fishermen's Association, and the Gulf of Mexico Reef Fish Shareholders

Alliance, among many, many others in opposition to H.R. 200.

Mr. Chairman, I yield 2 minutes to the gentlewoman from the State of Washington (Ms. JAYAPAL).

Ms. JAYAPAL. Mr. Chairman, I rise in opposition to H.R. 200, which, unfortunately, I believe, joining my colleagues, would undermine our ability to responsibly manage our fisheries and would ultimately harm our fishing industry in the United States.

Because of the Magnuson-Stevens Act and diligent science-based fisheries management, the United States is viewed as an international leader in the industry.

In my district, since 2000, more than 40 overfished stocks have bounced back not by luck, Mr. Chairman, but because of commonsense regulations that were put in place by the MSA.

The industry has put an emphasis on setting catch limits and rehabilitating these stocks to ensure that the industry can continue to thrive for generations to come. Since 2010, when just 28 of those 40 stocks had been rebuilt, we saw a 54 percent increase in commercial gross revenues, which is income that goes directly back into our communities.

In 2015, commercial fishing in my home State of Washington brought in \$1.7 billion, which was lower than some previous years because of those very ongoing overfishing challenges in our oceans, especially in the Pacific Northwest. These rollbacks that are proposed in this bill would make things worse.

Locally, we are focused on increasing revenues by maintaining healthy stocks and healthy oceans. We can grow opportunities for future generations while also protecting our environment and strengthening our economy.

I am so proud to be from the State of Washington, the State that elected Warren Magnuson to this body, and of the fact that the Magnuson-Stevens Act has demonstrated broad bipartisan support as well as support, as my colleagues said, from the fishing industry, environmentalists, scientists, chefs, and business owners. It is our responsibility, Mr. Chairman, to continue to build on those successes, and we can do that today by voting "no" on H.R. 200.

Mr. YOUNG of Alaska. Mr. Chairman, I yield 2 minutes to the gentleman from South Carolina (Mr. DUNCAN).

Mr. DUNCAN of South Carolina. Mr. Chairman, I want to thank Chairman YOUNG, the dean of the House, for his efforts on this.

Mr. Chairman, I rise in support of H.R. 200, the Strengthening Fishing Communities and Increasing Flexibility in Fisheries Management Act.

As chairman of the Congressional Sportsmen's Caucus and an avid recreational angler, I am proud to be a cosponsor of this bipartisan effort to provide much-needed reform to our Nation's fisheries management.

Mr. Chairman, I would ask the speakers that have gone before me on the

other side of the aisle if any of them fish or are they a member of the Congressional Sportsmen's Caucus. Have they taken the opportunity to educate themselves on the fishery issues that we are facing today?

Generations of folks have enjoyed one of America's greatest pastimes in our coastal waters. Unfortunately, antiquated Federal policies have unnecessarily limited the public's access to abundant marine fisheries.

Commercial and recreational fishing are different activities that require different management strategies. The Magnuson-Stevens Act has lacked the tools necessary to address the needs of recreational fisheries management. H.R. 200 provides an opportunity to recognize the alternative management approach in the Nation's principal fisheries law to the benefit of 11 million saltwater anglers.

Despite what some have said, H.R. 200 does not roll back conservation but, instead, provides Federal fishery managers with the tools to effectively manage both recreational and commercial fisheries. It provides for 21st century technologies to guide fishery management decisions that will further ensure that our marine resources are managed for abundance, long-term sustainability, and to the greatest benefit of the Nation.

As a recreational angler for my entire life, I understand the critical role that we play in conservation resource management. In 2016, anglers and boaters contributed \$628 million in excise taxes for sport fish conservation and management, boating safety, infrastructure, and habitat restoration. In addition to that, anglers contributed \$693 million through fish and license fees.

This bill will continue to ensure the conservation of our marine fisheries and will restore the public's trust in fisheries management.

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

Mr. Chairman, I certainly want to respectfully push back on the idea that you have to be a member of the Congressional Sportsmen's Caucus to have standing in this debate.

The fact is, and we have shared some of the groups opposing this legislation, the opposition includes many recreational fishing interests, and opposing legislators include many of us who actually do spend a lot of time on the water catching fish. So let's dispel that notion.

Now, there are some in the recreational fishing sector who will argue that Magnuson is broken, that it does not work for them, because, as they explain, it requires recreational fisheries, just like other fisheries, to abide by overall catch limits that are based on science. In other words, the law doesn't work because they don't want to have to stop fishing when their catch reaches unsustainable levels. That is a situation not of a law that is broken. It

actually shows that we have a law that is playing a very, very important role.

Now, what would H.R. 200 do if it were enacted into law? It would enable recreational anglers to take more fish right now without regard for the future.

Proponents of the bill are advocating to increase recreational catch limits, reallocate catch away from commercial fishermen with mandated reallocation reviews, and water down the sustainable fishing mandates in current law.

□ 1530

That would mean taking more fish now, threatening fisheries with the risk of overfishing in the future, which we know, because we have seen this movie before, will lead to bans and closed fisheries in the future.

Managing fisheries sometimes requires tough choices. It shouldn't be about immediate gratification. And let's remember, the recreational fishermen are not disadvantaged under the current management system. In fact, in some regions, like the Gulf of Mexico, recreational fishers currently take home 70 percent of the Gulf's most popular fish. Recreational anglers land an overwhelming majority of species like amberjack, cobia, red drum, king mackerel, spotted sea trout, and triggerfish. And for the Gulf red snapper, the division of quota between the recreational and seafood sectors is a more balanced situation, roughly 50/50.

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

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

Mr. Chairman, with all due respect to my good friends on the other side of the aisle, they are promoting the opposition to this bill from interest groups that don't have any interest in commercial fishing, period. Let's be real about this.

What hurts me, I have heard them say that it removes science from fisheries. Let's explore this. No one is listening, but that is okay.

For starters, the words "science" and "data" appear 34 times throughout the bill. Section 207 directs the councils to establish a plan for cooperative research that brings together a wide variety of high-quality, non-Federal data to support existing data.

This is about States, coastal areas, villages, communities, fishermen making decisions instead of the Federal Government, and I know they don't like that.

Section 208 directs the Secretary to work with the States to find the best way to incorporate State data, just not their own data.

Section 301 directs the Secretary to develop a strategic plan for conducting stock assessments for every stock in a fishery's management plan.

Again, science.

Section 303 replaces an arbitrary 10-year rebuilding requirement. If the fish

come back quicker under this bill, H.R. 200, they could be fished at a sustainable yield level. Under the present law, which I wrote, they can't do that. Otherwise, we lose years and management of the fish for a period of time. That is up to the councils under H.R. 200.

Section 306 directs the Secretary to expedite approval of high-quality State data in the Gulf of Mexico to better advantage those recreational-heavy fisheries.

Finally, everything in this bill continues to be bound by the scientific principle of the Magnuson mandate to utilize the best available science for management decisions. There is nothing in this bill that weakens it, nothing. Yet I keep hearing the constant waves of dissension on the other side because they don't want to renew and make a better bill.

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

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

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

I again would like to talk about this legislation, the H.R. 200 bill. I am disappointed in the other side. It is a partisan issue, and, unfortunately, it is.

I was listening to the speakers on the other side, and they really don't have a concrete reason to object to this bill other than what they are being told by those who don't want commercial fishing, and they don't want recreational fishing. They may not say that, but in reality, that is really what they are seeking.

Now, I again go back to myself and the period of time when the 200-mile limit occurred. Why did it happen?

I was in Kodiak, Alaska. None of you were even born, probably, at that time. I was in Kodiak, Alaska, looked out 12 miles off the shore of Kodiak, and there was a wall of lights. I said: What is that?

This was before I was a Congressman. He said: That is foreign fishermen catching our fish—catching our fish, America's fish.

When I got elected to Congress, one of the first things I did was try to develop the Magnuson-Stevens Act with Gerry Studds from Massachusetts. He was in the majority; I was the minority; and I explained to him what was happening.

He went back home to a fishing district and then said: You have got a good idea. Let's develop an economic zone 200 miles out, and we will control the fisheries in that area.

So we worked together bipartisanly, wrote a bill with a concrete suggestion for sustainable yield for fish, fishermen, communities for America, and for our coastal States that are involved in commercial fisheries and recreational fisheries.

We passed that bill, yes, out of the House, I believe, pretty much unanimously. Went to the Senate side, and the Senate sided with Magnuson-Stevens and decided to do the same thing.

Out of that, after we had opposition from just about every liberal in the business—for what reason, I don't know, other than they thought it would affect the international sea—it was finally signed into law by President Ford.

From there, we have gone to the best managed fisheries in the world. From there, under the Magnuson-Stevens Act, we have been able to achieve what we should do. But we have grown in science. We have grown in more knowledge about how and where we should fish and when.

People talk about the species that were depleted. There were no species until this bill was established. And we rebuilt them, and we are still rebuilding them under our science under this bill. But it gives that flexibility to States to help manage.

Now, I know on that side of the aisle, they believe that the Federal Government can do everything—in fact, they should do everything because we don't know what we are doing. The States aren't really States, they are part of the Federal Government, instead of the other way around.

I argue that knowledge within States with science available and science under present law under this bill, which we do not extinguish, is really the crux of this issue, that the 200-mile limit, the H.R. 200 bill, my bill today—not because of me. I did not write this bill for myself. I wrote it for the communities, for the fish, and the fishermen for America.

Those that oppose it, I said: Uh-uh. They are not listening to the communities. They believe Big Government can do best for them and States should not be involved. I argue it is the States' issue to protect their fish, yes, with supervision of the Federal Government.

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

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

Mr. Chairman, of course I have great respect for my colleague from Alaska. In fact, in many ways, he deserves credit for helping craft the original Fishery Conservation and Management Act, for bringing to the Nation what could be considered the Alaska model of fisheries management through subsequent Magnuson Act reauthorizations. So I find myself, ironically, in the position of defending the framework that he essentially created against my colleagues' attempts to make changes that I believe are fundamentally threatening to that very framework.

It is this Alaska model that we support, complete with science-based catch limits, industry accountability for sustainable harvest, and the constant march towards sustainable practices. That is what has made U.S. fisheries, under the Magnuson Act, a model for the world, and that is what we are trying to continue.

Now, it has been suggested that rebuilding timeframes are too rigid and too restrictive. We will talk more about this when we get to some of the specific debate on amendments. But it is important to know that there is flexibility on rebuilding goals in the Magnuson Act and that flexibility is being used. It is also working. And a great example of that is what has happened with sea scallops under the Magnuson Act.

Fishery managers implemented a rebuilding plan for sea scallops in 1998. Within a couple of years, the fishery had been rebuilt, and now the scallop fishery is one of the country's most valuable fisheries.

In 1998, a little over 13 million pounds of scallop were landed. By 2016, that amount had tripled to 40 million pounds, resulting in more money in fishermen's pockets.

So there is a lot at stake with these issues, and we should bear in mind not only the numbers we talked about regarding the many jobs, the billions of dollars contributed to the economy from commercial and recreational fishing, but the potential to do even more and to do even better if we manage our fisheries carefully.

NOAA has estimated that rebuilding all U.S. fish stocks would generate an additional \$31 billion in seafood sales, support an additional 500,000 jobs, and increase the revenue that fishermen receive at the dock by \$2.2 billion. That is why we want to keep these critical provisions that have worked so well, because we can do even better if we stay the course.

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

Mr. YOUNG of Alaska. Mr. Chairman, I yield 2 minutes to the gentleman from New York (Mr. ZELDIN).

Mr. ZELDIN. Mr. Chairman, I want to thank Congressman YOUNG for his leadership.

Mr. Chairman, it has been said during this debate that recreational fishermen aren't being disadvantaged under the current system. Our fishermen, both commercial and recreational, are absolutely being disadvantaged, and that is exactly why we must pass this bill. I will give you one example.

If you are a commercial fisherman in New York, you could catch 50 pounds of fluke once per day for 7 days. You have to go out. You can catch 50 pounds. That is 350 pounds for the week.

Now, it would make more sense if we were able to have a system in place where they were catching 350 pounds maybe in 1 day, like maybe New Jersey, where you could do 500 pounds for 3 days.

Or if we want to talk about the science where you have black sea bass, 240 percent over the target biomass, yet we are seeing a quota reduction, compared to other States, in New York. Our fishermen are getting disadvantaged under the current system.

Or the NOAA observer program, where you have a fisherman who is

taking someone out to go to an area where they know there is not going to be any fish and they end up collecting flawed data that is sitting on a shelf and not even ending up getting used.

The reality right now is that we have fishermen in my district who are desperate to survive 365 days of the year, from early in the morning until late at night, barely making ends meet, on a boat that barely works, with overhead where they are having trouble being able to pay their own bills to get by. They are looking for people to fight for them in this Chamber, to fight for that business owner, to fight for them so that they can make ends meet.

It is about protecting the fishery as those very fishermen care so much about. But they know that the system could get better, and that is why we are here, fighting for them. That is why I thank DON YOUNG for his leadership, because they are watching right now on C-SPAN.

In my district, those fishermen are watching on the internet, they are watching on TV, and they are looking for people to fight for them because they have been struggling for years and decades, and they are desperate to get this passed so that they can afford to pay their bills, so that when they are going out at 3 a.m. tomorrow and they are going to come back late at night, that they know that things are going in the right direction, that their government is going to start working for them at the Federal level, the State level, the regional level, we are doing our part.

Mr. Chairman, I encourage my colleagues to vote for this bill.

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

Mr. YOUNG of Alaska. Mr. Chairman, I yield as much time as he may consume to the gentleman from Texas (Mr. GENE GREEN).

Mr. GENE GREEN of Texas. Mr. Chairman, I thank my longtime friend, Congressman YOUNG, our dean of the House, for yielding me the time.

Mr. Chairman, I rise in support of H.R. 200, the Strengthening Fishing Communities and Increasing Flexibility in Fisheries Management Act. This bipartisan bill reauthorizes one of the most successful conservation programs in Magnuson-Stevens in a way that recognizes many of the successes of the program.

Magnuson-Stevens was established in 1976 with one primary goal: to reduce overfishing. With a successful update in the 1990s and 2000s, we have now met many of the goals the program was established to meet.

Compared to when the law was established, 84 percent of the stocks are no longer overfished, according to the National Oceanic and Atmospheric Administration. Yet we still treat many of these healthy fish stocks as if nothing has changed.

I am an avid sportsman. I have hunted and fished with both my son and my grandchildren. There is no one who



cares more about conservation and protection of endangered species than hunters and recreational fishers. It is time that Magnuson-Stevens reflects a healthy balance between commercial and recreational fishermen.

All too often, recreational fishers take a backseat to the commercial interests. This bill recognizes the unique space that recreational anglers occupy and gives them the certainty they need to enjoy our natural resources.

□ 1545

Saltwater anglers contribute \$70 billion annually to the Nation's economy and support jobs all over the country, and there is no one who cares more about the health of our oceans either. In 2016, anglers, through excise taxes, contributed \$628 million in support of conservation programs and resource management.

This bill will set catch limits in 3-year time periods to give anglers certainty so they know when to plan trips. All too often, arbitrary changes to seasons have caused problems up and down the Gulf Coast of Texas.

This bill recognizes that technology has advanced in many ways in measuring the health of our fish stocks. State agencies, universities, and local conservation groups have come with up with many innovative ways to measure the health of fish stocks. I am glad that this bill includes language that I worked on to make sure that we had the most scientifically accurate data possible when it comes to determining the number of certain stocks.

Mr. Chair, I am proud to be a cosponsor to this bill and urge all of my colleagues to support it. I thank the gentleman from Alaska for the time.

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

Mr. Chair, we certainly support recreational fishing. I do. I have a lot of it in my district, and that is one of the reasons why, as I worked with Mr. YOUNG to try to achieve a bipartisan reauthorization bill, we were willing to accept many of the provisions regarding recreational fishing. But you don't help recreational anglers when you go too far in relaxing annual catch limits or when you go too far in rolling back the rebuilding framework. Because when these fisheries crash, as inevitably they will, it is not just commercial fishing boats that are going to be out of the water. Everyone suffers. These fisheries will be closed.

And that is why so many recreational fishing interest groups and individuals have weighed in in opposition to H.R. 200. They have concluded, as we have, that the short-term gratification for some is not worth the long-term damage to all.

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

Mr. YOUNG of Alaska. Mr. Chair, how much time do I have remaining?

The CHAIR. The gentleman from Alaska has 4 minutes remaining.

Mr. YOUNG of Alaska. Mr. Chair, I yield such time as he may consume to the gentleman from Utah (Mr. BISHOP), the chairman of the full committee who allowed me to bring this outstanding bill to the floor of the House.

Mr. BISHOP of Utah. Mr. Chair, this bill is the result of more than 6 years of work with commercial and recreational fishing groups, the seafood industry, coastal communities, and both sides of the aisle. It is a bipartisan bill that codifies the Obama-era guidelines and provides flexibility for fishery managers.

It is a good bill, but I do want to address some of the inconsistencies that have been circulated by Members or NGOs. At least let me hit some of the most gross inaccuracies. In dissenting views, it was written that:

Don Young agreed to work with Democratic Members and the staff to develop a bipartisan bill. Unfortunately, Chairman Bishop pulled the plug on promising negotiations and rushed to markup with a half-baked mash-up of bad ideas.

This bill was a year in negotiation. Our efforts of trying to put numerous provisions on the table and accepting additional Democratic provisions were simply labeled as nonstarters. Every time Mr. YOUNG agreed to a change, another issue came up. It is a perfect example of Lucy pulling the ball out from under Charlie Brown. Mr. YOUNG is Charlie Brown.

Mr. Chair, I am appreciative, though, of certain off-committee Democrats who jumped at the opportunity to compromise. I especially want to thank Mr. VEASEY and Mr. GREEN for their willingness to work across the aisle and assist with cosponsoring this particular bill.

Opponents of this bill said there is no science; that it is being taken out of the management decisions. Science and data appear 34 times throughout the bill. Sections 207, 208, 301, 303, and 306, all require the Secretary to use science, which means, if Mr. YOUNG were trying to remove science from his bill and the process, he really did a crappy job at it.

This bill is also coming with the old canard that we are going to start overfishing. There is nothing in this bill that removes basic requirements that prevent overfishing, and it is consistent with guidelines for fishery management that were put forth in the Obama administration.

Another dissenting point that was made says that this bill is nothing more than a partisan measure. It is a cute idea, but something that is simply not there. Letters from scientists, many of them—in fact, most of them—do not conduct the type of research that underpins fisheries management. All have said that all of these agencies, the ESA, NEPA, and the Antiquities Act, whatever, are going to be destroyed because of this bill.

There was one specifically from the Seafood Harvesters of America that was brought to my attention because

in that particular letter that was dated in June of this year, the group claimed that section 12 repealed sections of the Magnuson-Stevens Act. That is really cute because there is no section 12 in this act.

Section 12 hasn't been a part of this bill since November of 2017. In the opposition letters to this particular bill, there have always been references to previous versions of the bill, or they failed to recognize significant changes that were added, compromises that were added by both Mr. YOUNG and Mr. GRAVES in their manager's amendment.

The kind of rhetoric that is opposed to this particular bill that we are seeing, in the past from NGOs, embodies what is wrong with Washington. I hope that everyone can see these kind of glaring inaccuracies.

I am proud to support this bill. This bill does provide science. This bill does go through the process. This bill does move us forward. This bill does help commercial fishing and recreational fishing and the communities that are involved there. It is a good step forward. It has been 6 years in the coming. It has been 1 year of heavy work right now. It needs to go forward.

Mr. Chair, I appreciate the opportunity of speaking and supporting this bill.

Mr. HUFFMAN. Mr. Chair, I yield myself such time as I may consume.

Mr. Chairman, while we have some differences in the two sides, I don't believe that I have been injecting hyperpartisan rhetoric in this debate. Our differences, as I have emphasized multiple times, are about policy. This is not about which party we are on. In fact, it used to be very bipartisan, that this Congress would defend science-based catch limits and rigorous rebuilding timeframes because we all knew that those were very, very important provisions for sustainable fisheries, whether you were a Democrat or a Republican.

Now, if there is some group out there who has written a letter that refers to the wrong section, or includes inflammatory rhetoric because they feel like they were kept out of the loop as this bill developed, maybe that is an indication that they were kept out of the loop as this bill developed. And maybe that should have been considered along with the pile of letters that have come into my office and into other offices expressing fierce opposition to some of these irresponsible changes being proposed in this Magnuson-Stevens Act reauthorization.

Rather than disparage the stakeholders who are opposing this bill, I think we should listen to them.

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

Mr. YOUNG of Alaska. Mr. Chairman, I include in the RECORD a list of supporters of this legislation.

MAGNUSON-STEVENS REAUTHORIZATION  
COALITION (115TH-H.R. 200)

Letters of Support  
ORGANIZATION

State of Florida; State of Mississippi; AFTCO Manufacturing Co., Inc.; Banks, Inc.; Alliance Sports Group; Bass Pro Shops; American Fishing Wire/Hi-Seas; Beach Marine Products; American Tackle Company; Big Rock Sports, LLC; Anglers Journal TV; Billfish Inc.; Anglers Resource, LLC; Bluefin USA; B.A.S.S., LLC; Bob Sands Fishing Tackle; Bonnier Corporation; Brunswick Boat Group; Classic Fishing Products, Inc.; Bullet Weights, Inc.

Compass 360; Cabin Creek Bait Company; Composites One; Calderone & Associates; Crappie USA, Inc.; Capt. Harry's Fishing Supply; Crook & Crook, Inc.; Careco Multimedia Entertainment LLC; Dave's Bait, Tackle & Taxidermy; Catalyst Marketing Services; DL Ventures, LLC; CB's Saltwater Outfitters; Do-It Corporation; Chris Craft; Marine Division—Americas 1 Dometic Corporation; Don Coffey Company; FLW, LLC; Eposeidon Outdoor Adventures, Inc.; Forest River Inc.; Etic USA; Formula Boats.

F.J. Neil Company, Inc.; G-Rods International; Faria/Beede Instruments; G5 Products LLC; FISH307, LLC; GEM Products, Inc.; Fishidy, Inc.; Grady-White Boats; Fishunt Essentials, LLC; Hook & Gaff Watch Company; Fluid Motion LLC; Hook & Tackle Outfitters; iAngler Tournament Systems, LLC; Magic Tilt Trailers, Inc.; IMTRA Corporation; Malin Company; INDMAR Products; Marble, LLC; Jay's Sporting Goods; Marine Accessories Corporation; Jones & Company.

Maui Jim Sunglasses; Kureha America, LLC/Seaguar; Maverick Boat Group; L & S Bait Company; Maxima USA; Lew's Fishing Tackle; MCBC Holding Inc.; Lucas Oil Products Inc.; Mercury Marine; Millers Boating Center, Inc.; Pitman Creek Wholesale; Mud Hole Custom Tackle; PRADCO-Fishing; NauticStar Boats; Pro-Troll Fishing Products; Northland Fishing Tackle, LLC; ProNav Marine; On The Water Media Group; Rapala; Outdoor Pro Shop, Inc.; Realtree Active.

Outdoor.media; Red Drum Tackle Shop, Inc.; OutdoorFlics Digital Studios + Media Lab; Robalo Boats; Pacific Catch; Rockfish Sports; Rod-N-Bobb's, Inc.; Southeastern Fishing Tackle Liquidators; Rogers Sports Marketing; Southwick Associates, Inc.; Rome Specialty Company, Inc.; Sport Outdoors TV; Rudow's FishTalk Magazine; Sportco Marketing, Inc.; Seasonal Marketing, Inc.; Sportsman Boats Manufacturing, Inc.; SeaStar Solutions; Springfield Marine; Shimano North American Holding, Inc.; St. Croix Rods.

Skeeter Boats; Stealth Products, LLC; Smoker Craft, Inc.; SteelShad Fishing Company; Strike King Lure Company; Throw Raft LLC; Syntec Industries LLC; Tim Bailey & Associates; T-H Marine Supplies, Inc.; Tom Posey Company; Tackle Warehouse; Top Brass Tackle; Temple Fork Outfitters; Trik Fish LLC; The Fisherman Magazine; TTI-Blackmore Fishing Group; The Hammond Group; Uncle Josh Bait Company; Thomas F. Gowen & Sons; Vapor Apparel.

Thomas Spinning Lures, Inc.; Vectorply Corporation; Water Gremlin Company; ZEBCO Brands; Water Sports Industry Association; Zee Bait Co.; What The Fin Apparel & Purple Tuna Tees Inc.; White River Marine Group; Wholesale Buying Group; Wright & McGill Co.; Yakima Bait Company; Yamaha Marine Group; Z-Man Fishing Products, Inc.; American Scallop Association; Atlantic Red Crab Company; Atlantic Capes Fisheries; BASE Seafood; California Wetfish Producers Association; Cape Seafood.

Garden State Seafood Association; Inlet Seafood; Long Island Commercial Fishing Association; Lunds Fisheries, Inc.; North Carolina Fishers Association; Rhode Island Commercial Fishermen's Alliance; Seafreeze Ltd.; Town Dock; West Coast Seafood Processors Association; Western Fishboat Owners Association; Freezer Longline Coalition; Florida Keys Commercial Fishing Association; Gulf Coast Seafood Alliance; Southeastern Fisheries Association.

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

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

Mr. Chair, we have some very critical differences of opinion on whether this bill is a good idea after years of success in rebuilding depleted fish stocks, after all of the economic value that we have created by allowing commercial and recreational fishing to resume in places all over this country, where at one time it was shut down because we failed to properly manage our fisheries.

We think, fundamentally, it is a bad idea at this point to declare mission accomplished and start rolling back the very bedrock provisions that have enabled us to achieve this success. It is with that in mind that I request Members to vote "no," and I yield back the balance of my time.

Mr. YOUNG of Alaska. Mr. Chairman, I want to thank the gentleman. I have no more speakers, and I am going to close by saying this is good legislation. We may have differences of opinion. It should be done. I am quite proud of the original act. I am proud of this act, too. Because I believe in the fisheries, not only commercial, and recreational, but sustainable; sustainable for the communities, the fish, and everybody in America.

Mr. Chairman, I urge passage of the bill, and I yield back the balance of my time.

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.

It shall be in order to consider as an original bill for the purpose of amendment under the 5-minute rule the amendment in the nature of a substitute recommended by the Committee on Natural Resources, printed in the bill. The committee amendment in the nature of a substitute shall be considered as read.

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

H.R. 200

*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. TABLE OF CONTENTS.**

*The table of contents for this Act is as follows:*

- Sec. 1. Short title.*
- Sec. 2. Table of contents.*
- Sec. 3. Definitions.*
- Sec. 4. References.*

**TITLE I—MAGNUSON-STEVENS ACT FINDINGS AND DEFINITIONS AMENDMENTS AND REAUTHORIZATION**

*Sec. 101. Amendments to findings.*

*Sec. 102. Amendments to definitions.*

*Sec. 103. Authorization of appropriations.*

**TITLE II—FISHERIES MANAGEMENT FLEXIBILITY AND MODERNIZATION**

*Sec. 201. Definitions.*

*Sec. 202. Process for allocation review for South Atlantic and Gulf of Mexico mixed-use fisheries.*

*Sec. 203. Alternative fishery management measures.*

*Sec. 204. Modifications to the annual catch limit requirement.*

*Sec. 205. Limitation on future catch share programs.*

*Sec. 206. Study of limited access privilege programs for mixed-use fisheries.*

*Sec. 207. Cooperative data collection.*

*Sec. 208. Recreational fishing data.*

*Sec. 209. Miscellaneous amendments relating to fishery management councils.*

**TITLE III—HEALTHY FISHERIES THROUGH BETTER SCIENCE**

*Sec. 301. Healthy fisheries through better science.*

*Sec. 302. Transparency and public process.*

*Sec. 303. Flexibility in rebuilding fish stocks.*

*Sec. 304. Exempted fishing permits.*

*Sec. 305. Cooperative research and management program.*

*Sec. 306. Gulf of Mexico fisheries cooperative research and red snapper management.*

*Sec. 307. Ensuring consistent management for fisheries throughout their range.*

**TITLE IV—STRENGTHENING FISHING COMMUNITIES**

*Sec. 401. Estimation of cost of recovery from fishery resource disaster.*

*Sec. 402. Deadline for action on request by Governor for determination regarding fishery resource disaster.*

*Sec. 403. North Pacific Fishery management clarification.*

*Sec. 404. Limitation on harvest in North Pacific directed pollock fishery.*

*Sec. 405. Arctic community development quota.*

*Sec. 406. Reallocation of certain unused harvest allocation.*

*Sec. 407. Prohibition on shark feeding off coast of Florida.*

*Sec. 408. Restoration of historically freshwater environment.*

**SEC. 3. 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. 4. 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.).*

**TITLE I—MAGNUSON-STEVENS ACT FINDINGS AND DEFINITIONS AMENDMENTS AND REAUTHORIZATION**

**SEC. 101. AMENDMENTS TO FINDINGS.**

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

*(1) in paragraph (1), by inserting "cultural well-being," after "economy,"; and*

*(2) in paragraph (10), by inserting "and traditional ways of life" after "economic growth".*

**SEC. 102. AMENDMENTS TO DEFINITIONS.**

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

*(1) in paragraph (2), by striking "management program";*

*(2) in paragraph (34), by striking "The terms 'overfishing' and 'overfished' mean" and inserting "The term 'overfishing' means"; and*



(3) 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.”; and

(4) 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 exchange or 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) **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. (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. 103. 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 2018 through 2022”.

### TITLE II—FISHERIES MANAGEMENT FLEXIBILITY AND MODERNIZATION

#### SEC. 201. DEFINITIONS.

For the purposes of implementing this title:

(1) **APPROPRIATE COMMITTEES OF CONGRESS.**—The term “appropriate committees of Congress” means—

(A) the Committee on Commerce, Science, and Transportation of the Senate; and

(B) the Committee on Natural Resources of the House of Representatives.

(2) **LIMITED ACCESS PRIVILEGE PROGRAM.**—The term “limited access privilege program” means a program that meets the requirements of section 303A of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1853a).

(3) **MIXED-USE FISHERY.**—The term “mixed-use fishery” means a Federal fishery in which two or more of the following occur:

(A) Recreational fishing.

(B) Charter fishing.

(C) Commercial fishing.

#### SEC. 202. 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 enactment of this Act, the Secretary of Commerce shall seek to enter into an arrangement with the National Academy of Sciences to conduct a study of South Atlantic and Gulf of Mexico mixed-use fisheries—

(1) to provide guidance to each applicable Council 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;

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

(3) to develop procedures for allocation reviews and potential adjustments in allocations; and

(4) that shall consider the ecological, economic and social factors relevant to each component of the mixed-use fishery including but not limited to: fairness and equitability of all current allocations; percent utilization of available allocations by each component; consumer and public access to the resource; and the application of economic models for fully estimating the direct and indirect value-added contributions of the various commercial and recreational fishing industry market sectors throughout chain of custody.

(b) **REPORT.**—Not later than 1 year after the date an arrangement is entered into under subsection (a), the National Academy of Sciences shall submit to the appropriate committees of Congress a report on the study conducted under that subsection.

#### (c) PROCESS FOR ALLOCATION REVIEW AND ESTABLISHMENT.

(1) **IN GENERAL.**—Not later than 2 years after the date of enactment of this Act, and every 5 years thereafter, an applicable Council shall perform a review of the allocations to the commercial fishing sector and the recreational fishing sector of all applicable fisheries in its jurisdiction.

(2) **CONSIDERATIONS.**—In conducting a review under paragraph (1), an applicable Council shall consider, in each allocation decision, the conservation and socioeconomic benefits of—

(A) the commercial fishing sector; and

(B) the recreational fishing sector.

(d) **DEFINITION OF APPLICABLE COUNCIL.**—In this section, the term “applicable Council” means—

(1) the South Atlantic Fishery Management Council; or

(2) the Gulf of Mexico Fishery Management Council.

#### SEC. 203. ALTERNATIVE FISHERY MANAGEMENT MEASURES.

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

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

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

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

“(8) have the authority to use alternative fishery management measures in a recreational fishery (or the recreational component of a mixed-use fishery), including extraction rates, fishing mortality targets, and harvest control rules, in developing a fishery management plan, plan amendment, or proposed regulations; and”.

#### SEC. 204. MODIFICATIONS TO THE ANNUAL CATCH LIMIT REQUIREMENT.

(a) **REGIONAL FISHERY MANAGEMENT COUNCILS.**—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) **ANNUAL CATCH LIMIT REQUIREMENT FOR CERTAIN DATA-POOR FISHERIES.**—Notwithstanding subsection (h)(6), in the case of a stock of fish for which the total annual catch limit is 25 percent or more below the overfishing limit, a peer-reviewed stock survey and stock assessment have not been performed during the preceding 5 fishing years, and the stock is not subject to overfishing, a Council may, after notifying the Secretary, maintain the current annual catch

limit for the stock until a peer-reviewed stock survey and stock assessment are conducted and the results are considered by the Council and its scientific and statistical committee.

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

“(3) **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.

#### “(4) **RELATIONSHIP TO INTERNATIONAL FISHERY EFFORTS.**—

“(A) **IN GENERAL.**—Each annual catch limit, consistent with subsection (h)(6)—

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

“(ii) in the case of an annual catch limit developed by a Council for a species, shall take into account fishing for the species outside the exclusive economic zone and the life-history characteristics of the species that are not subject to the jurisdiction of the Council.

“(B) **EXCEPTION TO ANNUAL CATCH LIMIT REQUIREMENT.**—If fishery management activities by another country with respect to fishing 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 for which there is no informal transboundary agreement with that country in effect, then—

“(i) notwithstanding subsection (h)(6), no annual catch limit is required to be developed for the species by a Council; and

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

“(5) **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 including”

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

“(6) **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.

“(7) **RULE OF CONSTRUCTION.**—Nothing in this subsection shall be construed as providing an exemption from the requirements of section 301(a) of this Act.”.

(b) **ACTION BY THE SECRETARY.**—Section 304 (16 U.S.C. 1854) is amended—

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

(2) in subsection (j)(1), as redesignated, by inserting “shall” before “immediately”; and

(3) by adding at the end the following:

“(k) STOCK SURVEYS AND ASSESSMENTS.—Not later than 2 years after the date that the Secretary receives notice from a Council under section 302(m), the Secretary shall complete a peer-reviewed stock survey and stock assessment of the applicable stock of fish and transmit the results of the survey and assessment to the Council.”.

**SEC. 205. 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. 206. STUDY OF LIMITED ACCESS PRIVILEGE PROGRAMS FOR MIXED-USE FISHERIES.**

(a) STUDY ON LIMITED ACCESS PRIVILEGE PROGRAMS.—Not later than 1 year after the date of enactment of this Act, the Secretary of Commerce shall seek to enter into an arrangement under which the Ocean Studies Board of the National Academies of Sciences, Engineering, and Medicine shall—

(1) study the use of limited access privilege programs in mixed-use fisheries, including—

(A) identifying any inequities caused by a limited access privilege program;

(B) recommending policies to address the inequities identified in subparagraph (A); and

(C) identifying and recommending the different factors and information a mixed-use fishery should consider when designing, establishing, or maintaining a limited access privilege program to mitigate any inequities identified in subparagraph (A); and

(2) submit to the appropriate committees of Congress a report on the study under paragraph (1), including the recommendations under subparagraphs (B) and (C) of paragraph (1).

(b) TEMPORARY MORATORIUM.—

(1) IN GENERAL.—Except as provided in paragraph (2), there shall be a moratorium on the submission and approval of a limited access privilege program for a mixed-used fishery until the date that the report is submitted under subsection (a)(1)(B).

(2) EXCEPTION.—Subject to paragraph (3), a Council may submit, and the Secretary of Commerce may approve, for a mixed-use fishery that is managed under a limited access system, a limited access privilege program if such program was part of a pending fishery management plan or plan amendment before the date of enactment of this Act.

(3) MANDATORY REVIEW.—A Council that approves a limited access privilege program under paragraph (2) shall, upon issuance of the report required under subparagraph (a), review and, to the extent practicable, revise the limited access privilege program to be consistent with the recommendations of the report or any subsequent statutory or regulatory requirements designed to implement the recommendations of the report.

(4) RULE OF CONSTRUCTION.—Nothing in this section may be construed to affect a limited access privilege program approved by the Secretary of Commerce before the date of enactment of this Act.

**SEC. 207. COOPERATIVE DATA COLLECTION.**

(a) IMPROVING DATA COLLECTION AND ANALYSIS.—Section 404 (16 U.S.C. 1881c) is amended by adding at the end the following:

“(e) IMPROVING DATA COLLECTION AND ANALYSIS.—

“(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary shall develop, in consultation with the science and statistical committees of the Councils established under section 302(g) and the Marine Fisheries Commissions, and submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Natural Resources of the House of Representatives a report on facilitating greater incorporation of data, analysis, stock assessments, and surveys from State agencies and nongovernmental sources described in paragraph (2) into fisheries management decisions.

“(2) NONGOVERNMENTAL SOURCES.—Nongovernmental sources referred to in paragraph (1) include the following:

“(A) Fishermen.

“(B) Fishing communities.

“(C) Universities.

“(D) Research and philanthropic institutions.

“(3) CONTENT.—In developing the report under paragraph (1), the Secretary shall—

“(A) identify types of data and analysis, especially concerning recreational fishing, that can be reliably used for purposes of this Act 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 that data and analysis in stock assessments and surveys and for other purposes as determined by the Secretary;

“(B) provide specific recommendations for collecting data and performing analyses identified as necessary to reduce uncertainty in and improve the accuracy of future stock assessments, including whether such data and analysis could be provided by nongovernmental sources, including fishermen, fishing communities, universities, and research institutions;

“(C) consider the extent to which it is possible to establish a registry of persons collecting or submitting the data and performing the analyses identified under subparagraphs (A) and (B); and

“(D) consider the extent to which the acceptance and use of data and analyses identified in the report in fishery management decisions is practicable.”.

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

(c) NAS REPORT RECOMMENDATIONS.—The Secretary of Commerce shall take into consideration and, to the extent feasible, implement the recommendations of the National Academy of Sciences in the report entitled “Review of the Marine Recreational Information Program (2017)”, including—

(1) prioritizing the evaluation of electronic data collection, including smartphone applications, electronic diaries for prospective data collection, and an Internet website option for panel members or for the public;

(2) evaluating whether the design of the Marine Recreational Information Program for the purposes of stock assessment and the determination of stock management reference points is compatible with the needs of in-season management of annual catch limits; and

(3) if the Marine Recreational Information Program is incompatible with the needs of in-season management of annual catch limits, determining an alternative method for in-season management.

**SEC. 208. RECREATIONAL FISHING DATA.**

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 State.”.

**SEC. 209. MISCELLANEOUS AMENDMENTS RELATING TO FISHERY MANAGEMENT COUNCILS.**

(a) 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”; and

(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”.

(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”.

(d) 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.

(e) 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.

### TITLE III—HEALTHY FISHERIES THROUGH BETTER SCIENCE

#### SEC. 301. HEALTHY FISHERIES THROUGH BETTER SCIENCE.

(a) DEFINITION OF STOCK ASSESSMENT.—Section 3 (16 U.S.C. 1802), as amended by section 102(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 207(a) 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, to the extent that use of such data would be consistent with the requirements in section 301(a)(2) to base conservation and management measures on the best scientific information available.

“(3) WAIVER OF STOCK ASSESSMENT REQUIREMENT.—Notwithstanding subparagraphs (A)(ii) 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 section 404(f)(1) 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.

#### SEC. 302. 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 (I), 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 (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 (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 decision making 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.”.

(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. 303. 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;”;

(D) by striking the period at the end of subparagraph (D) (as so redesignated) and inserting “; 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 deter-

mination 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. 304. EXEMPTED FISHING PERMITS.

(a) **IN GENERAL.**—Before the approval and issuance of an exempted fishing permit under section 600.745 of title 50, Code of Federal Regulations, or any successor regulation, the Secretary of Commerce shall—

(1) direct a joint peer review of the application for the exempted fishing permit by the appropriate regional fisheries science center and State marine fisheries commission; and

(2) certify that the Council or Federal agency with jurisdiction over the affected fishery has determined that—

(A) the fishing activity to be conducted under the proposed exempted fishing permit would not negatively impact any management measures or conservation objectives included within existing fishery management plans or plan amendments;

(B) the social and economic impacts in both dollar amounts and loss of fishing opportunities on all participants in each sector of the fishery expected to occur as a result of the proposed exempted fishing permit would be minimal;

(C) the information that would be collected through the fishing activity to be conducted under the proposed exempted fishing permit will have a positive and direct impact on the conservation, assessment, or management of the fishery; and

(D) the Governor of each coastal State potentially impacted by the proposed exempted fishing permit, as determined by the Secretary, has been consulted on the fishing activity to be conducted.

(b) **CLARIFICATION.**—The Secretary may not issue an exempted fishing permit under section 600.745 of title 50, Code of Federal Regulations, or any successor regulation that—

(1) establishes a limited access system as defined in section 3 of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1802);

(2) is consistent with section 303A of such Act (16 U.S.C. 1853a); or

(3) establishes a catch share program as defined in section 206(a) of this Act.

(c) **SAVINGS PROVISION.**—Except for subsection (b)(2), nothing in this section may be construed to affect an exempted fishing permit approved under section 600.745 of title 50, Code of Federal Regulations, before the date of enactment of this Act.

### SEC. 305. 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 in-

clude 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 “including” and all that follows and inserting the following: “including—

“(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. 306. GULF OF MEXICO FISHERIES COOPERATIVE RESEARCH AND RED SNAPPER MANAGEMENT.

(a) **FEDERAL GULF OF MEXICO RED SNAPPER MANAGEMENT.**—Section 407 (16 U.S.C. 1883) is amended by striking all after the section heading and inserting the following:

“(a) **CERTIFICATION OF STATE SURVEYS.**—

“(1) **INCLUSION OF CERTIFIED STATE SURVEYS.**—In establishing the acceptable biological catch and total allowable catch for red snapper in the Gulf of Mexico, the Secretary shall include—

“(A) Gulf State recreational fisheries surveys that are certified under subsection (b); and

“(B) data related to red snapper in the Gulf of Mexico collected by the Gulf States Marine Fisheries Commission, nongovernmental organizations, and other nongovernmental sources, including universities and research institutions.

“(b) **STATE SURVEYS.**—

“(1) **SUBMISSION.**—A Gulf State that conducts a recreational fisheries survey in the Gulf of Mexico to make catch estimates for red snapper landed in such State may submit such survey to the Secretary for certification.

“(2) **CERTIFICATION.**—

“(A) **IN GENERAL.**—The Secretary shall make a certification or a denial of certification for any survey submitted under paragraph (1) not later than the end of the 6-month period beginning on the date the survey is submitted.

“(B) **DEEMED CERTIFIED.**—A recreational fisheries survey is deemed to be certified effective upon the expiration of such period if the Secretary has not made a certification or denial of certification.

“(3) **MODIFICATION OF SURVEYS DENIED CERTIFICATION.**—

“(A) **IN GENERAL.**—If a survey of a Gulf State is denied certification under paragraph (2), the Secretary shall, not later than 60 days after the date of the denial, provide the Gulf State a proposal for modifications to the survey.

“(B) **PROPOSAL.**—A proposal provided to a Gulf State for a survey under subparagraph (A)—

“(i) shall be specific to the survey submitted by such Gulf State and may not be construed to apply to any other Gulf State;

“(ii) shall require revision to the fewest possible provisions of the survey; and

“(iii) may not unduly burden the ability of such Gulf State to revise the survey.

“(C) **MODIFIED SURVEY.**—

“(i) **AUTHORITY TO SUBMIT.**—If a survey of a Gulf State was denied certification under paragraph (2), the Gulf State may modify the survey and submit the modified survey to the Secretary for certification or denial of certification.

“(ii) **SCHEDULE.**—The Secretary shall make a certification or denial of certification for any modified survey not later than the end of the 30-day period beginning on the date the modified survey is submitted.

“(iii) **DEEMED CERTIFIED.**—A modified survey is deemed to be certified effective upon the expiration of the period described in clause (ii) if the Secretary has not made a certification or denial of certification.

“(c) **DEFINITIONS.**—In this section:

“(1) **GULF STATE.**—The term ‘Gulf State’ means each of the States of Texas, Louisiana, Mississippi, Alabama, or Florida.

“(2) **RED SNAPPER.**—The term ‘red snapper’ means the species *Lutjanus campechanus*.”

(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 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.

(d) **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.”

#### **SEC. 307. ENSURING CONSISTENT MANAGEMENT FOR FISHERIES THROUGHOUT THEIR RANGE.**

(a) **IN GENERAL.**—The Act 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.**—In any case of a conflict between this Act and the National Marine Sanctuaries Act (16 U.S.C. 1431 et seq.) or the Antiquities Act of 1906 (54 U.S.C. 320301 et seq.), this Act shall control.

“(b) **FISHERIES RESTRICTIONS UNDER ENDANGERED SPECIES ACT OF.**—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.”

#### **TITLE IV—STRENGTHENING FISHING COMMUNITIES**

#### **SEC. 401. ESTIMATION OF COST OF RECOVERY FROM FISHERY RESOURCE DISASTER.**

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

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

(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. 402. 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. 403. 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. 404. 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 Fishery Management Council.

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

#### **SEC. 405. 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. 406. REALLOCATION OF CERTAIN UNUSED HARVEST ALLOCATION.**

(a) **REALLOCATION.**—

(1) **IN GENERAL.**—Effective January 1, 2018, and thereafter annually, if the Regional Administrator receives receipt of written notice that the allocation holder named in section 803 of the Consolidated Appropriations Act, 2004 (Public Law 108–199, 16 U.S.C. 1851 note), will not harvest some or all of the Aleutian Islands directed pollock, the Regional Administrator, as soon as practicable, shall—

(A) if the allocation as designated in section 803 of the Consolidated Appropriations Act, 2004 does not exceed the total allowable catch for the Bering Sea subarea, reallocate the projected unused Aleutian Islands directed pollock to the Bering Sea subarea for harvest by the allocation holder named in section 803 of the Consolidated Appropriations Act, 2004; or

(B) if the allocation exceeds the total allowable catch for the Bering Sea subarea, reallocate a portion of the allocation, up to the total allowable catch for the Bering Sea Subarea.

(2) The allocation shall be provided to the Aleut Corporation for the purposes of economic development in Adak, Alaska, pursuant to the requirement of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.).

(b) **IMPLEMENTATION.**—For the purposes of this section:

(1) the allocation holder described in subsection (a) shall retain control of the allocation referenced in such subsection, including such portions of the allocation that may be reallocated pursuant to this section; and

(2) the allocations in section 206(b) of the American Fisheries Act (16 U.S.C. 1851 note) apply to the Bering Sea portion of the directed pollock fishery and not to the allocation holder under section 803 of the Consolidated Appropriations Act, 2004.

(c) **CONSENT REQUIREMENT.**—The Aleut Corporation will provide written consent for other vessels to take or process the allocation, a physical copy of which must be present on the vessel.

(d) **REVISION OF REGULATIONS AND MANAGEMENT PLANS.**—

(1) **IN GENERAL.**—The North Pacific Fishery Management Council, in consultation with the National Marine Fisheries Service, shall modify all applicable regulations and management plans so that the allocation holder named in section 803 of the Consolidated Appropriations Act, 2004, may harvest the reallocated Aleutian Islands directed pollock fishery in the Bering Sea subarea as soon as practicable.

(2) **MANAGEMENT OF ALLOCATION.**—The National Marine Fisheries Service, in consultation with the North Pacific Fishery Management Council, shall manage the Aleutian Islands directed pollock fishery to ensure compliance with the implementing statute and with the annual harvest specifications.

(3) **ENFORCEMENT.**—Taking or processing any part of the allocation made by section 803 of the Consolidated Appropriations Act, 2004, and reallocated under this section without the consent required under subsection (c) shall be considered in violation of section 307 of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1857) and subject to the penalties and sanctions under section 308 of such Act (16 U.S.C. 1858), and any fish harvested or processed under such taking or possessing shall be subject to forfeiture.

#### **SEC. 407. PROHIBITION ON SHARK FEEDING OFF COAST OF FLORIDA.**

Section 307 (16 U.S.C. 1857) is amended—

(1) by striking “It is unlawful—” and inserting the following:

“(a) **IN GENERAL.**—It is unlawful—”; and

(2) by adding at the end the following:

“(b) **PROHIBITION ON SHARK FEEDING OFF COAST OF FLORIDA.**—

“(1) **IN GENERAL.**—It is unlawful—

“(A) for any diver to engage in shark feeding in covered waters; and

“(B) for any person to operate a vessel for hire for the purpose of carrying a passenger to a site if such person knew or should have known that the passenger intended, at that site, to be a diver—

“(i) engaged in shark feeding in covered waters; or

“(ii) engaged in observing shark feeding in covered waters.

“(2) **DEFINITIONS.**—For purposes of this subsection:

“(A) **COVERED WATERS.**—The term ‘covered waters’ means Federal waters off the coast of Florida.

“(B) **DIVER.**—The term ‘diver’ means a person who is wholly or partially submerged in covered water and is equipped with a face mask, face mask and snorkel, or underwater breathing apparatus.

“(C) **SHARK FEEDING.**—The term ‘shark feeding’ means—

“(i) the introduction of food or any other substance into covered water for the purpose of feeding or attracting sharks; or

“(ii) presenting food or any other substance to a shark for the purpose of feeding or attracting sharks.

“(3) EXCEPTION.—This subsection shall not apply to shark feeding conducted—

“(A) by a research institution, university, or government agency for research purposes; or

“(B) for the purpose of harvesting sharks.”.

**SEC. 408. RESTORATION OF HISTORICALLY FRESHWATER ENVIRONMENT.**

Section 3(10) (16 U.S.C. 1802) is amended by inserting “, except that such term shall not include any area previously covered by land or a fresh water environment in a State where the average annual land loss of such State during the 20 years before the date of the enactment of the Strengthening Fishing Communities and Increasing Flexibility in Fisheries Management Act exceeds 10 square miles” after “maturity”.

The CHAIR. No amendment to the committee amendment in the nature of a substitute shall be in order except those printed in House Report 115-786. 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, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

AMENDMENT NO. 1 OFFERED BY MR. YOUNG OF ALASKA

The CHAIR. It is now in order to consider amendment No. 1 printed in House Report 115-786.

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

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 17, strike lines 17 through 23 (and redesignate the subsequent quoted clauses).

Page 23, strike lines 20 through 23 and insert the following:

(b) PUBLICATION.—The Secretary of Commerce shall make available on the Internet Website of the National Oceanic and Atmospheric Administration the report required under the amendment made by subsection (a) by not later than 1 year after the date of the enactment of this Act.

Beginning at page 31, strike line 23 and all that follows through page 36, line 25.

Beginning at page 40, line 17, strike section 304 and insert the following:

**SEC. 304. EXEMPTED FISHING PERMITS.**

(a) OBJECTIONS.—If the relevant Council, the Interstate Marine Fisheries Commission, or the fish and wildlife agency of an affected State objects to the approval and issuance of an exempted fishing permit under section 600.745 of title 50, Code of Federal Regulations, or any successor regulation, the Regional Administrator of the National Marine Fisheries Service who issued such exempted fishing permit shall respond to such entity in writing detailing why such exempted fishing permit was issued.

(b) 12-MONTH FINDING.—At the end of the 12-month period beginning on the date the exempted fishing permit is issued under section 600.745 of title 50, Code of Federal Regulations, or any successor regulation, the Council that prepared the fishery management plan, or the Secretary in the case of a fishery management plan prepared and implemented by the Secretary, shall review the exempted fishing permit and determine whether any unintended negative impacts have occurred that would warrant the discontinuation of the permit.

(c) CLARIFICATION.—The Secretary may not issue an exempted fishing permit under section 600.745 of title 50, Code of Federal Regulations, or any successor regulation that—

(1) establishes a limited access system as defined in section 3 of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1802);

(2) is consistent with section 303A of such Act (16 U.S.C. 1853a); or

(3) establishes a catch share program as defined in section 206(a) of this Act.

(d) SAVINGS PROVISION.—Except for subsection (b), nothing in this section may be construed to affect an exempted fishing permit approved under section 600.745 of title 50, Code of Federal Regulations, before the date of the enactment of this Act.

Beginning at page 44, line 1, strike section 306 and insert the following:

**SEC. \_\_\_\_ . FEDERAL GULF OF MEXICO RED SNAPPER MANAGEMENT.**

(a) IN GENERAL.—Section 407 (16 U.S.C. 1883) is amended to read as follows:

**“SEC. 407. CERTIFICATION OF STATE SURVEYS.**

“(a) SUBMISSION.—A Gulf State that conducts a marine recreational fisheries statistical survey in the Gulf of Mexico to make catch estimates for red snapper landed in such State may submit such survey to the Secretary for certification.

“(b) CERTIFICATION STANDARDS.—Not later than 90 days after the date of enactment of the Strengthening Fishing Communities and Increasing Flexibility in Fisheries Management Act, the Secretary shall establish and provide the Gulf States with standards for certifying State marine recreational fisheries statistical surveys that shall—

“(1) ensure that State marine recreational fisheries statistical surveys are appropriately pilot tested, independently peer reviewed, and endorsed for implementation by the reviewers;

“(2) use designs consistent with accepted survey sampling practices; and

“(3) minimize the potential for bias and known sources of survey error.

“(c) CERTIFICATION.—

“(1) IN GENERAL.—The Secretary shall make a certification or a denial of certification for any marine recreational fisheries statistical survey submitted under subsection (a) not later than the end of the 6-month period beginning on the date that the survey and information needed to evaluate the survey under the standards established under subsection (b) are submitted.

“(2) TIMING.—In the case of a certification request from a Gulf State, the Secretary shall begin evaluation of the request upon receipt of all information necessary to make a determination consistent with the standards set forth under subsection (b).

“(3) DEEMED CERTIFIED.—A marine recreational fisheries statistical survey shall be deemed to be certified effective upon the expiration of the 6-month period described in paragraph (1) if the Secretary has not made a certification or denial of certification.

“(d) MODIFICATION OF SURVEYS DENIED CERTIFICATION.—

“(1) IN GENERAL.—If a marine recreational fisheries statistical survey of a Gulf State is denied certification under subsection (c), the Secretary shall, not later than 60 days after the date of the denial, provide the Gulf State a proposal for modifications to the survey.

“(2) PROPOSAL.—A proposal provided to a Gulf State for a survey under paragraph (1)—

“(A) shall be specific to the survey submitted by such Gulf State and may not be construed to apply to any other Gulf State;

“(B) shall require revision to the fewest possible provisions of the survey; and

“(C) may not unduly burden the ability of such Gulf State to revise the survey.

“(3) MODIFIED SURVEY.—

“(A) AUTHORITY TO SUBMIT.—If a marine recreational fisheries statistical survey of a Gulf State was denied certification under subsection (c), the Gulf State may modify the survey and submit the modified survey to the Secretary for certification or denial of certification.

“(B) SCHEDULE.—The Secretary shall make a certification or denial of certification for any modified survey not later than the end of the 30-day period beginning on the date the modified survey is submitted.

“(C) DEEMED CERTIFIED.—A modified survey is deemed to be certified effective upon the expiration of the period described in subparagraph (B) if the Secretary has not made a certification or denial of certification.”.

(b) CLERICAL AMENDMENT.—The table of contents in the first section is amended by striking the item relating to section 407 and inserting the following:

“Sec. 407. Certification of State surveys.”.

Beginning at page 48, line 13, strike section 307.

Beginning at page 52, at line 8, strike section 406 and insert the following:

**SEC. \_\_\_\_ . REALLOCATION OF CERTAIN UNUSED HARVEST ALLOCATION.**

(a) REALLOCATION.—Notwithstanding any other provision of law, each year upon receipt by the Secretary of Commerce (referred to in this section as the “Secretary”) of written notice from the allocation holder named in section 803 of division B of the Consolidated Appropriations Act, 2004 (Public Law 108-199, 16 U.S.C. 1851 note) that such holder will not harvest all or a part of the allocation authorized pursuant to that Act, the Secretary shall reallocate for that year the unused portion of such allocation to the Bering Sea subarea of the BSAI (as defined in section 679.2 of title 50, Code of Federal Regulations) and shall assign the reallocated unused portion of the allocation only to eligible vessels as described in subsection (b)(1) for harvest in the Bering Sea subarea of the BSAI, consistent with any agreements as described in subsection (c).

(b) ELIGIBILITY TO RECEIVE REALLOCATION.—

(1) IN GENERAL.—Only vessels defined in subsection (a), (b), (c), or (e) of section 208 of the American Fisheries Act (16 U.S.C. 1851 note), or any vessels authorized to replace such vessels, may receive a reallocation described in subsection (a).

(2) LIMITATION ON REALLOCATIONS.—The Secretary shall not reallocate the allocation described in subsection (a) in any year if such reallocation exceeds the annual catch limit for pollock in the Bering Sea subarea of the BSAI.

(3) CALCULATIONS.—Any amount of the reallocation described in subsection (a) shall not be used in the calculation of harvesting or processing excessive shares as described in section 210(e) of the American Fisheries Act (16 U.S.C. 1851 note).

(4) CONDITIONS.—In any year, the assignment, transfer, or reallocation shall not violate the requirements of section 206(b) of the American Fisheries Act (title II of the division C of Public Law 105-277; 16 U.S.C. 1851 note).

(c) AGREEMENTS.—

(1) IN GENERAL.—Each year, the allocation holder named in section 803(a) of division B of the Consolidated Appropriations Act, 2004 (Public Law 108-199, 16 U.S.C. 1851 note) may establish one or more agreements with the owners of some or all of the eligible vessels as defined in subsection (b)(1).

(2) REQUIREMENTS.—Each agreement described in paragraph (1)—

(A) shall specify those eligible vessels that may receive a reallocation and the amount



of reallocation that such vessels may receive in accordance with subsection (b)(2); and

(B) may contain other requirements or compensation agreed to by the allocation holder named in section 803 of division B of the Consolidated Appropriations Act, 2004 (Public Law 108-199, 16 U.S.C. 1851 note) and the owners of such eligible vessels, provided such requirements or compensation are otherwise consistent with the American Fisheries Act (16 U.S.C. 1851 note), the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.), and any other applicable law.

(d) EXISTING AUTHORITY.—Except for the measures required by this section, nothing in this section shall be construed to limit the authority of the North Pacific Fishery Management Council or the Secretary under the American Fisheries Act (16 U.S.C. 1851 note), the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.), or other applicable law.

(e) ENFORCEMENT.—Taking or processing any part of the allocation made by section 803 of division B of the Consolidated Appropriations Act, 2004 (Public Law 108-199, 16 U.S.C. 1851 note), and reallocated under this section in a manner that is not consistent with the reallocation authorized by the Secretary shall be considered in violation of section 307 of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1857) and subject to the penalties and sanctions under section 308 of such Act (16 U.S.C. 1858), and subject to the forfeiture of any fish harvested or processed.

(f) CLARIFICATIONS.—

(1) AMENDMENT.—Subsection (c) of section 803 of division B of the Consolidated Appropriations Act, 2004 (Public Law 108-199, 16 U.S.C. 1851 note) is amended by striking “during the years 2004 through 2008”.

(2) PURPOSE OF REALLOCATION.—Consistent with subsection (d) of section 803 of division B of the Consolidated Appropriations Act, 2004 (Public Law 108-199, 16 U.S.C. 1851 note), the reallocation of the unused portion of the allocation provided to the allocation holder named in subsection (a) of such section for harvest in the Bering Sea subarea of the BSAI is for the purposes of economic development in Adak, Alaska pursuant to the requirements of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.).

Page 55, after line 4, insert the following (and redesignate the subsequent sections accordingly):

**SEC. \_\_\_\_ . COMMUNITY DEVELOPMENT QUOTA PROGRAM PANEL VOTING PROCEDURES.**

Section 305(i)(1)(G)(iv) (16 U.S.C. 1855(i)(1)(G)(iv)) is amended to read as follows:

“(iv) VOTING REQUIREMENT.—The panel may act only by the affirmative vote of 5 of its members.”.

Beginning at page 57, line 1, strike section 408 and insert the following:

**SEC. \_\_\_\_ . RESTORATION OF HISTORICALLY FRESHWATER ENVIRONMENT.**

Section 3(10) (16 U.S.C. 1802) is amended—

(1) by inserting a comma after “feeding”;

and

(2) by inserting the following: “except that such term—

“(A) does not include an area that—

“(i) was previously covered by land or a fresh water environment; and

“(ii) is in a State where the average annual land loss of such State during the 20 years before the date of the enactment of the Strengthening Fishing Communities and Increasing Flexibility in Fisheries Management Act exceeds 10 square miles; and

“(B) does not apply with respect to a project undertaken by a State or local gov-

ernment with the purpose of restoration or protection of an area described in subparagraph (A).”.

The CHAIR. Pursuant to House Resolution 965, 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, my amendment makes a series of modifications in the underlying bill and removes specific provisions related to the Endangered Species Act, the National Environmental Policy Act, and the Antiquities Act, at the request of my Democrat cosponsors from Texas, Mr. GENE GREEN and Mr. MARC VEASEY.

I introduced H.R. 200 in the early days of the 115th Congress. We have made many changes during the committee markup on H.R. 200. We adopted amendments authored by Ms. BORDALLO from Guam, as well as from the Senate Modern Fish Act that passed the Senate Committee on Commerce with an overwhelming bipartisan majority.

My manager's amendment eliminated some provisions in the bill that were most troublesome to Democrats, even though many outside stakeholders and Members on my side of the aisle considered those to be important components of the bill. The further spirited bipartisan compromise and willingness to support a number of Democratic amendments today—despite the rhetoric coming from the committee Democrats—our actions, our markup, and our willingness to work with House Democrats show that we have, in fact, been willing to work in a bipartisan manner.

Mr. Chair, I urge my colleagues to support this amendment and the underlying bill, and I reserve the balance of my time.

Mr. HUFFMAN. Mr. Chairman, I ask unanimous consent to claim the time in opposition, although I am not opposed to the manager's amendment.

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

There was no objection.

The CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. HUFFMAN. Mr. Chairman, in 1996, during floor debate passage of the bipartisan Sustainable Fisheries Act that amended and reauthorized Magnuson, the gentleman from Alaska said the following:

It is crucial that the management agencies within the Federal Government be proactive in protecting fisheries rather than attempting to address overfished stocks after they are in a crisis situation.

I couldn't agree more, and it is true now, more than ever. Twenty-two years ago our fisheries were in shambles. Rampant overfishing had decimated stocks to the point of collapse and Congress needed to make some tough choices to ensure that there were fish left to catch in our oceans.

We made tough choices in 1996, and we made them in 2006, putting in place

requirements to end overfishing, to rebuild overfished stocks, and setting science-based annual catch limits. And because we did that, because we made those tough choices, the number of overfished stocks is at an all-time low. The number of rebuilt stocks is at an all-time high, and most stocks are trending in a positive direction that is benefiting fishermen in coastal communities.

I cannot support legislation that would turn our backs on what has worked so well, but H.R. 200, unfortunately, would take us in the wrong direction, back to the bad old days of fisheries management and taxpayer bailouts because we loosen the rules that prevent overfishing.

Mr. Chair, I thank the gentleman for his many years of service in this Chamber, and I would note that those of us who were not here in 1996 are not so-called johnny-come-latelies, but we are simply younger than the gentleman. In fact, just about everyone in this House is younger than the gentleman, and I say that with great respect.

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I have worked on fisheries issues throughout my time in this Chamber and, before that, for 6 years in the California Assembly. In my personal life, I have been fishing as long as I can remember. I have even pulled in set nets on a commercial boat in Cook Inlet in the gentleman's district. So my years of interest in these issues is largely why I am so disappointed to be standing here debating a fisheries bill that is, unfortunately, too partisan.

My staff and I worked hard and in good faith to find a bipartisan compromise, and while the manager's amendment does remove some of the most egregious language that would undermine environmental laws like the Endangered Species Act, the National Marine Sanctuaries Act, the American Antiquities Act, and the National Environmental Policy Act, the fact is those provisions never should have been in a Magnuson reauthorization bill in the first place. They were always nonstarters, and removing them does not fix the serious threat to fisheries posed by H.R. 200's undermining of catch limits and rebuilding timeframes.

What is more, my staff and I did offer compromise language from Senator WICKER's Modernizing Recreational Fisheries Management Act. Even that language that every single Republican on the Senate Commerce, Science, and Transportation Committee had supported in markup was rejected, unfortunately, by my colleagues across the aisle and did not find its way into the manager's amendment.

We also offered on these points of disagreement for catch limits and rebuilding timeframes to simply leave existing law in place because it has been working, and that, too, was unacceptable, unfortunately, to our colleagues across the aisle. So what is left before

us in H.R. 200 would fundamentally gut provisions that have made Magnuson so successful.

Now is not the time to move away from catch limits based on sound science and toward catch limits based on wishful thinking. It is not the time to allow rebuilding of overstocked fish to be delayed indefinitely. We have seen this movie before, and we know what happens.

Mr. Chairman, the manager's amendment does remove some poison pill provisions that should never have been in the bill, but it does nothing to fix the wrongheaded rollbacks of catch limits and rebuilding timeframes that will inevitably lead us to overfishing. That is why this bill has been called the empty oceans act, and that is why it is opposed by so many stakeholders.

Mr. Chairman, I include in the RECORD the dozens of letters we have received since the manager's amendment was introduced.

GULF OF MEXICO REEF FISH  
SHAREHOLDERS' ALLIANCE,  
July 5, 2018.

Hon. PAUL RYAN,  
*Speaker of the House, House of Representatives,*  
*Washington, DC.*

Hon. NANCY PELOSI,  
*Democratic Leader, House of Representatives,*  
*Washington, DC.*

DEAR SPEAKER RYAN AND DEMOCRATIC LEADER PELOSI: On behalf of the Gulf of Mexico Reef Fish Shareholders' Alliance (Shareholders' Alliance), I write to you today to express our continued strong opposition to H.R. 200, the "Strengthening Fishing Communities and Increasing Flexibility in Fisheries Management Act of 2017."

The Shareholders' Alliance is the largest organization of commercial snapper and grouper fishermen in the Gulf of Mexico, with membership in every Gulf state. We work hard to ensure that our fisheries are sustainably managed so our fishing businesses can thrive and our fishing communities can exist for future generations. We are the harvesters that provide much of the American public with a reliable source of domestically-caught wild Gulf seafood, and we do this through a philosophy that sustainable seafood and profitable fishing businesses depend on healthy fish populations.

It has come to our attention that the House plans to vote on H.R. 200 after Congress resumes from its July 4th recess. We must express our continued concerns with this harmful bill and we strongly encourage you to vote against it. It would significantly harm our nation's fishermen and women, seafood suppliers, and seafood consumers through punitive restrictions and requirements that would not improve recreational fishing. H.R. 200 would make several damaging changes to the bedrock principles of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act).

H.R. 200 would unnecessarily make it more difficult for the Gulf of Mexico Fishery Management Council (Gulf Council) to use limited access privilege programs (LAPs) and catch shares as management tools. We believe that the decision-makers on the ground in the region should be able to make an informed decision as to whether LAPs or catch shares may be appropriate for a fishery or not. Congress shouldn't tie the hands of the Gulf Council and preemptively remove these fishery management tools from the toolbox. Using these tools for commercial

and charter fishing sectors has no impact on how recreational fishing is managed.

Also, H.R. 200 would promote new limitations and exemptions to annual catch limits (ACLs). ACLs allow fishing at sustainable levels to maximize access while minimizing the risk of overfishing our shared fishery resources. Inherent in this management tool is the acknowledgement that exceeding science-based catch limits reduces future opportunities, and that this should be avoided. The existing generation of fishermen has already sacrificed to rebuild these fisheries—let's not burden the next generation with having to rebuild them again.

Additionally, proponents of H.R. 200 claim that the Magnuson-Stevens Act does not provide adequate flexibility and rigidly imposes a 10-year rebuilding timeframe for overfished fisheries. However, the Magnuson-Stevens Act already allows fishery managers to approve fishery rebuilding timelines greater than 10 years in length due to a range of biological, economic, or social factors. In fact, Gulf of Mexico red snapper—the resource that many of us have built our small businesses on—is already experiencing that flexibility as it is in Year 13 of the current 27 year rebuilding plan. If the red snapper stock rebuilds by 2032 as intended, the stock will have been under a rebuilding program for over 40 years.

Finally, H.R. 200 would overload the Gulf of Mexico Fishery Management Council with allocation review requirements that would leave little time or funding to perform its primary function of managing Gulf fisheries (e.g., setting catch limits and fishing seasons, conducting stock assessments, habitat management, etc.).

Furthermore, some Amendments to H.R. 200 would simply make a bad bill even worse. Specifically, Amendment 26 would open the door to levying additional taxes on commercial fishermen, over and above the maximum amount they are legally required to pay today. We question why this punitive measure is directed only at two regions of the United States—the Gulf of Mexico and the South Atlantic. Why are the other six regional fishery management councils exempted from this measure? Furthermore, Amendment 26 would initiate a process that could lead to eliminating the participation of commercial fishing, seafood industry, and charter fishing businessmen and women in regional fishery management councils. These purported "conflicts of interest" are a non-issue, as all regional fishery management councils already enact standard operating procedures to address this concern. Simply put, Amendment 26 is a direct assault on commercial fishermen in these two regions and would only serve to eliminate fishing expertise from regional fishery management councils in order to further the interests of recreational fishing organizations. This would be a disservice to the millions of Americans who only access American seafood through restaurants, fish markets, and grocery stores.

Our nation has set the gold standard for sustainable fisheries because of our commitment to science-based management under the 2007 Magnuson-Stevens Act reauthorization. The science-based conservation requirements of the Magnuson-Stevens Act helped support the development of the commercial individual fishing quota programs in the Gulf of Mexico have played crucial roles in nearly tripling the red snapper quota for all fishermen in the Gulf of Mexico over the last 10 years, from 5 million pounds to nearly 14 million pounds. Clearly, the Magnuson-Stevens Act is working.

The nation's fishermen, seafood suppliers, consumers, and Congressional leaders must protect the gains we have made under the

last 40 years of the Magnuson-Stevens Act. It is in everyone's best interests to pass vibrant national fishery resources on to the next generation. H.R. 200 would put that in jeopardy. H.R. 200 is widely opposed by the commercial fishing industry throughout the United States (especially in the state of Florida), as well as by the seafood industry, the restaurant industry, the charter fishing industry, and others who depend on healthy fisheries to support strong businesses. Once again, we ask that you oppose H.R. 200 to ensure Americans have access to sustainable seafood today and for years to come.

Thank you for your consideration on this important matter.

Sincerely,

ERIC BRAZER,  
*Deputy Director.*

GULF FISHERMEN'S ASSOCIATION,  
July 2, 2018.

Hon. PAUL RYAN,  
*Speaker of the House, House of Representatives,*  
*Washington, DC.*

Hon. NANCY PELOSI,  
*Democratic Leader, House of Representatives,*  
*Washington, DC.*

DEAR SPEAKER RYAN AND DEMOCRATIC LEADER PELOSI: Please accept this letter from the Gulf Fishermen's Association opposing H.R. 200, the "Strengthening Fishing Communities and Increasing Flexibility in Fisheries Management Act." The Gulf Fisherman's Association represents commercial fishermen in the Gulf of Mexico who are dependent upon healthy fishery resources to support our way of life.

H.R. 200 is a threat to the success record of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act), weakening the science-based management that has made the U.S. a leader in the field. The provisions within H.R. 200 that will add exceptions to rebuilding timelines, exemptions to annual catch limits, and mandate allocation reviews are unnecessary. The Magnuson-Stevens Act in its current form is working and is responsible for rebuilding dozens of stocks. In fact, NOAA's Status of the Stocks released in March showed that overfished stocks are at an all-time low. Why change what's already working?

Additionally, Rep. Graves' Amendment 26 to H.R. 200 makes it clear that this bill is being used to harm commercial snapper and grouper fishermen in the Gulf of Mexico. This amendment would open the door for additional taxation of commercial fishermen through resource rents and royalties. It also is an attempt to eliminate charter-for-hire and commercial representation on the Gulf of Mexico and South Atlantic Fishery Management Councils Council by unfairly implying that they have a "fiduciary conflict of interest". The language in this amendment makes us ask the following questions:

Why is it reasonable to impose a tax on commercial fishermen while at the same time eliminating their voice in the decision-making process?

If commercial fishermen should not serve on the Gulf Council because of a supposed financial "conflict of interest," why should marine suppliers and scientists whose companies and universities have received funding from recreational lobbying groups be able to serve?

In conclusion, H.R. 200 is not the fix for our fisheries that it is advertised to be. It threatens to turn back the clock on fisheries management and take us back to a time when there was less fish for everyone. That hurts both commercial and recreational fishermen. It would also damage the Council system, which has been effective at creating regional solutions for their fisheries. Lastly, this bill is a failure in bi-partisanship, as evidenced

by a shortage of democratic co-sponsors and a lack of consideration for all sectors of fisheries. It seeks to help recreational fishermen at the expense of commercial fishermen who work hard to provide this great country with wild sustainable seafood. That's something the Gulf Fishermen's Association cannot support and urge all representatives to vote "no" on H.R. 200.

Thank you for the opportunity to comment on the "Strengthening Fishing Communities and Increasing Flexibility in Fisheries Management Act." We hope that you will take our concerns seriously and urge you to vote "no".

Sincerely,

GLEN BROOKS.

JULY 9, 2018.

DEAR REPRESENTATIVE: As leading manufacturers, retailers, guides, outfitters and media serving the fly fishing industry, we write to urge you to oppose H.R. 200, a bill that threatens the health and abundance of marine fisheries. H.R. 200, the "Strengthening Fishing Communities and Increasing Flexibility in Fisheries Management Act," would amend the Magnuson-Stevens Fishery Conservation and Management Act (MSA). The MSA has been methodically rebuilding fisheries decimated by once-rampant overfishing. Since 2000, forty-four previously overfished stocks have been fully rebuilt, and NOAA Fisheries just reported that the number of overfished stocks is at an all-time low.

Thriving and healthy fish populations are at the heart of our businesses, and saltwater fly fishing is a vibrant and growing segment of our industry. The Magnuson-Stevens Act is working as intended to maximize fishing opportunities while ensuring the long-term sustainability of marine fisheries. Yet the work is not done. While the science-based management required under the Magnuson-Stevens Act has dramatically reduced overfishing, fifteen percent (15%) of assessed fisheries are still overfished. Now is the time to double-down on our proven management system, not undermine it.

Unfortunately, H.R. 200 attacks the very provisions in the Magnuson-Stevens Act that are responsible for putting America's ocean fish on a secure path to full recovery. If enacted, H.R. 200 would allow many different fisheries to be exempted from the annual catch limits and accountability measures identified by independent scientific bodies. Setting clear, science-based limits on catch and enforcing those limits is a hallmark of prudent management. H.R. 200 would also undermine the recovery of fisheries by allowing fisheries managers to relax timelines for rebuilding depleted stocks. Healthy fisheries support the greatest number of angling opportunities, and should be rebuilt as quickly as possible, as currently directed by the Magnuson-Stevens Act.

Make no mistake, H.R. 200 seeks to undermine our conservation progress in service of increasing short-term economic gain. As successful business leaders, we assure you that prioritizing the health of our nation's fishery resources is the best way to invest in American businesses like our own. We urge you to vote no on H.R. 200.

Sincerely,

Jeff Patterson, Abel Reels, Montrose, CO; Eli & Tara Lucas, Alaska Coastal Hunting, Kupreanof City, AK; Tim Romano, Angling Trade Media, Boulder, CO; Kirk Deeter, Angling Trade Media, Boulder CO; Greg Blessing, Blessing Enterprises, Colorado Springs, CO; Ted Upton, Cheeky Fishing, Watertown, MA; Ben Kurtz, Fishpond Inc., Denver, CO; John Torok, Hatch Outdoors Inc., Vista, CA; Rick Wittenbraker, Howler Brothers, Austin, TX; John Barrett, JB Fly Fishing, Peoria,

AZ; Abbie Schuster, Kismet Outfitters, Martha's Vineyard, MA; Bob Triggs, Little Stone Flyfisher, Port Townsend, WA; Lucas Bissett, Low Tide Charters, Slidell, LA.

Tom Sadler, Middle River Group, Verona, VA; Colby Trow, Mossy Creek Fly Fishing, Harrisonburg, VA; Chris Gaggia, Patagonia, Ventura, CA; Corrine Doctor, RepYourWater, Erie, CO; Michelle East, River Sister Fly Fishing LLC, Colorado City, CO; Jeff Patterson, Ross Reels, Montrose, CO; Taylor Vavra, Strippers Forever, South Portland, ME; Art Web, Silver Kings Holdings Inc., Tavernier, FL; Tom Bie, The Drake Magazine, Denver, CO; Neville Orsmond, Thomas & Thomas, Greenfield, MA; Scott Hunter, Vedavoo, Leominster, MA; Ted Upton, Wingo Belts, Watertown, MA; Jim Klug, Yellow Dog Fly Fishing Adventures, Bozeman, MT.

#### SEAFOOD HARVESTERS OF AMERICA

Arlington, VA, July 9, 2018.

DEAR MEMBER OF CONGRESS: We understand that H.R. 200, the "Strengthening Fishing Communities and Increasing Flexibility in Fisheries Management Act," is on the schedule for floor debate and a vote on Wednesday afternoon. The Seafood Harvesters of America (SHA) remains staunchly opposed to this bill as it would do very little to improve the management of the recreational fishing industry while severely undermining the sacrifices the commercial fishing industry has made to ensure that we are sustainably harvesting fisheries resources.

The Seafood Harvesters of America is a broadly-based organization that represents commercial fishermen and their associations. Our members reflect the diversity of America's coastal communities, the complexity of our marine environments, and the enormous potential of our commercial fisheries. As domestic harvesters of an American public resource, we recognize and embrace our stewardship responsibility. We strive for accountability in our fisheries, encourage others to do the same, and speak out on issues of common concern that affect the U.S. commercial fishing industry, the stewardship of our public resources, and the many millions of Americans who enjoy seafood.

In addition to the threats posed by H.R. 200 as we've outlined in previous letters (below), we are concerned with a proposed amendment to H.R. 200 that will be debated during the floor vote. Specifically, we are concerned with Amendment #26 which directs the General Accountability Office to develop a report to Congress on the "resource rent" of Limited Access Privilege Programs (LAPPs) in the Gulf of Mexico and Southeast, and examine "fiduciary conflicts of interest" on these Regional Fishery Management Councils. First, by studying only LAPPs without also studying recreational fishing and non-LAPP fisheries, this language unfairly singles out LAPPs and is aimed at attacking these successful programs. Commercial fishermen already pay for their commercial permits, quota, licenses, vessel registration, business taxes, observer costs, among other costs. On top of that, fishermen in LAPPs pay an additional fee to recover costs of administering the program. There is no reason to limit an analysis of the fishing value extracted to LAPPs and such a biased analysis would lead to false conclusions. Second, the Regional Fishery Management Councils were purposely created to involve fishery stakeholders from all sectors in the Council process to guide policy and regulations. The process by which Council Members are appointed is thorough and well-vetted, and already requires financial disclosure of their fishing interests. This language shows a misunderstanding of the Council structure designed within the Magnuson-Stevens Act

(MSA). Targeting commercial and charter fishermen representatives on Councils for these two regions would not only undermine the intended Council appointment process to encourage stakeholder participation in management of our fisheries resources, but set a dangerous precedent for the rest of the country.

As we've outlined in our previous letters, the Harvesters remain opposed to H.R. 200 because of a number of sections that pose a direct threat to sustainable fisheries management:

(1) H.R. 200 risks overfishing and imperils rebuilding of overfished species

Despite significant flexibility already incorporated into the MSA, Section 303 establishes multiple exceptions to the rebuilding timeline. Congress previously strengthened the rebuilding timeline requirements because many fish stocks were not recovering and were at risk of continued overfishing. Without this statutory standard, rebuilding timelines could vary dramatically, perpetuating depleted stock conditions and harming our businesses' bottom lines.

Overfishing has been illegal since the MSA was first signed into law in 1976, but the 2007 requirement for annual catch limits (ACLs) truly put an end to the practice. Section 204 waives the requirement for ACLs for a large number of species, including virtually all bycatch species and many fish that are caught in international waters, significantly raising the risk of overfishing.

Repealing MSA Section 407 entirely (Section 306 in H.R. 200) would remove backstops against recreational quota overages and allocations for Gulf of Mexico red snapper which, combined with H.R. 200's sweeping ACL exemptions, increases the risk of overfishing and makes it difficult for management bodies to allocate quota to prevent quota overages.

(2) H.R. 200 hinders Councils' ability to manage our fishery resources

Councils already have the flexibility to conduct allocation reviews as necessary, so requiring that the South Atlantic and Gulf Councils conduct a review of commercial and recreational allocations every 5 years (Section 202) is duplicative, costly, and would effectively prevent these Councils from having the time and money to manage the resource (i.e. stock assessments, habitat management, among other responsibilities).

Section 304 establishes a suite of procedures that would make the use of Exempted Fishing Permits (EFPs) nearly impossible, removing a pathway for Councils to work with industry to develop and test innovative gear, fishing, and management technologies aimed at improving resource management. Additionally, this Section bans the use of EFPs to test for Limited Access Privilege Programs (LAPPs).

(3) H.R. 200 would impose unnecessary Congressional interference

Fishermen are deeply involved in the development of catch share programs, which often take years of deliberation with extensive public input. Under current law, Councils can require referenda on these programs at their discretion. Mandating additional referenda and specifying who should be allowed to vote in them is unnecessarily intrusive to the Council process and creates undue hurdles to catch share development (Section 205). While we recognize that a catch share program may not be appropriation for every fishery, we feel strongly that this management tool should remain a viable option.

We are disappointed to see this bill move along near partisan lines. The reauthorization of the MSA has traditionally been a bipartisan effort that advances the sustainability of our nation's fisheries. Instead,

what we see today is a partisan effort to advance the interests of the recreational fishing industry at the expense and to the detriment of the commercial fishing industry.

As thousands of commercial fishermen around the country stand in opposition to this bill, we urge House Leadership to reconsider bringing this bill to the House floor for a vote. We are serve as a direct connection to the ocean for many inland citizens and we take our responsibility as stewards of the ocean very seriously. We stand ready to work with Mr. Young and others to develop a bill that works for all sectors and progresses fisheries management across the board.

We appreciate your consideration of our request. Please reach out to our Executive Director, Leigh Habegger, should you have any further questions.

Sincerely,

CHRISTOPHER BROWN,  
President,  
Seafood Harvesters of America.

#### MEMBER ORGANIZATIONS

Alaska Whitefish Trawlers Association; Cape Cod Commercial Fishermen's Alliance; Cordova District Fishermen United; Fishing Vessel Owners' Association; Fort Bragg Groundfish Association; Georges Bank Fixed Gear Cod Sector, Inc; Gulf Fishermen's Association; Gulf of Mexico Reef Fish Shareholder's Alliance; Midwater Trawlers Cooperative; New Hampshire Groundfish Sectors; North Pacific Fisheries Association; Purse Seine Vessel Owners Association; Rhode Island Commercial Fishermen's Association; South Atlantic Fishermen's Association; United Catcher Boats.

Mr. HUFFMAN. Mr. Chairman, I include in the RECORD this column recently written by the head of the National Marine Fisheries Service and also the chief scientist for the National Marine Fisheries Service under the Bush administration.

I would like to call special attention to this statement by these experts from the Bush administration, who say: "We believe this is an ill-conceived, dangerous piece of legislation that would undermine the tremendous progress in fisheries rebuilding and sustainable management that has occurred since the last reauthorization of the Magnuson-Stevens Fishery Conservation and Management Act in 2007."

#### DON'T HURT FISHERIES WITH DANGEROUS LEGISLATION

(By William Hogarth and Steven Murawski, special to the Tampa Bay Times)

This Wednesday the U.S. House of Representatives is scheduled to vote on H.R. 200, the Strengthen Fishing Communities and Increasing Flexibility in Fisheries Management Act. We believe this is an ill-conceived, dangerous piece of legislation that would undermine the tremendous progress in fisheries rebuilding and sustainable management that has occurred since the latest reauthorizations of the Magnuson Stevens Fisheries Conservation and Management Act in 2007.

Since 2007, more than 40 of the most overfished and historically important fish stocks in the nation have been recovered. Overfishing now occurs for fewer than 10 percent of stocks, the lowest proportion since records have been kept. Rebuilding stocks has resulted in increases in fisheries yields and translated into lower prices to consumers, more business-friendly approaches to commercial fisheries management and more healthy recreational fisheries.

The term "flexibility" in H.R. 200 is a code word that would undermine timely, effective management of stocks when downturns inevitably occur. Heavy on requirements for studies and other administrative requirements, H.R. 200 would make fisheries management more cumbersome. The bill as written would delay timely, effective conservation responses and would limit the flexibility to use innovative management tools. Healthy fisheries without healthy stocks is a non sequitur. We urge the House to reject this piece of legislation that seeks to solve problems that simply do not exist.

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

Mr. YOUNG of Alaska. Mr. Chairman, I have no other speakers, and I yield back the balance of my time.

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

The amendment was agreed to.

#### AMENDMENT NO. 2 OFFERED BY MR. COURTNEY

The Acting CHAIR. It is now in order to consider amendment No. 2 printed in House Report 115-786.

Mr. COURTNEY. Mr. Chairman, the Clerk has 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 title II add the following:

#### SEC. —. NORTHEAST REGIONAL PILOT RESEARCH TRAWL SURVEY AND STUDY.

(a) INDUSTRY-BASED PILOT STUDY.—Within 1 year after the date of the enactment of this Act, the Secretary of Commerce shall, in coordination with the relevant Councils selected by the Secretary and the Northeast Area Monitoring and Assessment Program (NEAMAP), develop a fishing industry-based Northeast regional pilot research trawl survey and study to enhance and provide improvement to current National Oceanic and Atmospheric Administration vessel trawl surveys.

(b) COMPONENTS.—Under the pilot survey and study—

(1) the Secretary—

(A) may select fishing industry vessels to participate in the study by issuing a request for procurement;

(B) may use the NEAMAP Southern New England/Mid-Atlantic Nearshore Trawl Survey as a model for the pilot survey; and

(C) shall outfit participating vessels with a peer-reviewed net configuration; and

(2) the selected Councils shall, in partnership with the National Marine Fisheries Service Northeast Fisheries Science Center and the Virginia Institute of Marine Science, collect data and evaluate discrepancies between fishing industry vessel data and National Oceanic and Atmospheric Administration vessel data, for 5 years.

(b) REPORT.—Upon completion of the pilot survey and study, the Secretary and the selected Councils shall submit a detailed report on the results of the pilot survey and study to the Committee on Natural Resources of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate.

The Acting CHAIR. Pursuant to House Resolution 965, the gentleman from Connecticut (Mr. COURTNEY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Connecticut.

Mr. COURTNEY. Mr. Chairman, at the beginning, I first of all want to salute both Mr. YOUNG and Mr. HUFFMAN for their hard work on this legislation, which is very contentious and requires a lot of interests to be balanced. Again, hopefully, as the process moves forward through the next Chamber, we will get to that sweet spot for good policy for our Nation.

Mr. Chairman, the amendment at the desk is a simple amendment, which creates a 5-year, industry-based pilot trawl survey for the New England and Mid-Atlantic Fishery Management Councils. Such a program would follow the model industry-based trawl surveys used in the Pacific Northwest under NOAA's supervision that have been a great success.

The reason I am offering this bipartisan amendment with Congressman LEE ZELDIN from New York is that NOAA trawl surveys have been seriously hampered by a string of mechanical and performance problems with NOAA's ship Henry B. Bigelow over the last 2 years.

For example, from August 2017 to March 2018, Bigelow missed several trawls while in its shipyard for chronic propulsion problems. Even when the Bigelow is operational, one-third of its trawls are not performing, and these bad trawls generally have yields that are 67 percent lower than when it performs properly.

These problems are unacceptable, given the critical importance of that data to accurately calculate catch limits on the East Coast, which, as we have heard, is a highly contentious issue.

In addition to the Bigelow's gear issues, the vessel is too large for near-shore studies. It draws a lot of water and cannot enter shallow littoral areas to trawl. Because of that, NOAA already contracts with the Northeast Area Monitoring and Assessment Program, NEAMAP, to survey shallower areas. NEAMAP contracts industry vessels outfitted with peer-reviewed NOAA gear for near-shore surveys, proving that surveying can be done on industry vessels.

I want to emphasize that this pilot program contemplated in the amendment will be a pilot program coordinated with NOAA, the councils, and industry. While we don't dictate a specific framework, we recommend that the pilot mirror the NEAMAP survey, which the executive directors of both the New England and Mid-Atlantic Councils have described as the gold standard of cooperative, collaborative fisheries surveys.

Mr. Chairman, this amendment is a responsible initiative to solve a real-life problem using a trusted precedent in the Pacific Northwest and under the careful supervision of NOAA and fisheries experts.

I want to thank the Northeast Trawl Advisory Panel for bringing attention to the trawl gaps that are happening on the East Coast and working with my office to craft this amendment.

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

Mr. YOUNG of Alaska. Mr. Chairman, I claim the time in opposition to the amendment, although I do not oppose it.

The Acting CHAIR. Without objection, the gentleman is recognized for 5 minutes.

There was no objection.

Mr. YOUNG of Alaska. Mr. Chairman, I yield 5 minutes to the gentleman from New York (Mr. ZELDIN), who sponsored the bill.

Mr. ZELDIN. Mr. Chairman, I would like to thank my colleague, JOE COURTNEY from Connecticut, for his bipartisan cooperation on this and so many other issues that are important to the hardworking men and women who make their living on the Long Island Sound, a precious waterway we are both so fortunate to represent.

This amendment creates an industry-based trawl survey program for the New England and Mid-Atlantic regions. Improving survey data so that the quotas and regulations imposed on our fishermen are transparent, equitable, and fair is a critical goal of the underlying bill, and it is the purpose of this important bipartisan amendment.

Increasing industry buy-in and cooperation with the NOAA survey program is essential for improving data collection. Without the right data, fishermen in our region will continue to be shortchanged while their counterparts in the Pacific Northwest are already benefiting from increased cooperation between NOAA and the private sector.

What we have right now in our region is a massive failure on behalf of NOAA because their vessel has fudged trawl after trawl. The people who work on the water every day have the equipment, the vessels, and the expertise to get this important data collection done, and done right.

I am proud to be a cosponsor of this amendment, and I commend my friend from Connecticut for his hard work on this issue. I look forward to continuing to work together with him and others on bipartisan solutions to help our hardworking commercial fishermen, charter boat captains, and all the small businesses that are a part of the coastal economy.

Mr. Chairman, I urge adoption of this amendment.

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

Mr. COURTNEY. Mr. Chairman, I have no further speakers for the amendment.

Mr. Chairman, I urge a "yes" vote, and I yield back the balance of my time.

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

The amendment was agreed to.

AMENDMENT NO. 3 OFFERED BY MR. LANGEVIN

The Acting CHAIR. It is now in order to consider amendment No. 3 printed in House Report 115-786.

Mr. LANGEVIN. 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:

At the end of section 209 (page 27, after line 7) add the following:

(F) ADDITION OF RHODE ISLAND TO THE MID-ATLANTIC FISHERY MANAGEMENT COUNCIL.—Section 302(a)(1)(B) of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1852(a)(1)(B)) is amended—

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

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

(3) by striking "21" and inserting "23"; and

(4) by striking "13" and inserting "14".

The Acting CHAIR. Pursuant to House Resolution 965, the gentleman from Rhode Island (Mr. LANGEVIN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Rhode Island.

Mr. LANGEVIN. Mr. Chairman, today I offer an amendment with immense importance to Rhode Island fishermen. My amendment would provide voting representation for Rhode Island on the Mid-Atlantic Fisheries Management Council, which regulates numerous species found in the waters off our coast.

I want to emphasize that this is not a provincial matter. This is about providing fair representation and a sense of equity for those invested in our regional fisheries council system. It only makes sense that those who haul in these fish species should have a seat at the table.

Mr. Chairman, despite our location in New England, we do haul in these so-called Mid-Atlantic species. Using the most recent statistics, Rhode Island lands half of all squid caught on the East Coast.

Let me repeat that, Mr. Chairman. Half of all squid caught on the East Coast is landed by Ocean State fishermen. These squid are the key ingredient in the famous Rhode Island calamari, a dish that many of us undoubtedly enjoy.

Beyond squid, Rhode Island lands 85 percent of all East Coast butterflyfish, far exceeding any other State. Butterflyfish is regulated by the Mid-Atlantic Council. We haul in more scup than any other East Coast State. Scup is also regulated by the Mid-Atlantic Council.

Additionally, we are among the top three States for landing bluefish, summer flounder, and monkfish. Mr. Chairman, bluefish, summer flounder, and monkfish are all regulated by the Mid-Atlantic Council. For our recreational fishermen, summer flounder, black sea bass, bluefish, and scup comprise the bulk of the recreational harvest in Rhode Island.

So, Mr. Chairman, it should also be noted that the Rhode Island Sound is a part of the Mid-Atlantic Bight. In other words, Mr. Chairman, we are a part of the same marine ecosystem that stretches down to the Outer Banks

of North Carolina. The same species live all along these waters, and they are regulated by the Mid-Atlantic Council.

While this inequity already exists today, the threat of climate change will only make this worse as species migrate northward in search of colder waters.

So, Mr. Chairman, I would like to point out to my colleagues that there is precedent for such a change. In 1996, we amended fisheries law to ensure that North Carolina could sit on two regional fisheries councils. All we ask is the same consideration be provided to Rhode Island. It is only fair.

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

Mr. YOUNG of Alaska. Mr. Chairman, I claim the time in opposition.

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

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

Mr. Chairman, I understand the intent of my good friend's amendment, but I reluctantly oppose it.

The amendment would begin to unravel, I believe, this council's structure that was made in the Magnuson-Stevens Act, the gold standard of global fisheries management. At best, it erodes MSA's emphasis on regional management.

Fish stocks migrate up and down the Atlantic coast frequently incorporated in a prospective of States invested in shared fishery resources, a goal we all share. That is why Congress authorized the Atlantic States Marine Fisheries Commission and why my bill before us today creates a liaison between the Mid-Atlantic Council and the New England Council and vice versa.

These two mechanisms adequately address overlapping Atlantic coast fisheries without undermining the fundamental council structure.

Mr. Chairman, reluctantly, for those reasons, I urge my colleagues to oppose the amendment, and I reserve the balance of my time.

Mr. LANGEVIN. Mr. Chairman, once again, I would point out to my friend, whom I have deep respect for, that there is precedent for such a change.

In 1996, we amended fisheries law to ensure that North Carolina could, in fact, sit on two regional fisheries councils, so what we are asking is not unprecedented.

Mr. Chairman, I yield 2 minutes to my colleague from Rhode Island (Mr. CICILLINE).

Mr. CICILLINE. Mr. Chairman, I rise in strong support of the amendment offered by my friend and colleague, Congressman LANGEVIN. I am proud to be an original cosponsor of my colleague's legislation, the Fishermen's Fairness Act, which serves as the basis for this amendment.

This amendment would provide our home State of Rhode Island with representation on the Mid-Atlantic Fisheries Management Council. This move

would allow Rhode Island fishing communities to have a voice on the council which manages stocks for species that are among the most valuable to fisheries in our State.

Rhode Island fishermen account for nearly 56 percent of total summer scup landings and 54 percent of all Atlantic squid landings, both stocks being managed by the Mid-Atlantic Council.

Squid landings are critical to Rhode Island's overall fishing economy, landing more squid than all other States combined and the second most of any other State in the country. In 2015, Rhode Island landed roughly 16 million pounds of squid, nearly 12 million pounds more than its nearest competitor.

□ 1615

The following year was even more significant for Rhode Island, with nearly 23 million pounds in squid landings valued at more than \$29 million.

All told, Rhode Island accounts for more fish landings under the jurisdiction of the Mid-Atlantic Fisheries Management Council than any other State in the region, with the exception of New Jersey.

Yet, despite all of this, my State does not have a seat on this council, leaving Rhode Island fisheries without a say in how a significant portion of its industry is managed.

This amendment will provide a commonsense solution to this problem by adding two additional seats to the Mid-Atlantic Fisheries Management Council in order to represent Rhode Island's interests in the region.

As Congressman LANGEVIN said, this is not unprecedented. We have done this before. In 1996, North Carolina, which also had significant fishing interests in the mid-Atlantic region, was given a seat on the council. This amendment would extend this same right to a seat at the table to my State.

I really want to thank my colleague for his work on this issue, and I strongly encourage adoption of this amendment, particularly out of a sense of comity, since we have done this in the past. Rhode Islanders deserve to be treated fairly. Our fishermen deserve a voice. I urge my colleagues to support this excellent amendment.

Mr. LANGEVIN. Mr. Chair, I yield back the balance of my time.

Mr. YOUNG of Alaska. Mr. Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Rhode Island (Mr. LANGEVIN).

The amendment was rejected.

AMENDMENT NO. 4 OFFERED BY MR. HUFFMAN

The Acting CHAIR. It is now in order to consider amendment No. 4 printed in House Report 115-786.

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:

Page 37, strike lines 5 through 6 (and redesignate the subsequent subparagraphs accordingly).

Page 38, after line 7, insert the following (and redesignate the subsequent quoted subclauses accordingly):

“(IV) the new plan, amendment, or proposed regulation has at least a 75 percent chance of rebuilding the overfished fishery within the time limit proposed by the Council, as calculated by the scientific and statistical committee of the Council with jurisdiction over the fishery pursuant to section 302(g)(1)(B);

The Acting CHAIR. Pursuant to House Resolution 965, the gentleman from California (Mr. HUFFMAN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

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

Mr. Chairman, supporters of this bill argue that the requirement to rebuild overfished stocks needs more “flexibility,” but it is important to note that the Magnuson Act already provides a lot of flexibility.

While I am fully aware that it isn't always easy or popular to implement fishing restrictions, management tools like annual catch limits and rebuilding plans are essential to ensuring a future for our fisheries and fishing industry.

In my district, fishermen went through several tough years while groundfish stocks were depleted. Magnuson provided the scientific and regulatory framework to bring those fisheries back. We have now rebuilt half of our groundfish species, and more are on the way to recovery.

These accomplishments certainly did not come easily. Our fishermen had to make sacrifices. But the long-term health of our fisheries and communities that depend on them in making these tough decisions has benefited from it. That is why these decisions were supported by commercial and recreational fishermen. That support has been integral to sustaining the fisheries that are critical for West Coast communities. This success story, by the way, has been replicated around the country time and again.

Our success and the sustainability of the fishing industry rely on harvesting from healthy and productive fish stocks. Fishing restrictions are only put in place because they are absolutely necessary. If there aren't enough fish to support strong harvests both now and in the future, we have no choice but to cut back in order to avoid the tragedy of the commons.

It is important to note that 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 today have rebuilding plans that are longer than the 10-year baseline in the act. So there is flexibility, and it is being used.

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

My amendment requires that an exemption to strong rebuilding timelines would only be permitted if rebuilding plans have at least a 75 percent chance of success. That is contrasted with the 50 percent chance of success that ordinarily applies to rebuilding plans.

Now, I am proud that, without being required to do so, most of the West Coast groundfish fishery recovery plans have a greater than 75 percent chance of meeting their rebuilding goals, and we have seen the success of that. Unfortunately, the same cannot be said of all the regions.

The bottom line is that we should not be weakening standards unless we have a very robust rebuilding plan in place. That is what this amendment addresses.

I want to note that, in addition to all of that, the current Magnuson Act requires a rebuilding timeline be as short as possible. H.R. 200 would change that requirement to be as short as practicable. This is a very problematic weakening of the law, with real consequences.

Currently, the agency has to do whatever is possible, whatever is feasible. Practicable is a lower standard. It means the stocks would not be built in a reasonable timeframe, and this change could even allow the agency to do little or nothing to rebuild a stock.

History has shown us what happens if we don't do that. We need to tackle rebuilding aggressively in order to succeed. Rebuilding plans that take a weak approach to harvest or drag on rebuilding for many years inevitably fail.

So, unless the law is very clear and strong on this point, managers could choose not to deal with rebuilding situations proactively. My amendment addresses this to be sure that we continue to see fish stocks rebuild so that fishermen can ultimately reap the rewards.

Mr. Chairman, I request an “aye” vote, and I yield back the balance of my time.

Mr. YOUNG of Alaska. Mr. Chairman, I rise in opposition to the amendment.

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

Mr. YOUNG of Alaska. Mr. Chairman, this amendment would not only hamstring the flexibility of rebuilding fish stocks that this bill provides, it would add serious bureaucratic delays in the development of fishery management plans across the country.

Furthermore, according to NOAA, this amendment would eliminate some of the flexibility currently provided under the national standard, one which was updated under the Obama administration, and would cause an unnecessary reduction in the catch.

NOAA also expressed concerns regarding the potential impact on international fishing agreements that would



change how the U.S. can negotiate on rebuilding plans. According to a letter authored by the National Coalition for Fishing Communities, this amendment would undermine the act, impede reforms that are desperately needed, and attack jobs in coastal communities.

Mr. Chair, I include in the RECORD a letter to the leadership of the House and to myself where they say such an amendment sponsored by Mr. JARED HUFFMAN of California and Mr. ALCEE HASTINGS of Florida will ensure it does not: "We believe it would actually undermine the MSA, impede reforms that are desperately needed, and attack jobs in coastal communities around the country, including in California and Florida, the home States of Mr. HUFFMAN and Mr. HASTINGS."

NATIONAL COALITION  
FOR FISHING COMMUNITIES,

July 10, 2018.

Hon. PAUL RYAN,  
*Speaker, United States House of Representatives, Washington, DC.*

Hon. KEVIN MCCARTHY,  
*Majority Leader, United States House of Representatives, Washington, DC.*

SPEAKER RYAN AND MAJORITY LEADER MCCARTHY: H.R. 200 (formerly H.R. 1335), the "Strengthening Fishing Communities and Increasing Flexibility in Fisheries Management Act" is the product of three Managing our Nations Fisheries ("MONF") conferences, and numerous hearings with well over a hundred witnesses (from 2009 through 2017). These many efforts were held in large part to address unintended consequences in the implementation of the 2006 reauthorization.

The Magnuson-Stevens Fishery Conservation and Management Act (MSA) has largely been a success, but no law is perfect, and H.R. 200 contains a number of important updates and refinements. But as a result of a barrage of last-minute amendments, proposed outside of the committee process, years of hard work to create honest reform of the MSA is now in jeopardy.

One such amendment, sponsored by Congressman Jared Huffman (D-California) and Alcee Hastings (D-Florida) purports to "ensure that rebuilding plans are successful in rebuilding overfished fish stocks." However, we believe it would actually undermine the MSA, impede reforms that are desperately needed, and attack jobs in coastal communities around the country, including in California and Florida, the home states of Mr. Huffman and Mr. Hastings.

In a letter delivered to their offices on last week, we asked Mr. Huffman and Mr. Hastings to please explain to us how they foresee that this amendment could be enacted without having the effect of reducing commercial, charter and recreational fishing quotas significantly. We also asked that since they represent California and Florida, and since our membership includes members who represent fishing interests in California and Florida, that they explain how they see this amendment improving conditions for seafood harvesters and processors in your respective home states. Unfortunately we did not receive a response to those questions.

In the provisions contained in this amendment were implemented, the required theoretical probability of management measures rebuilding a stock in the shortest time period as possible would increase from 50% to 75% for many species. The "Huffman-Hastings Amendment" would impose a burden on many U.S.-managed fisheries.

While this sounds like an innocuous effort to strengthen and improve the law, the fact

is, the only way to meet the requirements of the amendment would be to significantly reduce many commercial, charter and recreational fishing quotas significantly. Considering the status of U.S. fish stocks recently described in NOAA's 2018 Report to Congress as "Overfishing remains near all time lows and we reached a new milestone with the number of overfished stocks at the lowest level ever", the validity and intent of the "Huffman Amendment" should be seriously questioned.

Why, if the current Act's requirements are having success in rebuilding stocks, is there a reason to require the law to be substantially more conservative?

In addition, the amendment removes a subtle but important update to the MSA.

Section 304 of MSA states that "For a fishery that is overfished, any fishery management plan, amendment, or proposed regulations . . . shall . . . specify a time period for rebuilding the fishery that shall . . . be as short as possible, taking into account the status and biology of any overfished stocks of fish, the needs of fishing communities, recommendations by international organizations in which the United States participates, and the interaction of the overfished stock of fish within the marine ecosystem."

There is widespread support to change the term "possible" to "practicable" in this section. The intent of this change is not to compromise or weaken the effectiveness of the MSA, but rather to help better fulfill one of the fundamental and original goals of the Act, emphasized in National Standard 1—to prevent overfishing while achieving, on a continuing basis the optimum yield from each fishery. Changing the terminology from "possible" to "practicable" would provide Regional Fishery Management Councils with much-needed flexibility and the option to choose between several rebuilding scenarios to achieve specified conservation and management objectives, not just the shortest and, quite often, most harmful to fishing communities.

We must remain committed to restoring common sense to MSA. We must not undermine our Nation's fisheries law in the name of improving it, and cause harm to commercial charter and recreational fishermen from Alaska to Maine.

Coastal communities and fishing families are relying on the passage of clean legislation, as developed in committee.

We urge Members to vote NO on the Huffman Amendment to H.R. 200!

Sincerely,

American Scallop Association, John Whiteside, General Counsel, Members in MA, NJ, NC; Ariel Seafoods, David Krebs, Owner, FL; Atlantic Capes Fisheries, Dan Cohen, Owner, MA, NJ; Atlantic Red Crab Co., Jon Williams, Owner, MA; California Wetfish Producers Association, Diane Pleschner-Steele, CA; Fishermen's Dock Co-Op, Jim Lovgren, Board Member, NJ; Fishing Partnership Support Services, J.J. Bartlett, Executive Director, MA; Florida Keys Commercial Fishermen's Association, Bill Kelly, Executive Director, FL; Garden State Seafood Association, Greg DiDomenico, Executive Director, NJ; Gulf Coast Seafood Association, David Krebs, Founding Member, FL, AL; Hawaii Longline Association, Sean Martin, Owner, HI.

Inlet Seafood, William Grimm, Secretary and Treasurer, NY; Long Island Commercial Fishermen's Association, Bonnie Brady, Executive Director, NY; Lunds Fisheries, Inc., Jeff Reichle, Chairman, CA, NJ; North Carolina Fisheries Association, Glen Skinner, Executive Director, NC; Pacific Seafood, Jon Gonzales, Fisheries Policy Analyst, OR, WA; Rhode Island Commercial Fishermen's Association, Rich Fuka, Executive Director, RI;

Seafreeze, Ltd., Meghan Lapp, Fisheries Liaison, RI; Southeastern Fisheries Association, Bob Jones, Executive Director, FL; Viking Village, Jim Gutowski, Owner, NJ; West Coast Seafood Processors Association, Lori Steele, Executive Director, CA, WA, OR; Western Fishboat Owners Association, Wayne Heikkila, Executive Director, AK, CA, OR, WA.

Mr. YOUNG of Alaska. Mr. Chairman, I am suggesting, respectfully, that this amendment is uncalled for and, frankly, will gut the bill and the MSA, period.

Mr. Chairman, I ask my colleagues to reject this amendment, and I yield back the balance of my time.

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

The amendment was rejected.

AMENDMENT NO. 5 OFFERED BY MR. WEBSTER OF FLORIDA

The Acting CHAIR. It is now in order to consider amendment No. 5 printed in House Report 115-786.

Mr. WEBSTER of Florida. Mr. Chairman, I have an amendment at the desk as the designee of the gentlewoman from Florida (Ms. FRANKEL).

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Add at the end the following:

**TITLE —MISCELLANEOUS PROVISIONS**  
**SEC. . . MITIGATION FOR IMPACTS TO SUBMERGED AQUATIC VEGETATION.**

Requirements to conserve or to provide compensatory mitigation for impacts to submerged aquatic vegetation under section 305(b) of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1855(b)) shall not apply when a non-Federal entity conducts maintenance dredging for an authorized Federal navigation project on an inland waterway, inlet, or harbor located in North Carolina, South Carolina, Georgia, or Florida pursuant to a permit issued under section 404 of the Federal Water Pollution Control Act (33 U.S.C. 1344) or section 10 of the Act of March 3, 1899 (33 U.S.C. 403; 30 Stat. 1151, chapter 425).

The Acting CHAIR. Pursuant to House Resolution 965, the gentleman from Florida (Mr. WEBSTER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Florida.

Mr. WEBSTER of Florida. Mr. Chair, I rise today on behalf of my colleague from Florida, Ms. LOIS FRANKEL, to offer a nonpartisan amendment that Ms. FRANKEL and I have been working on for some time.

The amendment applies common sense to routine maintenance and dredging in the inland navigational channels. Specifically, this amendment would waive a duplicative requirement for routine maintenance dredging.

When a waterway is initially dredged, the project sponsor has to mitigate for the impact on aquatic vegetation like seagrass. In the Florida Intracoastal Waterway, seagrass grows like a weed and must be routinely dredged to keep it clear. Unfortunately, the project sponsor is required

to do costly environmental mitigation every time just to keep the waterway open and operating, instead of using the permit that has already been given and the mitigation that has already happened for that particular area. This additional round of mitigation is unnecessary, since seagrass removal has already been accounted for in the environmental review for the initial dredging.

Florida's Atlantic Intracoastal Waterway requires routine maintenance dredging akin to mowing your grass. The waterway annually transports tons of commercial cargo and is used by more than 500,000 recreational vehicles. It provides \$30 billion in economic output, including \$3 billion in wages, creates 155,000 jobs, and generates more than \$540 million in tax revenues. Without regular maintenance dredging, this powerful economic driver is at risk.

This amendment itself is limited in scope and maintains an existing environmental protection while ensuring that the maintenance dredging mitigation requirements make sense.

Mr. Chair, I urge my colleagues to support this amendment, and I reserve the balance of my time.

Mr. HUFFMAN. Mr. Chairman, I rise in opposition to this amendment.

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

Mr. HUFFMAN. Mr. Chairman, I rise in opposition to this amendment because it would set a bad precedent by waiving the requirements to provide compensatory mitigation for federally authorized maintenance dredging projects in inland waterways, inlets, or harbors located in North Carolina, South Carolina, Georgia, and Florida.

As it should, Magnuson requires compensatory mitigation to protect essential fish habitat, including seagrass. This mitigation requires the restoration, establishment, enhancement, and/or preservation of aquatic resources to offset unavoidable adverse impacts from activities like dredging.

Many of the inland waterways in the Southeast that need maintenance dredging are actually home to seagrasses, so these States are required to mitigate the negative impacts. Compensatory mitigation is the most obvious, commonsense solution for offsetting the damage to these important habitats.

Fish depend on healthy seagrass habitats to survive and reproduce, not only in the Southeast but all across the Nation's coasts, including in my district.

Moreover, we need all the help that we can get to recover seagrasses. Globally, 30 percent of seagrass meadows have disappeared. Of the seagrasses that remain, nearly a quarter are threatened or near threatened. In fact, the only marine plant listed as endangered in the United States is a seagrass found in Florida.

Seagrasses are highly productive hotspots for biodiversity and can act as

a carbon sink, making this habitat a critical component in buffering oceans against the impacts of climate change. Protecting and restoring essential fish habitat and seagrass is very important to maintain productive fisheries and healthy oceans.

Mr. Chairman, I urge my colleagues to vote "no," and I reserve the balance of my time.

Mr. WEBSTER of Florida. Mr. Chairman, I will say this. This is so duplicative and ridiculous. It is typical government regulation.

Here you have an inland waterway, the Atlantic Intracoastal Waterway. The seagrass removal has been already mitigated. That requires maintenance. As you do maintenance, you have to come back and do more mitigation on the exact same piece of property for the same seagrass.

It is ridiculous; it is duplicative; and I submit it is a good amendment.

Mr. YOUNG of Alaska. Will the gentleman yield?

Mr. WEBSTER of Florida. I yield to the gentleman.

Mr. YOUNG of Alaska. Mr. Chair, I am sitting here listening to this. These channels were built for navigation and commercial use by taxpayers' dollars many years ago, and the seagrass grows back. Each time, they mitigate when trying to maintain it. Where is the logic?

Where is the logic when we built those channels with American tax dollars for commerce and now, each time they dredge it—they already dredged it once—it grows back and they have to come back and file another ES statement. Why are we doing this?

□ 1630

Who is this helping out? Not the fish because the eelgrass grows back again, because they have to dredge it again. It costs money, slows down commerce, and that is interfering with the economy of this country.

I have been through these channels. They can't show me where the dredging hurts. In fact, it helps. It is like you said, mowing the grass. You let it grow too long, you are going to get in trouble. We let this eelgrass grow too long, you are going to hurt the channel or you are going to hurt the fish in the long run.

So I compliment the gentleman on his amendment, and I will support this amendment strongly.

Mr. HUFFMAN. Mr. Chairman, I will close by stating that I can appreciate the frustration that the gentleman may be feeling, feeling like this is a process of remitigating for the same thing over and over again.

I think it is a little more complicated than that, but if the gentleman is willing to work going forward on some ways to perhaps consolidate the regulatory burden and find something for the long term that provides a little more certainty and streamlining, I would be happy to work with him on that.

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

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

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

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 115-786.

Mr. GRAVES of Louisiana. 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:

Add at the end the following:

**TITLE —MISCELLANEOUS PROVISIONS**  
**SEC. —. REPORT ON LIMITED ACCESS PRIVILEGE PROGRAMS AND CONFLICTS OF INTEREST WITH RESPECT TO GULF OF MEXICO AND SOUTH ATLANTIC FISHERIES.**

No later than 90 days after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the Congress a report on—

(1) the resource rent of limited access privilege programs in the Gulf of Mexico and the South Atlantic Ocean;

(2) how to reclaim resource rent in the Gulf of Mexico and the South Atlantic as revenue the United States Treasury; and

(3) the fiduciary conflicts of interest in the Gulf of Mexico Fishery Management Council and the South Atlantic Fishery Management Council, and effective ways to eliminate such conflicts.

The Acting CHAIR. Pursuant to House Resolution 965, the gentleman from Louisiana (Mr. GRAVES) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Louisiana.

MODIFICATION TO AMENDMENT NO. 6 OFFERED BY MR. GRAVES OF LOUISIANA

Mr. GRAVES of Louisiana. Mr. Chairman, I ask unanimous consent that a modified amendment at the desk be considered.

The Acting CHAIR. The Clerk will report the modification.

The Clerk read as follows:

Modification to amendment No. 6 offered by Mr. GRAVES of Louisiana:

**TITLE —MISCELLANEOUS PROVISIONS**  
**SEC. —. REPORT ON LIMITED ACCESS PRIVILEGE PROGRAMS AND CONFLICTS OF INTEREST WITH RESPECT TO GULF OF MEXICO AND SOUTH ATLANTIC OCEAN RED SNAPPER.**

(a) STUDY.—No later than 90 days after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the Congress a report on—

(1) the resource rent of limited access privilege programs for red snapper in the Gulf of Mexico and the South Atlantic Ocean;

(2) how to reclaim resource rent for red snapper in the Gulf of Mexico and the South Atlantic Ocean as revenue to the United States Treasury; and

(3) the fiduciary conflicts of interest in the Gulf of Mexico Fishery Management Council and the South Atlantic Fishery Management

Council relating to red snapper, and effective ways to eliminate such conflicts.

(b) LIMITATION.—In implementing this section the Comptroller General shall not consider—

(1) fisheries programs in any region other than the Gulf of Mexico and the South Atlantic Ocean; and

(2) fisheries management programs for species other than red snapper.

Mr. GRAVES of Louisiana (during the reading). Mr. Chair, I ask unanimous consent to dispense with the reading.

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

There was no objection.

The Acting CHAIR. Without objection, the amendment is modified.

There was no objection.

The ACTING Chair. The gentleman from Louisiana is recognized for 5 minutes.

Mr. GRAVES of Louisiana. Mr. Chairman, this amendment simply authorizes a GAO study, a Government Accountability Office study, for the purposes of evaluating how we currently manage the red snapper species in the Gulf of Mexico and the South Atlantic.

I want to be very clear, Mr. Chairman. This amendment does not affect any other region of the Nation. It doesn't affect any other species. It is a unique scenario that we are facing in the Gulf of Mexico and the South Atlantic pertaining to the red snapper.

This is a species where the increased demand from both recreational and commercial fishers has resulted in contentious debate and challenging situations for resource managers across the Gulf Coast and the South Atlantic.

This amendment is designed to have the GAO perform a study that would provide information to resource managers. We have been able to work through EFPs for the past 2 years, but in the future we are not guaranteed any type of solution.

When I was a child, we could fish for red snapper year-round. We are no longer allowed to do that. We were limited by as many as 3 days—proposed—by the Federal Government in recent years. This is designed to provide better information, better tools for how we manage these species moving forward in a sustainable manner.

Mr. Chairman, the modifications that I made to this amendment were a result of discussions with Members near me right now.

As a matter of fact, someone sitting near me may or may not have threatened to fillet me with a butter knife if I didn't change some text in the amendment, so some of the text has been changed to reflect the very narrow scope of this amendment.

Mr. Chair, I urge adoption of the amendment, and I reserve the balance of my time.

Mr. HUFFMAN. Mr. Chair, I rise in opposition to the amendment.

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

Mr. HUFFMAN. Mr. Chairman, regrettably, I rise in opposition to the amendment offered by my friend, Mr. GRAVES. This amendment requires the Comptroller General to submit a report to Congress, but it is unclear what the overall purpose of this report would be.

In fact, because of the vagueness of that purpose, there has been concern that it may be about identifying what would happen if the overall value of the red snapper fishery commercial quota was completely taken away or given to private anglers. Would this report be used to make the argument that the red snapper quota should be reallocated to recreational fishermen? I can't support either of those propositions, nor a reporting requirement with such ambiguous goals and potentially significant impacts on the fishery.

When it comes to setting these allocations, picking winners and losers from among commercial and recreational fishing interests, that should be the job of regional councils, not of Congress. In fact, the entire structure of Magnuson and the council system is designed to encourage stakeholder participation on the councils, from a regional perspective.

We need to let the fishery management councils do their job and not have Congress micromanaging these type of decisions.

It is unclear, also, why this amendment only targets limited access privilege permits. Every type of commercial or recreational fishing activity could be viewed as having a "resource rent." So it is questionable that every other form of commercial and recreational activity would be excluded from this type of report. There is no reason why an analysis of the economic value commercial and recreational fishermen extract from a Federal resource would be limited to just catch share programs.

Finally, with respect to the conflict of interest provisions in this bill, I would have supported—and I have talked to the gentleman about this—this amendment, had it been a report on ways to eliminate conflicts of interest on all fishery management councils, because there are concerns, bipartisan concerns, in that regard, and it is something that should be addressed to improve fishery management in all councils.

Unfortunately, this seems to be a rather targeted and direct attack on what many view as a well-managed commercial red snapper fishery, and we should not be devoting public resources to such a report.

Mr. Chair, I urge my colleagues to vote "no," and I reserve the balance of my time.

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

Mr. YOUNG of Alaska. Mr. Chair, I thank the gentleman for modifying this amendment. I still have concerns, as I have told the gentleman. I know the problem.

If I ever hear about a red snapper again, we change this to the Graves

snapper. That is what we are going to call it. I know there is a problem, and I look forward to working with the gentleman to strengthen the language and, especially, to making sure this does not include any other areas, because I want Alaska and the Pacific Northwest left out. I will say that is being selfish, but I know what the gentleman over there said.

I understand what the gentleman is trying to do here. We have a little ways to go. We will work together and try to get something done.

Mr. HUFFMAN. Mr. Chair, I yield back the balance of my time.

Mr. GRAVES of Louisiana. Mr. Chairman, I do appreciate the concerns raised by the gentleman from Alaska. I am committed to working with the gentleman and to working with my friend from California in trying to get this amendment in a better posture. I do want to work together with both the gentlemen to make sure that we get this done in a way that does not cause injury to other places.

In response to my friend from California, I do want to be clear that this is information. All this is is information that our committee, that this Congress, would then have the option to act upon.

I don't think information in this case, on such a contentious issue, that does have a very unclear future—we have dealt with contentious issues and bought ourselves 2 years. Beyond that, we are going to be right back in the same situation.

We are trying to get additional information. I want to say, in regard to the conflict issues, in regard to the balance of commercial and recreational, that is good feedback, and I am happy to adopt those changes to the amendment, to include those as we work through the process.

I will say it again. I am committed to working with the gentleman. Mr. Chairman, I sent the gentleman the text of the amendment—the first person I sent it to—to ensure that I had input from both sides. We did make some modifications as a result, the changes requested by Mr. YOUNG, but I am committed to working together with the dean and with the gentleman from California to perfect this as we move forward.

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

The Acting CHAIR. The question is on the amendment, as modified, offered by the gentleman from Louisiana (Mr. GRAVES).

The amendment, as modified, was agreed to.

AMENDMENT NO. 7 OFFERED BY MR. KEATING

The Acting CHAIR. It is now in order to consider amendment No. 7 printed in House Report 115-786.

Mr. KEATING. 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:

Add at the end the following:

**TITLE —MISCELLANEOUS PROVISIONS**  
**SEC. —. PLAN FOR ELECTRONIC MONITORING**  
**AND REPORTING PROCEDURES FOR**  
**THE NORTHEAST MULTISPECIES**  
**FISHERY.**

The Secretary, acting through the National Oceanic and Atmospheric Administration, shall submit a plan to the Committee on Natural Resources of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate not less than 180 days after the date of the enactment of this Act that will establish fully operational electronic monitoring and reporting procedures for the Northeast Multispecies Fishery by not later than September 30, 2021. The plan shall include the proposal of the National Oceanic and Atmospheric Administration to cover vessel equipment and installation costs, with daily, half-day, or quarter-day operational costs to be borne by the fishing vessels.

The Acting CHAIR. Pursuant to House Resolution 965, 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 requires the National Oceanographic and Atmospheric Administration, NOAA, to develop a strategy for how they plan to implement electronic monitoring in the Northeast Multi-Species Fishery by 2021.

Today, the majority of monitoring is conducted by at-sea, in-person monitors who NOAA sends on only about 30 percent of the trips. What is more, vessel owners must pay the cost of this in-person monitoring, at a cost of \$900 a day. Not only is this a financial burden, especially on the small boat fleet owners, but it is also less effective because it leaves massive gaps for bad actors to exploit the system.

Modernizing fisheries monitoring programs by the full-scale adoption of electronic monitoring is critical for the future sustainability and the development of the North Atlantic's multispecies fishery. Full implementation of electronic monitoring will mean better data for making stock assessments and making sure that every fishing trip is monitored. This means better protections for our environment and more sustainable fisheries so that our fishing industry can remain strong for the generations to come.

This is why, in my district, there is already broad support among fishermen for moving to an electronic monitoring regime. It costs less. It rewards fishermen who play by the rules. It ensures that sustainability of the fisheries that their industry depends upon goes forward.

In fact, the Northeast Fisheries Council has already outlined the goal of total adoption of an electronic monitoring regime. However, NOAA's Marine Fishery Service does not have a strategy in place to make that goal a reality. Without an implementation strategy from NOAA, fishermen who elect to invest in electronic monitoring

for their vessels would still be subject to the costly at-sea monitoring regime, so, in effect, would be forced to pay twice.

We need to move forward on this issue, take advantage of the new technologies that not only make it cheaper and easier to monitor, but more effective as well. We have an opportunity for a win-win scenario, but it requires that we commit to pursuing it.

Step one is NOAA reporting to Congress on what full implementation of the electronic monitoring should look like and by focusing first on the Northeast region. This strategy will serve as a model for other fishery regions around the country as they take their own steps towards adopting electronic monitoring across the country.

Mr. YOUNG of Alaska. Mr. Chair, will the gentleman yield?

Mr. KEATING. Mr. Chairman, I yield to the gentleman from Alaska (Mr. YOUNG).

Mr. YOUNG of Alaska. Mr. Chair, I want to compliment the gentleman on his amendment. This is long overdue.

We have the technology. The imposition of putting bodies on board ships that don't really do anything, and I don't think make a great count, can be done better through technology. So I compliment the gentleman on his amendment, and I will be supporting his amendment.

Mr. KEATING. Mr. Chair, I thank my colleague from Alaska. I think the gentleman understands full well that that monitor on the ship poses very challenging times from the time that they are on that ship, and the \$900 a day is simply something that fishermen can't afford right now. It is not necessary.

Mr. Chair, I thank my colleague from Alaska for joining with me in this effort, and I yield back the balance of my time.

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

The amendment was agreed to.

□ 1645

AMENDMENT NO. 8 OFFERED BY MR. POLIQUIN

The Acting CHAIR. It is now in order to consider amendment No. 8 printed in House Report 115-786.

Mr. POLIQUIN. 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:

Add at the end the following:

**TITLE —MISCELLANEOUS PROVISIONS**  
**SEC. —01. STUDY OF FEES CHARGED TO LOBSTER**  
**FISHING INDUSTRY.**

Not later than 6 months after the date of the enactment of this Act, the Secretary of Commerce, acting through the National Oceanic and Atmospheric Administration, shall study and report to the Congress on all fees imposed by such Administration on the lobster fishing industry.

The Acting CHAIR. Pursuant to House Resolution 965, the gentleman

from Maine (Mr. POLIQUIN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Maine.

Mr. POLIQUIN. Mr. Chairman, I thank Chairman YOUNG very much for this opportunity to be here.

Mr. Chairman, "Maine is Vacationland." Everybody in the country and everybody on this floor should know that. In fact, Mr. Chairman, we put "vacationland" on our license plates just to make sure everybody knows that.

Our population in the great State of Maine is 1.3 million hardy souls, but we have 40 million people vacation in our State every year. We have 3,000 miles of breathtaking coastline and hundreds and hundreds of clear lakes and streams and hundreds of miles of swift-running streams and rivers.

Everybody that is stressed out in this country, Mr. Chairman, should go to Maine and have their summer vacation because, Mr. Chairman, the tourist industry in the State of Maine employs about 150,000 people.

Maine, Mr. Chairman, is also lobster. There isn't a person in this country who does not relate the great State of Maine to lobsters. Now, I know Mr. Chairman over here has some great critters up in Alaska called crabs, king crabs. Now, they are a good species, but Maine lobsters are a great species, and we need to stand up for our lobsters, Mr. Chairman.

On the water in the State of Maine, on the water we have 10,000 jobs that support our lobster industry—10,000. These are folks who pull traps in their stern.

We have a terrific staffer, Mr. Chairman, here on this committee, Bill Ball, who got through college pulling lobster traps. It is hard work, very hard work.

In addition to the folks who pull the traps, we have folks on land who process them and ship them all over the world. It is a \$1 billion industry, all said, in the State of Maine.

Mr. Chairman, when these folks rise before the Sun comes up and they head out to sea, sometimes in January and February, they are pulling up to 800 traps, and they get their critters on the boat and they have got to rebait those traps. They have got to keep their catch alive on the boat. They have got to get them back to the dock, and then they have got to get them to a processor and then to someone who is a dealer who packages these things and ships them all over the world.

Every time in this process, I fear, Mr. Chairman, there are fees, Federal, State, and maybe local fees, that are charged to get that critter from the bottom of the cold Maine ocean to the plate of hungry folks around the world.

So my bill, Mr. Chairman, that I am honored to bring up, my amendment to H.R. 200, requires NOAA, the National Oceanic and Atmospheric Administration, do something very common sense. We want to make sure we have an inventory of all the fees that are charged

to get this product to market, because our guys on the docks are coming up to me and our dealers and our processors, saying: Bruce, why are you making it so hard for us?

Government, Mr. Chairman, is supposed to make it easy for our families to live better lives and our small businesses, and all these lobster fishermen are running small businesses. We need to make sure their fees are lower and the regulations are fewer and the taxes are lower because that helps them grow their business, hire more people and pay them more, and live better lives with fatter paychecks and more freedom.

So I am asking everybody, Mr. Chairman—and I am grateful, Mr. Chairman, for the opportunity to speak about H.R. 200—I am asking every Republican and every Democrat in this Chamber to do what is right, which is to inventory these fees, because once we find out what I think are going to be one big boatload of fees, I am going to come back to this body and ask to get rid of those fees.

Mr. Chairman, I am grateful for this opportunity, and I reserve the balance of my time.

Mr. HUFFMAN. Mr. Chair, we are not opposed.

Mr. YOUNG of Alaska. Mr. Chair, I claim the time in opposition to the amendment, although I am not opposed.

The Acting CHAIR. Without objection, the gentleman from Alaska is recognized for 5 minutes.

There was no objection.

Mr. YOUNG of Alaska. Mr. Chairman, I wasn't going to rise in opposition until I heard about Maine and how beautiful and the free-running streams and all the tourists and the king crab and all those other things. I do admit, I have been to Maine, and I would agree with him, but his is just a little tiny one. We are a great big thing with bigger streams, bigger fish, bigger crab, but no lobsters, though.

I have no lobsters, and I am going to ask Mr. POLIQUIN why we haven't seen more lobsters from Maine. I am not sure why, but I yield to the gentleman from Maine.

Mr. POLIQUIN. Mr. Chairman, I know deep down in Mr. YOUNG's heart, he is a Mainer at heart. I know that. I have been to Alaska. It is a good State. Maine is a great State, and, as a result, I know Mr. YOUNG is going to support this amendment.

Mr. YOUNG of Alaska. Mr. Chairman, I didn't say I wouldn't support it. I just wanted to make sure I get my licks in for Alaska.

With that, Mr. Chairman, I do not object to the amendment and will support it.

I yield back the balance of my time.

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

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

The amendment was agreed to.

AMENDMENT NO. 9 OFFERED BY MR. ZELDIN

The Acting CHAIR. It is now in order to consider amendment No. 9 printed in House Report 115-786.

Mr. ZELDIN. 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:

Add at the end the following:

**TITLE —MISCELLANEOUS PROVISIONS**  
**SEC. —01. LIMITATION ON APPLICATION OF PROHIBITION ON ATLANTIC STRIPED BASS FISHING IN BLOCK ISLAND SOUND TRANSIT ZONE.**

Any prohibition on fishing for Atlantic striped bass in the Exclusive Economic Zone of the United States imposed under Executive Order 13449 or section 697.7(b) of title 50, Code of Federal Regulations, shall not apply in the area described in section 697.7(b)(3) of title 50, Code of Federal Regulations, commonly referred to as the Block Island Sound transit zone.

The Acting CHAIR. Pursuant to House Resolution 965, the gentleman from New York (Mr. ZELDIN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New York.

Mr. ZELDIN. Mr. Chairman, my amendment to H.R. 200 will provide needed regulatory relief for fishermen from the east end of Long Island and the entire region who are struggling under confusing and arbitrary Federal restrictions on striped bass fishing in the Block Island Sound.

The unique maritime geography of our region means that making the 15-mile journey by boat from Montauk Point, New York, to Block Island, Rhode Island, requires passing through a segment of waters considered to be part of the EEZ, known as the Block Island transit zone.

For recreational anglers, charter boat captains, and commercial fishermen, this shift in jurisdiction can mean the difference between a nice day on the water and committing a Federal offense. My amendment would permanently restore the right to fish for striped bass in this waterway, ending decades of confusion and arbitrary punishment for local fishermen.

These are hardworking men and women who run small businesses either on the commercial, charter, or recreational side, and in my district, they are the backbone of our coastal economy and part of our island's way of life. No other species of fish, besides striped bass, are subject to this confusing ban, which was meant to impact the high seas of the EEZ, not a small segment of local waters situated between two State boundaries. Fishermen should be able to legally fish for striped bass in this limited area just as they currently can in adjacent State waters.

We also must lift this unfair ban so that the resources of the U.S. Coast Guard can be focused on their important national security and safety mission, not waste it on the enforcement

of an arbitrary ban in a small waterway.

A recreational angler or boat captain on the water off of Montauk Point can easily go from fishing legally and responsibly in State waters to violating Federal law once they pass over the 3-mile limit where New York State waters end and the transit zone begins. Many of these individuals lack the expensive GPS technology to know if and when they have crossed the boundary, and there are no buoys to warn them.

These are responsible men and women who have the greatest vested interest in preserving the striped bass fishery, but they also desperately need relief from confusing government regulations that are hurting their livelihoods and access to local fisheries.

Last Congress, my stand-alone bill to address this issue, H.R. 3070, the EEZ Clarification Act, passed this House with a unanimous vote. I also passed two similar amendments on this topic through the House last September, again, with unanimous support.

This amendment is supported by the Recreational Fishing Alliance, Long Island Commercial Fishing Association, Montauk Boatman & Captains Association, and the newly formed New York Recreational & For-Hire Fishing Alliance.

On behalf of the hardworking men and women of Long Island who rely on fishing as a way of life, I ask for all my colleagues' support on this common-sense amendment.

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

Mr. HUFFMAN. Mr. Chair, I rise in opposition to the amendment.

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

Mr. HUFFMAN. Mr. Chair, I do rise in opposition to this amendment offered by the gentleman from New York. This is an amendment that would lift the ban on striped bass fishing in the Block Island transit zone between Montauk, New York, and Block Island, Rhode Island.

Commercial and recreational fishing is allowed in State waters, as the gentleman said, from shore to 3 miles offshore. Striped bass is managed by the States from Maine through North Carolina through the Atlantic States Marine Fisheries Commission.

Federal waters have been closed to striped bass fishing since 1990 when a moratorium went into effect to protect juvenile fish entering the spawning population and to help rebuild a fishery that was recovering from decades of overfishing.

There has been an ongoing effort to reopen the striped bass fishery in the transit zone, yet there is no science to justify it. In contrast, the science shows that allowing fishing in this transit zone, which encompasses about 155 square miles of habitat, could disproportionately impact spawning females and, thus, threaten the overall health of the striped bass stock.

This would be detrimental to some of the biggest recreational and commercial fishing ports on the East Coast. Opening up Federal waters in one region would undermine the protections and commitment to rebuilding that others along the coast have invested in. It would set a bad precedent in managing the striped bass fishery, which still has a long way to go.

Finally, Congress should not be legislating on species-specific fishery management actions. This issue is regularly assessed by the Atlantic States Marine Fisheries Commission. We need to let that commission do its job and make decisions that are based on science.

I urge my colleagues to vote “no,” and I reserve the balance of my time.

Mr. ZELDIN. Mr. Chairman, this should not be treated as Federal waterways. It should be treated as a small local waterway in between two State boundaries. It shouldn't have been designated EEZ in the first place.

This amendment doesn't declare open season on striped bass fishing. It is still going to be subject to the same management that currently exists for surrounding waterways where striped bass fishing is currently acceptable.

The science shows biomass for the striped bass fisheries strong in our area, and, also, a science that is not discussed enough in this debate is the science of my fishermen and those small-business owners who are struggling to make ends meet.

So you have the science of the biomass being where it needs to be, plus we have the science that we are not speaking about enough where people right now are desperate for this kind of relief. They want people in Congress representing them in Washington who get it, who are going to fight for them.

We can't be lost in this beltway argument where, here, I am a Representative from the east end of Long Island, the First Congressional District of New York, and we have people who represent the other end of the United States of America telling us what is best for us.

We are here pleading for people to listen to us, to hear us, to hear from these fishermen, the commercial fishermen, the recreational fishermen, and to fight for them as well, especially when biomass backs it up.

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

Mr. HUFFMAN. Mr. Chair, these certainly are arguments that can and should be made at the Atlantic Council. In fact, they are made regularly, and that council has representation regionally, has representation from all the key stakeholders, and has access to the best available science, the state-of-the-art science on this issue. So I think we need to let that council do its job, and, with that, I request a “no” vote.

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

Mr. ZELDIN. Mr. Chair, may I ask how much time I have left?

The Acting CHAIR. The gentleman from New York has 1 minute remaining.

Mr. ZELDIN. Mr. Chair, I would say that every level of government needs to get it better than the way that we have the current laws, current rules, current regulations, whether it is the Federal Government, whether it is the regional councils, whether it is the State governments.

Earlier on, when we were having a debate on the underlying bill and I was talking about the fluke fishery for commercial fishermen, 50 pounds a day for 7 days, 350 pounds, you are not going to let them catch 350 pounds in 1 day. You will make them catch 50 pounds a day for 7 days, while the neighboring State of New Jersey could do 500 pounds a day for 3 days.

Well, guess what happened today. Talk about not getting it at other levels of government. Our Governor in New York State, out of no notice, cuts off the commercial food fishery. These people are struggling to make ends meet.

So instead of pointing fingers at other levels of government and regional councils where everyone is making mistakes and no one gets it, how about we do our part? How about we get it? How about we listen to them? we hear from them? we make a difference?

We are leaders. We are elected to represent our people. I am elected to represent my people, and I would respectfully urge my colleagues, especially those who are from faraway places several hundred miles away, to do a better job listening and allowing me to represent my folks and stop trying to undercut people who are hardworking business owners struggling to make ends meet, especially when science is on our side.

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

□ 1700

The Acting CHAIR. The question is on the amendment offered by the gentleman from New York (Mr. ZELDIN).

The amendment was agreed to.

AMENDMENT NO. 10 OFFERED BY MR. KEATING

The Acting CHAIR. It is now in order to consider amendment No. 10 printed in House Report 115-786.

Mr. KEATING. 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:

Add at the end the following:

**TITLE —MISCELLANEOUS PROVISIONS**  
**SEC. —01. FUNDING FOR MONITORING IMPLEMENTATION OF NORTHEAST MULTISPECIES FISHERY MANAGEMENT PLAN.**

Section 311(f)(4) (16 U.S.C. 1861(f)(4)) is amended by striking “pursuant to this section” and all that follows through the end of the sentence and inserting “to enforce and monitor (including electronic monitoring) implementation of that Plan.”

The Acting CHAIR. Pursuant to House Resolution 965, 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, this is another amendment that will reduce the cost of monitoring on fishermen.

My amendment would allow the National Oceanic and Atmospheric Administration, NOAA, to spend the fees they collect from penalties that are assessed against violators of fisheries regulations to help defray the costs related to monitoring. Being able to use the fees in this way will actually help NOAA prevent against future violations, as well as possibly reduce the cost to fishermen themselves.

Currently, these fees can be used only to support NOAA enforcement actions. While enforcement is important, it unnecessarily prevents NOAA from spending these funds on preventing violations in the first place. Electronic monitoring and at-sea monitoring trips help to ensure that these kinds of abuses do not occur. This makes them a critical tool to NOAA in enforcing regulations and ensuring that our fisheries remain sustainable.

Countless fishermen in my district have been suffering this past year because a select few decided to abuse the system. Greater investments in monitoring may have helped prevent this massive fraud that occurred. However, now that it has, it is important that measures be put in place to prevent anything like this from ever happening again. That means funding for prevention and monitoring.

NOAA should be able to use the funds it collects from the recent cases and any other cases that inevitably arise to double down on protecting the sustainability of fisheries and preventing as much abuse as possible before the harm is ever done.

My amendment does just that by allowing NOAA to use the fees it collects to support prevention efforts. This gives NOAA and the fisheries managers greater flexibility to find the right balance between prevention and enforcement, and, at the same time, lowers the cost of monitoring for fishermen.

Mr. Chairman, I urge support of this amendment, and I reserve the balance of my time.

Mr. YOUNG of Alaska. Mr. Chairman, I rise in opposition, even though I do not oppose the amendment.

The Acting CHAIR (Mr. POE of Texas). Without objection, the gentleman is recognized for 5 minutes.

There was no objection.

Mr. YOUNG of Alaska. Mr. Chairman, I thank Mr. KEATING for his amendment. This is long overdue. Collecting those fees and using them for observer coverage is something that should be done.

If I go back to his first amendment, I want to mechanize it and use technology to make sure the fishermen have an opportunity to, I believe, report better.



This is a good amendment. I will be voting for it, and I yield back the balance of my time.

Mr. KEATING. Mr. Chairman, I thank my colleague from Alaska for his support. He knows full well how difficult it is, particularly in our region, for fishermen just to sustain themselves, let alone sustain the fish. We want to sustain the fishermen themselves. These small vessels are out there, and they are facing \$900-a-day monitoring charges. This is another means by which we will be able to do it.

So I find myself agreeing three times in the last few minutes with my colleague from Alaska—twice on my amendments and the other, indeed, on a prior amendment where he rightfully pointed out the rather hyperbolic description of the State of Maine, as wonderful as it is, and remind and agree with him that, indeed, this was just a mere portion of Massachusetts at one time.

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

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

The amendment was agreed to.

AMENDMENT NO. 11 OFFERED BY MR. GAETZ

The Acting CHAIR. It is now in order to consider amendment No. 11 printed in House Report 115-786.

Mr. GAETZ. 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:

At the end of the bill, add the following:

#### **TITLE V—REEF ASSASSIN ACT**

##### **SEC. 501. SHORT TITLE.**

This title may be cited as the “Reef Assassin Act”.

##### **SEC. 502. ENCOURAGING ELIMINATION OF LIONFISH.**

(a) IN GENERAL.—Title III of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1851 et seq.) is amended by adding at the end the following:

##### **“SEC. 321. ENCOURAGING ELIMINATION OF LIONFISH.**

“(a) IN GENERAL.—The Secretary shall issue regulations under which a participating State may issue to an individual submitting lionfish taken in Federal or State waters a tag authorizing the taking of a fish of a covered species in Federal waters in addition to any other fish of that species the individual is authorized to take in Federal waters.

“(b) REQUIREMENTS FOR ISSUANCE OF TAG.—The regulations shall require—

“(1) the submission of 100 lionfish for each tag issued;

“(2) that lionfish taken in State waters must be taken by an individual holding a valid license to engage in such fishing issued under the laws of such State; and

“(3) that each lionfish shall be submitted by removing the tail, placing it in a resealable plastic bag, and submitting such bag to a participating State before the tail has significantly deteriorated.

“(c) NO LIMITATION ON NUMBER OF TAGS.—The regulations shall not limit the number of tags that may be issued to an individual.

“(d) USE OF TAGS.—The regulations shall provide that a tag issued under the regulations—

“(1) shall be valid for the 5-year period beginning on the date it is issued;

“(2) shall authorize only the recreational or commercial taking of a fish that complies with any size limit that otherwise applies to fishing for such fish in the waters in which it is taken;

“(3) shall authorize such taking without regard to any seasonal limitation that otherwise applies to the species of fish taken;

“(4) shall authorize—

“(A) the transfer of tags to any other person; and

“(B) use of transferred tags in the same manner as such tags may be used by the person to whom the tags were issued; and

“(5) shall require that any fish taken under such tag outside any seasonal limitation that otherwise applies to such fish must have the tag fastened between the mouth and gill before being placed in any cooler.

“(e) APPROVAL OF STATE TO PARTICIPATE.—

“(1) CONDITIONS.—The regulations shall require that as a condition of approving a State to issue tags under this section the Secretary shall require the State to designate a repository for lionfish submitted for such tags.

“(2) PROVISION OF FREEZER.—The Secretary shall provide to each participating State freezers in which to store submitted lionfish, at a cost of not more than \$500 for each freezer.

“(f) ADDITIONAL REQUIREMENTS.—The Secretary shall—

“(1) encourage participating States to use existing infrastructure and staff or volunteers to conduct the State’s program under this section;

“(2) include on the webpage of the National Marine Fisheries Service information about the program under this section; and

“(3) encourage State and local governments to work with retailers and distributors to advance the purchasing and consumption of lionfish.

“(g) OTHER PROVISIONS NOT AFFECTED.—

“(1) IN GENERAL.—This section—

“(A) is intended to protect species of fish that are native to waters of the United States or the exclusive economic zone; and

“(B) shall not be construed to constrain any fishery, fishing quota, or fishing allocation.

“(2) LIMITATION ON CONSIDERATION OF TAGS.—This section and tags issued or authorized to be issued under this section shall not be considered in any determination of fishing levels, quotas, or allocations.

“(h) DEFINITION.—In this section—

“(1) the term ‘covered fish’—

“(A) except as provided in subparagraph (B), means red snapper, gag grouper, triggerfish, amberjack; and

“(B) does not include any species included in a list of endangered species or threatened species under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.); and

“(2) the term ‘participating State’ means a State that has applied and been approved by the Secretary to issue tags under regulations under this section.”.

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

“Sec. 301. Encouraging elimination of lionfish.”.

(c) DEADLINE FOR REGULATIONS.—The Secretary of Commerce shall issue regulations under the amendment made by subsection (a) by not later than 60 days after the date of the enactment of this Act.

The Acting CHAIR. Pursuant to House Resolution 965, the gentleman

from Florida (Mr. GAETZ) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Florida.

MODIFICATION TO AMENDMENT NO. 11 OFFERED

BY MR. GAETZ

Mr. GAETZ. Mr. Chairman, I ask unanimous consent that the modified version of my amendment at the desk be considered.

The Acting CHAIR. The Clerk will report the modification.

The Clerk read as follows:

Modification to amendment No. 11 offered by Mr. GAETZ:

At the end of the bill, add the following:

#### **TITLE V—REEF ASSASSIN ACT**

##### **SEC. 501. SHORT TITLE.**

This title may be cited as the “Reef Assassin Act”.

##### **SEC. 502. ENCOURAGING ELIMINATION OF LIONFISH.**

(a) IN GENERAL.—Subject to the approval of an exempted fishing permit submitted by a participating state. Title III of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1851 et seq.) is amended by adding at the end the following:

##### **“SEC. 321. ENCOURAGING ELIMINATION OF LIONFISH.**

“(a) IN GENERAL.—Subject to the approval of an exempted fishing permit submitted by a participating state, the Secretary shall issue regulations under which a participating State may issue to an individual submitting lionfish taken in Federal or State waters a tag authorizing the taking of a fish of a covered species in Federal waters in addition to any other fish of that species the individual is authorized to take in Federal waters.

“(b) REQUIREMENTS FOR ISSUANCE OF TAG.—The regulations shall require—

“(1) the submission of 100 lionfish for each tag issued;

“(2) that lionfish taken in State waters must be taken by an individual holding a valid license to engage in such fishing issued under the laws of such State; and

“(3) that each lionfish shall be submitted by removing the tail, placing it in a resealable plastic bag, and submitting such bag to a participating State before the tail has significantly deteriorated.

“(c) NO LIMITATION ON NUMBER OF TAGS.—The regulations shall not limit the number of tags that may be issued to an individual.

“(d) USE OF TAGS.—The regulations shall provide that a tag issued under the regulations—

“(1) shall be valid for the 5-year period beginning on the date it is issued;

“(2) shall authorize only the recreational or commercial taking of a fish that complies with any size limit that otherwise applies to fishing for such fish in the waters in which it is taken;

“(3) shall authorize such taking without regard to any seasonal limitation that otherwise applies to the species of fish taken;

“(4) shall authorize—

“(A) the transfer of tags to any other person; and

“(B) use of transferred tags in the same manner as such tags may be used by the person to whom the tags were issued;

“(5) shall require that any fish taken under such tag outside any seasonal limitation that otherwise applies to such fish must have the tag fastened between the mouth and gill before being placed in any cooler; and

“(6) shall only be utilized for species caught in the same water adjacent a state where the lionfish were originally caught.

“(e) APPROVAL OF STATE TO PARTICIPATE.—

“(1) CONDITIONS.—The regulations shall require that as a condition of approving a State to issue tags under this section the Secretary shall require the State to designate a repository for lionfish submitted for such tags.

“(2) PROVISION OF FREEZER.—The Secretary shall provide to each participating State freezers in which to store submitted lionfish, at a cost of not more than \$500 for each freezer.

“(f) ADDITIONAL REQUIREMENTS.—The Secretary shall—

“(1) encourage participating States to use existing infrastructure and staff or volunteers to conduct the State's program under this section;

“(2) include on the webpage of the National Marine Fisheries Service information about the program under this section; and

“(3) encourage State and local governments to work with retailers and distributors to advance the purchasing and consumption of lionfish.

“(g) OTHER PROVISIONS NOT AFFECTED.—

“(1) IN GENERAL.—This section—

“(A) is intended to protect species of fish that are native to waters of the United States or the exclusive economic zone; and

“(B) shall not be construed to constrain any fishery, fishing quota, or fishing allocation.

“(2) LIMITATION ON CONSIDERATION OF TAGS.—This section and tags issued or authorized to be issued under this section shall not be considered in any determination of fishing levels, quotas, or allocations.

“(h) DEFINITION.—In this section—

“(1) the term ‘covered fish’—

“(A) except as provided in subparagraph (B), means red snapper, gag grouper, triggerfish, amberjack; and

“(B) does not include any species included in a list of endangered species or threatened species under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.); and

“(2) the term ‘participating State’ means a State that has applied and been approved by the Secretary to issue tags under regulations under this section.”

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

“Sec. 301. Encouraging elimination of lionfish.”

(c) DEADLINE FOR REGULATIONS.—The Secretary of Commerce shall issue regulations under the amendment made by subsection (a) by not later than 60 days after the approval of an exempted fishing permit submitted by a participating state.

(d) RESTRICTION.—Nothing in section 321 shall be construed as to allow for the transfer of fisheries allocation or catch among the various states.

Mr. GAETZ (during the reading). Mr. Chair, I ask unanimous consent that the reading be dispensed with.

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

There was no objection.

The Acting CHAIR. Without objection, the amendment is modified.

There was no objection.

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

Mr. GAETZ. Mr. Chairman, this amendment contains the relevant provisions of the Reef Assassin Act, which would attack the lionfish problem that is very pervasive in the warm waters of

the Gulf of Mexico and the Atlantic Ocean.

Lionfish are an invasive species that are decimating our reef fish. One lionfish can consume up to 65 juvenile reef fish in one sitting. A female lionfish can release up to as many as 10 million eggs over the course of one lifetime.

This legislation would allow our resources to be used to protect our resource by creating an incentive for fishers who harvest the lionfish and then turn them in to participating States that would choose, on a volunteer program, to be able to issue tags for one prized, coveted reef fish—a triggerfish, a gag grouper, or a red snapper—in the event that 100 lionfish tails were produced. Anyone who goes and slays 100 lionfish certainly has saved far more than one of our prized reef fish.

That is why it is my belief that this amendment makes a great deal of sense for our environment and also for the overall health of our fisheries.

Mr. Chairman, I yield 1 minute to the gentleman from Florida (Mr. SOTO), the Democrat lead on the Reef Assassin Act.

Mr. SOTO. Mr. Chairman, I rise in support of this good, bipartisan amendment offered by the gentleman from Florida (Mr. GAETZ).

Lionfish are disrupting Florida's natural ecosystem. Lionfish are taking away prey from our native fish stocks and prey on reef fish that perform essential ecological services on the reefs.

This amendment would give an incentive for fishermen to remove the lionfish by awarding a tag for desired reef fish in return for every 100 lionfish tails turned in. That is quite the bounty.

The amendment will promote cooperation between local, State, and Federal governments to eradicate lionfish from Florida waters.

This amendment is derived from a bill of which I am a cosponsor.

Mr. Chairman, I thank the gentleman from Florida for offering this amendment, and I urge my colleagues to support it.

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

Mr. GRAVES of Louisiana. Mr. Chairman, I rise in opposition, although I don't intend to oppose the amendment.

The Acting CHAIR. Without objection, the gentleman is recognized for 5 minutes.

There was no objection.

Mr. GRAVES of Louisiana. Mr. Chairman, I thank the gentleman from Florida for bringing this issue up.

The lionfish has certainly, according to many reports, been a species that is causing an adverse impact to red snapper. The solution that he proposes here is a solution whereby States could submit a modified or a new exempted fisheries permit, where they could provide for additional access, on top of their existing allocation, to red snapper in

exchange for harvesting a certain number of lionfish species, which are predators to the red snapper.

As folks will see, there is a lot of handwriting on this amendment. We did sit back and make some changes to this, so there is an excellent chance that there are some imperfections here.

Mr. Chairman, I thank the gentleman for working with us on this. I thank my friends from Florida and California for working with us on this as well. It is likely that we are going to need some additional work on this as we move forward. There are some enforcement issues; there are science issues; and there is introduction of a new mechanism that causes some significant concern in the form of tags, in some cases.

But I, again, thank the gentleman from Florida for raising this issue, for working to ensure that we continue to have access to red snapper in the Gulf of Mexico. I look forward to working with my friend from Florida, as well as the folks across the aisle, in perfecting this as we move through the conference committee.

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

Mr. GAETZ. Mr. Chairman, I thank the gentleman from Louisiana for offering his insight and his views. It is certainly my hope that any animal that is delicious, like the lionfish, but that is also invasive and destructive to our environment, would be one that we would be able to work together across the aisle to harvest out of existence, so that we protect our environment and protect our coveted reef fish.

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

The Acting CHAIR. The question is on the amendment, as modified, offered by the gentleman from Florida (Mr. GAETZ).

The amendment, as modified, was agreed to.

The Acting CHAIR. The question is on the committee amendment in the nature of a substitute, as amended.

The amendment was agreed to.

The Acting CHAIR. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mrs. HANDEL) having assumed the chair, Mr. POE of Texas, 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. H.R. 200) to amend the Magnuson-Stevens Fishery Conservation and Management Act to provide flexibility for fishery managers and stability for fishermen, and for other purposes, and, pursuant to House Resolution 965, he reported the bill back to the House with an amendment adopted in the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment to the amendment reported from the Committee of the Whole?

If not, the question is on the committee amendment in the nature of a substitute, as amended.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

#### MOTION TO RECOMMIT

Mr. GOMEZ. Madam Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. GOMEZ. I am opposed in its current form.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

Mr. YOUNG of Alaska. Madam Speaker, I reserve a point of order.

The SPEAKER pro tempore. A point of order is reserved.

The Clerk read as follows:

Mr. Gomez moves to recommit the bill H.R. 200 to the Committee on Natural Resources with instructions to report the same back to the House forthwith with the following amendment:

Page 49, line 22, strike “and”.

Page 50, line 4, strike the second period and insert “; and”.

Page 50, after line 4, insert the following:

(4) in clause (ii) of paragraph (1)(A), as amended by paragraphs (1) and (2) of this section—

(A) by inserting “(I)” before “regulatory restrictions”; and

(B) by inserting “or (II) unilateral tariffs imposed by other countries on any United States seafood exports or unilateral tariffs imposed by any country on materials necessary for the economic viability of the United States’ fishing industry” after “environment”.

Mr. GOMEZ (during the reading). Madam Speaker, I ask unanimous consent that the reading be dispensed with.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

The SPEAKER pro tempore. The gentleman from California is recognized for 5 minutes.

□ 1715

Mr. GOMEZ. Madam Speaker, this is the final amendment to the bill, which will not kill the bill or send it back to committee.

If adopted, the bill would immediately proceed to final passage as amended.

Mr. Speaker, President Trump claims his trade policy is meant to level the playing field for the United States, but workers and businesses in other parts of the economy will suffer unintended consequences.

Despite his claims to pursue a trade agenda that will put American workers first, this administration’s trade policy shows a lack of strategy and planning that risks putting working families last and threatens our economy.

Any trade agenda must fix the problems with existing policy rather than

making matters worse. Escalating tariffs and alienating our closest trading partners does nothing to advance a trade agenda that puts working families first.

Our trade policy should prioritize strong environmental protections, penalize cheaters, enforce labor protections for workers, and strengthen rules of origin so we can advance a trade agenda that is fair to every American worker instead of picking winners and losers.

But President Trump isn’t known for his discretion or his deep knowledge of policy. He doesn’t realize or doesn’t care that his America First trade agenda puts America last by undermining our competitiveness and innovation. The idea of unintended consequences didn’t even cross his mind when announcing these unilateral tariffs.

But as Members of Congress representing constituents from around the country, we know that there are very real consequences for these actions.

That is why I am offering this motion to recommit, which would allow a Governor or elected official or appointed official to request that the Secretary of Commerce declare a fishery disaster if fishermen suffer negative impacts from these tariffs.

The Magnuson-Stevens Fishery Conservation and Management Act restored dozens of fishery stocks to healthy levels, and we cannot allow the ill-conceived or half-baked ideas of the President to hurt the workers or the progress we have actually made.

Madam Speaker, I urge my colleagues to vote for the motion to recommit, and I yield back the balance of my time.

Mr. YOUNG of Alaska. I withdraw the reservation of a point of order.

The SPEAKER pro tempore (Mr. POE of Texas). The reservation of a point of order is withdrawn.

Mr. YOUNG of Alaska. I claim the time in opposition to the motion to recommit.

The SPEAKER pro tempore. The gentleman is recognized for 5 minutes.

Mr. YOUNG of Alaska. The parliamentarian, I think, made a mistake, but they have a right to do that, as others Members do, but that is the way it goes.

Mr. Speaker, let’s not kid ourselves. If you listen to the presentation, it has nothing to do with a fish bill. This is a procedural trick to delay passage of this bipartisan legislation. And I keep saying this is a fish bill that has been in existence for many years, since 1976, and it has been a success, and then we come up with a recommit motion that has nothing to do with this bill.

The prize is fish communities, sustainable yields, domestic seafood industry, and a job creation bill.

With all due respect, I strongly urge a rejection of the motion, and I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the yeas appeared to have it.

Mr. GOMEZ. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, this 15-minute vote on the motion to recommit will be followed by a 5-minute vote on passage of the bill, if ordered.

The vote was taken by electronic device, and there were—yeas 187, nays 228, not voting 13, as follows:

[Roll No. 320]

YEAS—187

Adams	Gallego	Nadler
Aguilar	Garamendi	Neal
Barragán	Gomez	Nolan
Bass	Gonzalez (TX)	Norcross
Beatty	Gottheimer	O’Halloran
Bera	Green, Al	O’Rourke
Beyer	Green, Gene	Pallone
Bishop (GA)	Grijalva	Panetta
Blumenauer	Gutiérrez	Pascrell
Blunt Rochester	Hastings	Payne
Bonamici	Heck	Pelosi
Boyle, Brendan	Higgins (NY)	Peters
F.	Himes	Peterson
Brady (PA)	Hoyer	Pingree
Brown (MD)	Huffman	Pocan
Brownley (CA)	Jackson Lee	Polis
Bustos	Jayapal	Price (NC)
Butterfield	Jeffries	Quigley
Capuano	Johnson (GA)	Raskin
Carbajal	Johnson, E. B.	Rice (NY)
Cárdenas	Jones	Richmond
Carson (IN)	Kaptur	Rosen
Cartwright	Keating	Roybal-Allard
Castor (FL)	Kelly (IL)	Ruiz
Castro (TX)	Kennedy	Ruppersberger
Chu, Judy	Khanna	Ryan (OH)
Cicilline	Kihuen	Sánchez
Clark (MA)	Kildee	Sarbanes
Clarke (NY)	Kilmer	Schakowsky
Clay	Kind	Schiff
Cleaver	Krishnamoorthi	Schneider
Clyburn	Kuster (NH)	Schrader
Cohen	Lamb	Scott (VA)
Connolly	Langevin	Scott, David
Cooper	Larsen (WA)	Serrano
Correa	Larson (CT)	Sewell (AL)
Courtney	Lawrence	Shea-Porter
Crist	Lawson (FL)	Sherman
Crowley	Lee	Sinema
Cuellar	Levin	Sires
Cummings	Lewis (GA)	Smith (WA)
Davis (CA)	Lieu, Ted	Soto
Davis, Danny	Lipinski	Suozi
DeFazio	Loeb sack	Swalwell (CA)
DeGette	Loifgren	Takano
Delaney	Lowenthal	Thompson (CA)
DeLauro	Lowe y	Thompson (MS)
DelBene	Lujan Grisham,	Titus
Demings	M.	Tonko
DeSaulnier	Luján, Ben Ray	Torres
Deutch	Lynch	Tsongas
Dingell	Maloney,	Vargas
Doggett	Carolyn B.	Veasey
Doyle, Michael	Maloney, Sean	Vela
F.	Matsui	Velázquez
Engel	McCollum	Visclosky
Eshoo	McEeachin	Walz
Españillat	McGovern	Wasserman
Esty (CT)	McNerney	Schultz
Evans	Meeks	Waters, Maxine
Foster	Meng	Watson Coleman
Frankel (FL)	Moore	Welch
Fudge	Moulton	Wilson (FL)
Gabbard	Murphy (FL)	Yarmuth

NAYS—228

Abraham	Banks (IN)	Bishop (UT)
Aderholt	Barletta	Black
Allen	Barr	Bost
Amash	Barton	Brady (TX)
Amodei	Bergman	Brat
Arrington	Biggs	Brooks (AL)
Babin	Bilirakis	Brooks (IN)
Bacon	Bishop (MI)	Buchanan

Buck  
Bucshon  
Budd  
Burgess  
Byrne  
Calvert  
Carter (GA)  
Carter (TX)  
Chabot  
Cloud  
Coffman  
Cole  
Collins (GA)  
Collins (NY)  
Comer  
Comstock  
Conaway  
Cook  
Costa  
Costello (PA)  
Cramer  
Crawford  
Culberson  
Curbelo (FL)  
Curtis  
Davidson  
Davis, Rodney  
Denham  
DeSantis  
DesJarlais  
Diaz-Balart  
Donovan  
Duffy  
Duncan (SC)  
Duncan (TN)  
Dunn  
Emmer  
Estes (KS)  
Faso  
Ferguson  
Fitzpatrick  
Fleischmann  
Flores  
Fortenberry  
Foxy  
Frelinghuysen  
Gaetz  
Garrett  
Gianforte  
Gibbs  
Gohmert  
Goodlatte  
Gosar  
Gowdy  
Granger  
Graves (GA)  
Graves (LA)  
Graves (MO)  
Griffith  
Grothman  
Guthrie  
Harris  
Hartzer  
Hensarling  
Herrera Beutler  
Hice, Jody B.  
Higgins (LA)  
Hill

Holding  
Hollingsworth  
Hudson  
Huizenga  
Hultgren  
Hunter  
Hurd  
Issa  
Jenkins (WV)  
Johnson (LA)  
Johnson (OH)  
Johnson, Sam  
Jordan  
Joyce (OH)  
Katko  
Kelly (MS)  
Kelly (PA)  
King (IA)  
King (NY)  
Kinzinger  
Knight  
Kustoff (TN)  
Labrador  
LaHood  
LaMalfa  
Lamborn  
Lance  
Latta  
Lesko  
Lewis (MN)  
LoBiondo  
Long  
Loudermilk  
Love  
Lucas  
Luetkemeyer  
MacArthur  
Marino  
Marshall  
Massie  
Mast  
McCarthy  
McCaul  
McClintock  
McHenry  
McKinley  
McMorris  
Rodgers  
McSally  
Meadows  
Messer  
Mitchell  
Moolenaar  
Mooney (WV)  
Mullin  
Newhouse  
Noem  
Norman  
Nunes  
Olson  
Palazzo  
Palmer  
Paulsen  
Pearce  
Perry  
Pittenger  
Poe (TX)  
Poliquin

## NOT VOTING—13

Blackburn  
Blum  
Cheney  
Ellison  
Gallagher

□ 1745

Messrs. MARINO, MITCHELL, NEWHOUSE, and Mrs. BROOKS of Indiana changed their vote from “yea” to “nay.”

Messrs. CROWLEY, RUPPERSBERGER, and CLEAVER changed their vote from “nay” to “yea.”

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. HUFFMAN. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 222, nays 193, not voting 13, as follows:

[Roll No. 321]

YEAS—222

Abraham  
Aderholt  
Allen  
Amash  
Amodei  
Arrington  
Rouzer  
Bacon  
Banks (IN)  
Barletta  
Barr  
Barton  
Bergman  
Biggs  
Bishop (MI)  
Bishop (UT)  
Black  
Bost  
Brady (TX)  
Smith (NE)  
Brat  
Brooks (AL)  
Brooks (IN)  
Buck  
Bucshon  
Budd  
Burgess  
Byrne  
Calvert  
Carter (GA)  
Chabot  
Cloud  
Coffman  
Cole  
Collins (GA)  
Collins (NY)  
Comer  
Comstock  
Conaway  
Cook  
Courtney  
Cramer  
Crawford  
Cuellar  
Curtis  
Davidson  
Davis, Rodney  
Denham  
DeSantis  
DesJarlais  
Donovan  
Duffy  
Duncan (SC)  
Duncan (TN)  
Dunn  
Emmer  
Estes (KS)  
Faso  
Ferguson  
Fleischmann  
Flores  
Fortenberry  
Foxy  
Frelinghuysen  
Gaetz  
Garrett  
Gianforte  
Gibbs  
Gohmert  
Gonzalez (TX)  
Goodlatte  
Gosar  
Gowdy  
Graves (GA)  
Graves (LA)  
Graves (MO)

NAYS—193

Adams  
Aguilar  
Barragán  
Bass  
Beatty  
Bera  
Beyer  
Bilirakis  
Bishop (GA)

Green, Gene  
Griffith  
Grothman  
Guthrie  
Handel  
Harris  
Hartzer  
Hensarling  
Poe (TX)  
Poliquin  
Posey  
Ratcliffe  
Reed  
Reichert  
Renacci  
Rice (SC)  
Roby  
Roe (TN)  
Rogers (AL)  
Rogers (KY)  
Rohrabacher  
Rokita  
Rooney, Thomas  
J.  
Roskam  
Ross  
Rothfus  
Rouzer  
Royce (CA)  
Russell  
Rutherford  
Schweikert  
Scott, Austin  
Sessions  
Shimkus  
Shuster  
Simpson  
Smith (MO)  
Smith (NE)  
Smith (NJ)  
Smith (TX)  
Smucker  
Stefanik  
Stewart  
Stivers  
Taylor  
Tenney  
Thompson (PA)  
Thornberry  
Tipton  
Trott  
Turner  
Upton  
Valadao  
Veasey  
Wagner  
Walberg  
Walden  
Walker  
Walorski  
Walters, Mimi  
Webster (FL)  
Wenstrup  
Westerman  
Williams  
Wilson (SC)  
Wittman  
Womack  
Woodall  
Yoder  
Yoho  
Young (AK)  
Young (IA)  
Zeldin

Castro (TX)  
Chu, Judy  
Cicilline  
Clark (MA)  
Clarke (NY)  
Clay  
Clever  
Clyburn  
Cohen  
Connolly  
Cooper  
Correa  
Costa  
Costello (PA)  
Crist  
Crowley  
Culberson  
Cummings  
Curbelo (FL)  
Davis (CA)  
Davis, Danny  
DeFazio  
DeGette  
Delaney  
DeLauro  
DelBene  
Demings  
DeSaulnier  
Deutch  
Diaz-Balart  
Dingell  
Doggett  
Doyle, Michael  
F.  
Engel  
Eshoo  
Español  
Esty (CT)  
Evans  
Fitzpatrick  
Foster  
Frank (FL)  
Fudge  
Gabbard  
Gallego  
Garamendi  
Gomez  
Gottheimer  
Granger  
Green, Al  
Grijalva  
Gutiérrez  
Hastings  
Heck  
Himes  
Hoyer  
Huffman  
Jackson Lee  
Jayapal  
Jeffries  
Johnson (GA)  
Johnson, E. B.  
Kaptur  
Keating  
Kelly (IL)  
Kennedy  
Khanna  
Kihuen  
Kildee  
Kilmer  
Kind  
Krishnamoorthi  
Kuster (NH)  
Lamb  
Lance  
Langevin  
Larsen (WA)  
Larson (CT)  
Lawrence  
Lawson (FL)  
Lee  
Levin  
Lewis (GA)  
Lieu, Ted  
Lipinski  
Loebach  
Lofgren  
Lowenthal  
Lowey  
Lujan Grisham,  
M.  
Lujan, Ben Ray  
Maloney,  
Carolyn B.  
Maloney, Sean  
Matsui  
McCormack  
McCollum  
McEachin  
McGovern  
McNerney  
Meeks  
Meng  
Moore  
Moulton  
Murphy (FL)  
Nadler  
Neal  
Nolan  
Norcross  
O'Halleran  
O'Rourke  
Panetta  
Pascarella  
Paulsen  
Payne  
Pelosi  
Peters  
Pingree  
Pocan  
Polis  
Price (NC)  
Quigley  
Raskin  
Rice (NY)  
Richmond  
Rooney, Francis  
Ros-Lehtinen  
Rosen  
Roybal-Allard  
Ruiz  
Ruppersberger  
Ryan (OH)  
Sánchez  
Sanford  
Sarbanes  
Schakowsky  
Schiff  
Schneider  
Schrader  
Scott (VA)  
Scott, David  
Serrano  
Sewell (AL)  
Shea-Porter  
Sherman  
Sinema  
Sires  
Smith (WA)  
Soto  
Suzuki  
Swalwell (CA)  
Takano  
Thompson (CA)  
Thompson (MS)  
Titus  
Tonko  
Torres  
Tsongas  
Vargas  
Vela  
Velázquez  
Visclosky  
Walz  
Wasserman  
Schultz  
Waters, Maxine  
Watson Coleman  
Weber (TX)  
Welch  
Wilson (FL)  
Yarmuth

## NOT VOTING—13

Blackburn  
Blum  
Cheney  
Ellison  
Gallagher

□ 1753

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

## PERSONAL EXPLANATION

Mr. SCALISE. Mr. Speaker, I was unavoidably detained. Had I been present, I would have voted “nay” on rollcall No. 320 and “yea” on rollcall No. 321.

AUTHORIZING THE CLERK TO MAKE CORRECTIONS IN ENGROSSMENT OF H.R. 200, STRENGTHENING FISHING COMMUNITIES AND INCREASING FLEXIBILITY IN FISHERIES MANAGEMENT ACT

Mr. YOUNG of Alaska. Mr. Speaker, I ask unanimous consent that in the engrossment of the bill, H.R. 200, the