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112TH CONGRESS
1ST SESSION

S. 1916

To exclude ecosystem component stocks of fish from certain annual catch limits and for other purposes.

IN THE SENATE OF THE UNITED STATES

NOVEMBER 28, 2011

Mr. NELSON of Florida (for himself, Mr. RUBIO, Mr. VITTER, Mr. WICKER, Mr. THUNE, Mr. BEGICH, Ms. LANDRIEU, and Ms. MURKOWSKI) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

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A BILL

To exclude ecosystem component stocks of fish from certain annual catch limits and for other purposes.

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 ''Fishery Science Improvement Act of 2011''.

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

(a) SCIENTIFIC DATA REQUIRED FOR ANNUAL CATCH LIMITS.—Section 104(b) of the Magnuson-Stevens

Fishery Conservation and Management Reauthorization Act of 2006 (Public Law 109–479; 16 U.S.C. 1853 note) is amended—

(1) in paragraph (2), by striking ''and'' at the end;

(2) by redesignating paragraph (3) as paragraph (5); and

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

''(3) shall not apply to a stock for which a stock assessment has not been performed during the previous 6-year period, if the Secretary has determined pursuant to section 304(e) of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1854(e)) that—

''(A) the fishery is not subject to overfishing of that stock; and

''(B) the stock is not overfished;

''(4) shall not apply to an ecosystem component stock; and''.

(b) ECOSYSTEM COMPONENT STOCKS.—Section 104 of the Magnuson-Stevens Fishery Conservation and Management Reauthorization Act of 2006 (Public Law 109–479; 120 Stat. 3584) is amended by adding at the end the following:

"(e) ECOSYSTEM COMPONENT STOCK.—

"(1) DEFINITION.—In this section, the term 'ecosystem component stock' means a stock of fish that the Secretary determines—

"(A) is a nontarget stock; and

"(B) is not subject to overfishing or overfished.

"(2) PRIOR DETERMINATIONS.—Ecosystem component species as determined by the Secretary of Commerce prior to the date of the enactment of the Fishery Science Improvement Act of 2011, shall be determined to be ecosystem component stocks as defined by paragraph (1) after such date of enactment.".

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