

113TH CONGRESS
2D SESSION

S. 2991

To amend the Magnuson-Stevens Fishery Conservation and Management Act to promote sustainable conservation and management for the Nation's fisheries and the communities that rely on them, and for other purposes.

IN THE SENATE OF THE UNITED STATES

DECEMBER 9, 2014

Mr. BEGICH introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

A BILL

To amend the Magnuson-Stevens Fishery Conservation and Management Act to promote sustainable conservation and management for the Nation's fisheries and the communities that rely on them, and for other purposes.

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

3 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

4 (a) **SHORT TITLE.**—This Act may be cited as the
5 “Magnuson-Stevens Fishery Conservation and Manage-
6 ment Reauthorization Act of 2014”.

7 (b) **TABLE OF CONTENTS.**—The table of contents of
8 this Act is as follows:

- Sec. 1. Short title; table of contents.
- Sec. 2. References to the Magnuson-Stevens Fishery Conservation and Management Act.
- Sec. 3. Changes in findings, purposes, and policy.
- Sec. 4. Definitions.
- Sec. 5. Authorization of appropriations.

TITLE I—CONSERVATION AND MANAGEMENT

- Sec. 101. Regional fishery management councils.
- Sec. 102. Contents of fishery management plans.
- Sec. 103. Action by the Secretary.
- Sec. 104. Other requirements and authority.
- Sec. 105. Prohibited acts.
- Sec. 106. Penalties.
- Sec. 107. Enforcement.
- Sec. 108. Transition to sustainable fisheries.
- Sec. 109. North Pacific fisheries conservation.
- Sec. 110. Regional fishery conservation and management authorities.
- Sec. 111. Summer flounder management.
- Sec. 112. Study of allocations in mixed-use fisheries.

TITLE II—FISHERY INFORMATION, RESEARCH, AND DEVELOPMENT

- Sec. 201. Integrated data collection program and electronic technologies.
- Sec. 202. Capital construction.
- Sec. 203. Fisheries research.
- Sec. 204. Improving science.
- Sec. 205. Focusing assets for improved fisheries outcomes.
- Sec. 206. Seafood marketing.

TITLE III—REAUTHORIZATION OF OTHER FISHERY STATUTES

- Sec. 301. Anadromous Fish Conservation Act.
- Sec. 302. Interjurisdictional Fisheries Act of 1986.
- Sec. 303. Atlantic Coastal Fisheries Cooperative Management Act.
- Sec. 304. Atlantic Striped Bass Conservation Act.
- Sec. 305. Yukon River Salmon Act of 2000.
- Sec. 306. State authority for Dungeness crab fishery management.

TITLE IV—INTERNATIONAL CONSERVATION AND MANAGEMENT

- Sec. 401. Secretarial representative for international fisheries.
- Sec. 402. Amendments to Pacific Salmon Treaty Act of 1985.
- Sec. 403. Reauthorization of Atlantic Tunas Convention Act of 1975.
- Sec. 404. Reauthorization of the South Pacific Tuna Act of 1988.
- Sec. 405. Amendments to the High Seas Driftnet Fishing Moratorium Protection Act.
- Sec. 406. Reauthorization of Northwest Atlantic Fisheries Convention Act of 1995.

TITLE V—MISCELLANEOUS

- Sec. 501. Technical amendments.
- Sec. 502. Pacific insular areas; marine conservation plans.
- Sec. 503. Repeal of Gulf of Mexico red snapper catch limits.

1 **SEC. 2. REFERENCES TO THE MAGNUSON-STEVENSON FISHERY CONSERVATION AND MANAGEMENT ACT.**
2

3 Except as otherwise expressly provided, wherever in
4 this Act an amendment or repeal is expressed in terms
5 of an amendment to, or repeal of, a section or other provi-
6 sion, the reference shall be considered to be made to a
7 section or other provision of the Magnuson-Stevens Fish-
8 ery Conservation and Management Act (16 U.S.C. 1801
9 et seq.).

10 **SEC. 3. CHANGES IN FINDINGS, PURPOSES, AND POLICY.**

11 (a) FINDINGS.—Section 2(a) (16 U.S.C. 1801(a)) is
12 amended—

13 (1) in paragraph (3) by striking “at an ever-in-
14 creasing rate over the past decade”;

15 (2) in paragraph (6), by inserting “and marine
16 ecosystems” after “essential fish habitats”;

17 (3) in paragraph (11), by striking “have dem-
18 onstrated” and inserting “are demonstrating”;

19 (4) by redesignating paragraphs (7) through
20 (12) as paragraphs (10) through (15), respectively;

21 (5) by inserting before paragraph (10), as re-
22 designated, the following:

23 “(8) By establishing mechanisms, under au-
24 thority of this Act, for specifying science-based an-
25 nual catch limits in fishery management plans at
26 levels such that overfishing does not occur in fish-

1 eries, including measures to ensure accountability,
2 the Nation’s fishery resources are now being man-
3 aged sustainably to prevent overfishing and respond
4 quickly if overfishing occurs.

5 “(9) It is of critical importance to the health of
6 the Nation’s fishery resources and the coastal com-
7 munities that depend on them that the United
8 States maintain its progress in preventing over-
9 fishing and rebuilding overfished stocks.”;

10 (6) by redesignating paragraphs (4) through
11 (6) as paragraphs (5) through (7), respectively; and

12 (7) by inserting after paragraph (3) the fol-
13 lowing:

14 “(4) Subsistence fishing is an integral part of
15 life in many communities throughout the United
16 States, and the Nation’s marine and anadromous
17 fish are important sources of nutrition, sustenance,
18 and the cultural heritage of those communities.”.

19 (b) PURPOSES.—Section 2(b) (16 U.S.C. 1801(b)) is
20 amended—

21 (1) in paragraph (3), by striking “and rec-
22 reational” and inserting “, recreational, and subsist-
23 ence”;

24 (2) in paragraph (5), by striking “the State”
25 and inserting “the States, tribal governments,”; and

1 (3) in paragraph (7), by striking “the review of
2 projects” and inserting “projects and activities”.

3 (c) POLICY.—Section 2(c)(3) (16 U.S.C. 1801(c)(3))
4 is amended—

5 (1) by inserting “, tribes,” after “affected
6 States”; and

7 (2) by inserting “tribal,” after “State,”.

8 **SEC. 4. DEFINITIONS.**

9 (a) IN GENERAL.—Section 3 (16 U.S.C. 1802) is
10 amended—

11 (1) by inserting after paragraph (8) the fol-
12 lowing:

13 “(8A) The terms ‘depleted’ and ‘depletion’
14 mean, with respect to a stock of fish in a fishery,
15 that the stock is of a size that jeopardizes the capac-
16 ity of the fishery to produce the maximum sustain-
17 able yield on a continuing basis.”;

18 (2) in paragraph (33)(C), by inserting “or oth-
19 erwise depleted” after “overfished”;

20 (3) in paragraph (36), by inserting “, tribal,”
21 after “State,”;

22 (4) by inserting after paragraph (43) the fol-
23 lowing:

24 “(43A) The term ‘subsistence fishing’ means
25 fishing in which the fish harvested are intended for

1 customary and traditional uses, including for direct
2 personal or family consumption as food or clothing;
3 for the making or selling of handicraft articles out
4 of nonedible byproducts taken for personal or family
5 consumption, for barter, or sharing for personal or
6 family consumption; and for customary exchange or
7 trade. In this paragraph, the term—

8 “(A) ‘family’ means all persons related by
9 blood, marriage, or adoption, or any person liv-
10 ing within the household on a permanent basis;
11 and

12 “(B) ‘barter’ means the exchange of a fish
13 or fish part—

14 “(i) for another fish or fish part; or

15 “(ii) for other food or for nonedible
16 items other than money if the exchange is
17 of a limited and noncommercial nature.”;

18 (5) by inserting after paragraph (44) the fol-
19 lowing:

20 “(44A) The terms ‘tribal’ and ‘tribe’ mean an
21 Indian tribe as defined in section 102 of the Feder-
22 ally Recognized Indian Tribe List Act of 1994 (25
23 U.S.C. 479a).”; and

1 (6) by striking “(33) The term ‘waters of a for-
2 foreign nation’ means” and inserting “(51) The term
3 ‘waters of a foreign nation’ mean”.

4 (b) REDESIGNATION.—Paragraphs (1) through (51)
5 of section 3 (16 U.S.C. 1802), as amended by subsection
6 (a) of this section, are redesignated as paragraphs (1)
7 through (54), respectively.

8 (c) TECHNICAL AND CONFORMING AMENDMENTS.—

9 (1) TITLE 10.—Section 7306b(b) of title 10,
10 United States Code, is amended by striking “defined
11 in section 3(14)” and inserting “defined in section
12 3”.

13 (2) WHALE CONSERVATION AND PROTECTION
14 STUDY ACT.—Section 3 of the Whale Conservation
15 and Protection Study Act (16 U.S.C. 917a) is
16 amended by striking “including the fishery conserva-
17 tion zone as defined in section 3(8)” and inserting
18 “including the exclusive economic zone as defined in
19 section 3”.

20 (3) MARINE MAMMAL PROTECTION ACT OF
21 1972.—Section 114(o) of the Marine Mammal Pro-
22 tection Act of 1972 (16 U.S.C. 1383a(o)) is amend-
23 ed—

24 (A) in paragraph (1), by striking “section
25 3(8)” and inserting “section 3”; and

1 (B) in paragraph (4), by striking “section
2 3(27)” and inserting “section 3”.

3 (4) LACEY ACT AMENDMENTS OF 1981.—Section
4 8(b)(2) of the Lacey Act Amendments of 1981 (16
5 U.S.C. 3377(b)(2)) is amended—

6 (A) by striking “as defined in paragraph
7 (14) of section 3” and inserting “as defined in
8 section 3”; and

9 (B) by striking “as defined in paragraph
10 (13) of such section 3” and inserting “as de-
11 fined in such section 3”.

12 (5) ATLANTIC SALMON CONVENTION ACT OF
13 1982.—Section 302 of the Atlantic Salmon Conven-
14 tion Act of 1982 (16 U.S.C. 3601) is amended—

15 (A) in paragraph (6), by striking “in sec-
16 tion 3(10)” and inserting “in section 3”; and

17 (B) in paragraph (8), by striking “in sec-
18 tion 3(19)” and inserting “in section 3”.

19 (6) ATLANTIC STRIPED BASS CONSERVATION
20 ACT.—Section 3(6) of the Atlantic Striped Bass
21 Conservation Act (16 U.S.C. 5152(6)) is amended
22 by striking “in section 3(6)” and inserting “in sec-
23 tion 3”.

24 (7) COMPACT OF FREE ASSOCIATION ACT OF
25 1985.—Section 104(f)(4)(B) of the Compact of Free

1 Association Act of 1985 (48 U.S.C. 1904(f)(4)(B))
2 is amended by striking “have the same meanings as
3 provided in paragraphs (10) and (14), respectively,
4 of section 3” and inserting “have the same meanings
5 as provided in section 3”.

6 **SEC. 5. AUTHORIZATION OF APPROPRIATIONS.**

7 (a) IN GENERAL.—Section 4 (16 U.S.C. 1803) is
8 amended to read as follows:

9 **“SEC. 4. AUTHORIZATION OF APPROPRIATIONS.**

10 “There are authorized to be appropriated to the Sec-
11 retary to carry out the provisions of this Act—

12 “(1) \$532,909,000 for fiscal year 2015;

13 “(2) \$541,167,000 for fiscal year 2016;

14 “(3) \$549,590,000 for fiscal year 2017;

15 “(4) \$558,182,000 for fiscal year 2018;

16 “(5) \$566,946,000 for fiscal year 2019;

17 “(6) \$575,885,000 for fiscal year 2020; and

18 “(7) \$584,810,202 for fiscal year 2021.”.

19 (b) CONFORMING AMENDMENT.—The table of con-
20 tents is amended by inserting after the item relating to
21 section 3 the following:

“Sec. 4. Authorization of appropriations.”.

1 **TITLE I—CONSERVATION AND**
2 **MANAGEMENT**

3 **SEC. 101. REGIONAL FISHERY MANAGEMENT COUNCILS.**

4 (a) VOTING MEMBERS.—Section 302(b)(2) (16
5 U.S.C. 1852(b)(2)) is amended—

6 (1) in subparagraph (A), by striking “or the
7 commercial or recreational harvest” and inserting
8 “or the commercial, recreational, or subsistence fish-
9 ing harvest”;

10 (2) in subparagraph (B), by striking “in the
11 commercial and recreational fisheries” and inserting
12 “in the commercial, recreational, and subsistence
13 fisheries”;

14 (3) in subparagraph (C), by striking “commer-
15 cial and recreational fishing interests” and inserting
16 “commercial, recreational, and subsistence fishing
17 interests”; and

18 (4) in subparagraph (D)—

19 (A) in clause (i)—

20 (i) by striking “Fisheries” and insert-
21 ing “Fishery”; and

22 (ii) by inserting “or the South Atlan-
23 tic Fishery Management Council” after
24 “Council”; and

25 (B) by striking clause (iv).

1 (b) ADDITION OF RHODE ISLAND TO THE MID-AT-
2 LANTIC FISHERY MANAGEMENT COUNCIL.—Section
3 302(a)(1)(B) (16 U.S.C. 1852(a)(1)(B)) is amended—

4 (1) by inserting “Rhode Island,” after “States
5 of”;

6 (2) by inserting “Rhode Island,” after “except
7 North Carolina,”;

8 (3) by striking “21” and inserting “23”; and

9 (4) by striking “13” and inserting “14”.

10 (c) COMMITTEES AND ADVISORY PANELS.—Section
11 302(g)(1)(B) (16 U.S.C. 1852(g)(1)(B)) is amended to
12 read as follows:

13 “(B) Each scientific and statistical com-
14 mittee shall—

15 “(i) provide its Council ongoing sci-
16 entific advice for fishery management deci-
17 sions, including recommendations for ac-
18 ceptable biological catch, preventing over-
19 fishing, maximum sustainable yield, achiev-
20 ing rebuilding targets, and reports on
21 stock status and health, bycatch, habitat
22 status, social and economic impacts of
23 management measures, and sustainability
24 of fishing practices; and

1 “(ii) carry out the requirements of
2 this subparagraph in a transparent man-
3 ner, allowing for public involvement in the
4 process.”.

5 (d) FUNCTIONS.—Section 302(h) (16 U.S.C.
6 1852(h)) is amended—

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

9 (2) by redesignating paragraph (8) as para-
10 graph (9); and

11 (3) by inserting after paragraph (7) the fol-
12 lowing:

13 “(8) have the authority to use alternative fish-
14 ery management measures in a recreational fishery
15 (or the recreational component of a mixed-use fish-
16 ery), including extraction rates, fishing mortality,
17 and harvest control rules, to the extent they are in
18 accordance with the requirements of this Act; and”.

19 (e) WEBCASTS OF COUNCIL MEETINGS.—Section
20 302(i)(2) (16 U.S.C. 1852(i)(2)) is amended by adding
21 at the end the following:

22 “(G) Unless closed in accordance with
23 paragraph (3), each Council shall, where prac-
24 ticable, make available on the Internet website
25 of the Council a video or audio webcast of each

1 meeting of the Council and each meeting of the
2 scientific and statistical committee of the Coun-
3 cil not later than 30 days after the date of the
4 conclusion of such meeting.”.

5 (f) REGIONAL FISHERY MANAGEMENT COUNCILS;
6 PROCEDURAL MATTERS.—Section 302(i) (16 U.S.C.
7 1852(i)) is amended—

8 (1) in paragraph (4), by striking “or State au-
9 thorities” and inserting “, State, or tribal authori-
10 ties”; and

11 (2) in paragraph (6), by striking “Federal
12 agency or from a” and inserting “Federal agency,
13 tribal government, or”.

14 (g) COUNCIL TRAINING PROGRAM; TRAINING
15 COURSE.—Section 302(k)(1) (16 U.S.C. 1852(k)(1)) is
16 amended—

17 (1) by striking “Within 6 months after the date
18 of enactment of the Magnuson-Stevens Fishery Con-
19 servation and Management Reauthorization Act of
20 2006, the” and inserting “The”;

21 (2) in subparagraph (H), by striking “; and”
22 and inserting a semicolon;

23 (3) in subparagraph (I), by striking the period
24 at the end and inserting “; and”; and

25 (4) by adding at the end the following:

1 “(J) ecosystem-based fishery manage-
2 ment.”.

3 **SEC. 102. CONTENTS OF FISHERY MANAGEMENT PLANS.**

4 (a) REQUIRED PROVISIONS.—Section 303 (16 U.S.C.
5 1853) is amended—

6 (1) in subsection (a)—

7 (A) in paragraph (5), by inserting “, and
8 subsistence” after “charter”;

9 (B) in paragraph (13), by striking “and
10 charter fishing sectors” each place it appears
11 and inserting “charter, and subsistence fishing
12 components”;

13 (C) in paragraph (14)—

14 (i) by striking “each sector” and in-
15 serting “each component in the fishery”;

16 and

17 (ii) by striking “and charter fishing
18 sectors in the fishery and;” and inserting
19 “charter, and subsistence fishing compo-
20 nents in the fishery; and”; and

21 (D) in paragraph (15), by striking “estab-
22 lish a mechanism” and inserting “subject to
23 subsection (d), establish a mechanism”; and

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

25 “(d) LIMITATIONS.—

1 “(1) IN GENERAL.—The requirements under
2 subsection (a)(15) shall not—

3 “(A) apply to a species in a fishery that
4 has a mean life cycle of 18 months or less, or
5 to a species in a fishery with respect to which
6 all spawning and recruitment occurs beyond
7 State waters and the exclusive economic zone,
8 unless the Secretary has determined the fishery
9 is subject to overfishing of that species; and

10 “(B) limit or otherwise affect the require-
11 ments of section 301(a)(1) or 304(e) of this
12 Act.

13 “(2) CONSTRUCTION.—Nothing in this sub-
14 section shall be construed to affect any effective date
15 regarding the requirements under subsection (a)(15)
16 otherwise provided for under an international agree-
17 ment in which the United States participates.”.

18 (b) TECHNICAL AND CONFORMING AMENDMENTS.—

19 (1) MAGNUSON-STEVENSON FISHERY CONSERVA-
20 TION AND MANAGEMENT REAUTHORIZATION ACT OF
21 2006.—Section 104 of the Magnuson-Stevens Fishery
22 Conservation and Management Reauthorization Act
23 of 2006 (16 U.S.C. 1853 note) is amended by strik-
24 ing subsection (b) and inserting the following:

25 “(b) [Reserved].”.

1 (2) BYCATCH REDUCTION INCENTIVES.—Sec-
2 tion 313(g)(2) (16 U.S.C. 1862(g)(2)) is amended
3 by striking “Notwithstanding section 303(d)” and
4 inserting “Notwithstanding section 303A”.

5 (3) GULF OF MEXICO RED SNAPPER RE-
6 SEARCH.—Section 407(b) (16 U.S.C. 1883(b)) is
7 amended by inserting “as in effect on December 21,
8 2000,” after “In addition to the restrictions under
9 section 303(d)(1)(A)”.

10 (4) LOANS AND GUARANTEES; ELIGIBLE PUR-
11 POSES OF OBLIGATIONS.—Section 53706(a)(7)(A) of
12 title 46, United States Code, is amended by striking
13 “section 303(d)(4)” and inserting “section 303A”.

14 **SEC. 103. ACTION BY THE SECRETARY.**

15 (a) UPDATED AGENCY PROCEDURES.—Not later
16 than 90 days after the date of enactment of this Act, the
17 Secretary of Commerce shall issue a notice of proposed
18 rulemaking to revise and update agency procedures under
19 the mandate of section 304(i) of the Magnuson-Stevens
20 Fishery Conservation and Management Act (16 U.S.C.
21 1854(i)), as added by section 107 of the Magnuson-Ste-
22 vens Fishery Conservation and Management Reauthoriza-
23 tion Act of 2006 (120 Stat. 3594).

24 (b) ESTABLISHMENT OF FEES.—Section 304(d) (16
25 U.S.C. 1854(d)) is amended—

1 (1) in paragraph (2)(A)—

2 (A) by striking “actual costs directly re-
3 lated to” and inserting “net incremental costs
4 attributable to”;

5 (B) in clause (i), by striking “; and” and
6 inserting a semicolon;

7 (C) in clause (ii), by striking the period at
8 the end and inserting “; and”; and

9 (D) by adding at the end the following:

10 “(iii) management program that allo-
11 cates a percentage of the total allowable
12 catch to individuals who have formed a
13 sector (for purposes of this subparagraph,
14 as defined in section 648.2 of title 50,
15 Code of Federal Regulations).”; and

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

17 “(3) The Secretary may not collect any fee
18 under this section or section 313(a) before preparing
19 an analysis that identifies the costs that will be re-
20 covered by the fee and the costs that will not be re-
21 covered by the fee. The analysis shall be included in
22 the applicable fishery management plan.”.

23 (c) REBUILDING OVERFISHED AND DEPLETED FISH-
24 ERIES.—Section 304(e) (16 U.S.C. 1854(e)) is amend-
25 ed—

1 (1) by amending the heading to read as follows:

2 “(e) REBUILDING OVERFISHED AND OTHERWISE
3 DEPLETED FISHERIES.—”;

4 (2) by amending paragraph (1) to read as fol-
5 lows:

6 “(1) The Secretary shall report annually to the
7 Congress and the Councils on the status of fisheries
8 within each Council’s geographical area of authority
9 and identify those fisheries that are overfished or
10 otherwise depleted, or are approaching a condition of
11 being overfished or otherwise depleted. For those
12 fisheries managed under a fishery management plan
13 or international agreement, the status shall be deter-
14 mined using the criteria for overfishing (or deple-
15 tion, where applicable) specified in the plan or agree-
16 ment. A fishery shall be classified as approaching a
17 condition of being overfished or otherwise depleted
18 if, based on trends in fishing effort, fishery resource
19 size, and other appropriate factors, the Secretary es-
20 timates that the fishery will become overfished or
21 otherwise depleted within 2 years.”;

22 (3) in paragraph (2), by inserting “or otherwise
23 depleted” after “overfished”;

24 (4) in paragraph (3)(B), by inserting “or other-
25 wise depleted” after “overfished”;

1 (5) by amending paragraph (4)(A) to read as
2 follows:

3 “(A) specify a time period for rebuilding
4 the fishery that—

5 “(i) shall be as short as possible, tak-
6 ing into account the status and biology of
7 any overfished stocks of fish, the needs of
8 fishing communities, recommendations by
9 international organizations in which the
10 United States participates, and the inter-
11 action of the overfished stock of fish within
12 the marine ecosystem; and

13 “(ii) except where management meas-
14 ures under an international agreement
15 with the United States participates dictate
16 otherwise, shall not exceed—

17 “(I) 10 years, except in cases
18 where the biology of the stock of fish
19 or other environmental conditions dic-
20 tate otherwise; or

21 “(II) the sum of the time in
22 which the affected stock of fish is ex-
23 pected to rebuild to its maximum sus-
24 tainable yield biomass level in the ab-
25 sence of any fishing mortality, and the

1 mean generation of time of the af-
2 fected stock of fish, if those time val-
3 ues are the best scientific information
4 available;” and

5 (6) in paragraph (5), by striking “that a fishery
6 is overfished” and inserting “that a fishery is over-
7 fished or otherwise depleted”.

8 (d) INTERNATIONAL OVERFISHING.—Section 304
9 (16 U.S.C. 1854) is amended—

10 (1) by striking “(i) INTERNATIONAL OVER-
11 FISHING.—” and inserting “(j) INTERNATIONAL
12 OVERFISHING.—”; and

13 (2) in subsection (j)(1), as redesignated by
14 paragraph (1) of this subsection, by inserting
15 “shall” after “State,”.

16 (e) ANNUAL REPORT ON SPECIAL FUNDS.—Section
17 304 (16 U.S.C. 1854), as amended by subsection (d) of
18 this section, is further amended by adding at the end the
19 following:

20 “(k) ANNUAL REPORT ON SPECIAL FUNDS.—

21 “(1) ANNUAL REPORT.—Not later than 30 days
22 after the last day of each fiscal year, the Secretary
23 shall submit to the Committee on Commerce,
24 Science, and Transportation of the Senate and the

1 Committee on Natural Resources of the House of
2 Representatives a report for that fiscal year on—

3 “(A) the Western Pacific Sustainable Fish-
4 eries Fund established under section 204(e)(7);

5 “(B) the Limited Access System Adminis-
6 tration Fund established under section
7 305(h)(5)(B);

8 “(C) the North Pacific Fishery Observer
9 Fund established under section 313(d); and

10 “(D) the Fisheries Conservation and Man-
11 agement Fund established under section 208(a)
12 of the Magnuson-Stevens Fishery Conservation
13 and Management Reauthorization Act of 2006
14 (16 U.S.C. 1891b(a)).

15 “(2) REQUIRED INFORMATION.—The annual re-
16 port required under paragraph (1) shall include a
17 detailed accounting of—

18 “(A) all moneys in each fund at the start
19 of the fiscal year;

20 “(B) all moneys deposited in each fund
21 during the fiscal year;

22 “(C) all moneys paid out of each fund dur-
23 ing the fiscal year; and

24 “(D) all projects, programs, and activities
25 funded by each fund during the fiscal year.”.

1 **SEC. 104. OTHER REQUIREMENTS AND AUTHORITY.**

2 (a) FISH HABITAT.—Section 305(b) (16 U.S.C.
3 1855(b)) is amended—

4 (1) in paragraph (3), by inserting “or tribal
5 government” after “or State agency” each place it
6 appears; and

7 (2) in paragraph (4)—

8 (A) by striking “from a Council or Federal
9 or State agency” and inserting “from a Coun-
10 cil, Federal or State agency, or tribal govern-
11 ment”; and

12 (B) by inserting “or tribal government”
13 after “by any State or Federal agency”.

14 (b) JUDICIAL REVIEW.—Section 305(f)(2) (16
15 U.S.C. 1855(f)(2)) is amended by striking “including, ac-
16 tions that establish the date of closure of a fishery to com-
17 mercial or recreational fishing” and inserting “including
18 but not limited to actions that establish the date of closure
19 of a fishery to commercial, recreational, or subsistence
20 fishing”.

21 (c) CONSUMER INFORMATION REGARDING
22 SUSTAINABLY CAUGHT FISH.—Section 305 (16 U.S.C.
23 1855) is amended by adding at the end the following:

24 “(l) SUSTAINABILITY STANDARD.—

25 “(1) IN GENERAL.—For the purpose of this
26 Act, fish is sustainability caught if—

1 “(A) the fish is harvested in accordance
2 with—

3 “(i) a fishery management plan pre-
4 pared and approved under this Act; or

5 “(ii) equivalent conservation and man-
6 agement measures of a State or tribe, or
7 under an international agreement to which
8 the United States is a party, as determined
9 by the Secretary;

10 “(B) the fishery from which the fish is
11 harvested is not overfished or otherwise de-
12 pleted; and

13 “(C) overfishing or other depletion is not
14 occurring in the fishery from which the fish is
15 harvested.

16 “(2) REBUILDING FISHERIES.—A fishery that
17 is subject to a rebuilding plan under this Act, or
18 equivalent conservation and management measures
19 as determined by the Secretary, meets the criteria
20 specified in subparagraphs (B) and (C) of paragraph
21 (1) if the Secretary determines that the plan is ef-
22 fectively rebuilding the fishery.”.

23 **SEC. 105. PROHIBITED ACTS.**

24 Section 307(1) (16 U.S.C. 1857(1)) is amended—

1 (1) in subparagraph (Q), by striking “; or” and
2 inserting a semicolon;

3 (2) by redesignating subparagraph (R) as sub-
4 paragraph (S); and

5 (3) by inserting after subparagraph (Q) the fol-
6 lowing:

7 “(R) to knowingly and willfully make or
8 submit any incomplete, invalid, or false record,
9 account, or label for, or any false identification
10 of, any fish or fish product (including false
11 identification of the species, harvesting vessel or
12 nation, or the date or location where harvested)
13 that has been or is intended to be imported, ex-
14 ported, transported, sold, offered for sale, pur-
15 chased, or received in interstate or foreign com-
16 merce, except where such making or submission
17 is prohibited under subparagraph (I); or”.

18 **SEC. 106. PENALTIES.**

19 (a) CIVIL PENALTIES AND PERMIT SANCTIONS.—
20 Section 308 (16 U.S.C. 1858) is amended—

21 (1) in subsection (a), by striking “\$100,000”
22 and inserting “\$180,000”; and

23 (2) in subsection (f), by inserting “or investiga-
24 tion of a violation of this Act” after “under this sec-
25 tion”.

1 (b) CRIMINAL PENALTIES.—Section 309(b) (16
2 U.S.C. 1859(b)) is amended—

3 (1) by striking “\$100,000” and inserting
4 “\$180,000”; and

5 (2) by striking “\$200,000” each place it ap-
6 pears and inserting “\$360,000”.

7 **SEC. 107. ENFORCEMENT.**

8 (a) JURISDICTION OF THE COURTS.—

9 (1) IN GENERAL.—Section 311(d) (16 U.S.C.
10 1861(d)) is amended to read as follows:

11 “(d) JURISDICTION OF THE COURTS.—

12 “(1) IN GENERAL.—The district courts of the
13 United States shall have exclusive jurisdiction over
14 any case or controversy arising under the provisions
15 of this Act. Any such court may, at any time—

16 “(A) enter restraining orders or prohibi-
17 tions;

18 “(B) issue warrants, process in rem, or
19 other process;

20 “(C) prescribe and accept satisfactory
21 bonds or other security; and

22 “(D) take such other actions as are in the
23 interest of justice.

24 “(2) HAWAII AND PACIFIC INSULAR AREAS.—In
25 the case of Hawaii or any possession of the United

1 States in the Pacific Ocean, the appropriate court is
2 the United States District Court for the District of
3 Hawaii, except that—

4 “(A) in the case of Guam and Wake Is-
5 land, the appropriate court is the United States
6 District Court for the District of Guam; and

7 “(B) in the case of the Northern Mariana
8 Islands, the appropriate court is the United
9 States District Court for the District of the
10 Northern Mariana Islands.”.

11 (2) CONSTRUCTION.—Nothing in this section,
12 or the amendments made by paragraph (1), shall be
13 construed to affect any case or controversy com-
14 menced, or any case or controversy pending before
15 a district court of the United States, prior to the
16 date of enactment of this Act.

17 (b) PAYMENT OF STORAGE, CARE, AND OTHER
18 COSTS.—Section 311(e) (16 U.S.C. 1861(e)) is amend-
19 ed—

20 (1) in paragraph (1)—

21 (A) by striking “Notwithstanding any
22 other provision of law” and inserting “IN GEN-
23 ERAL.—Except as otherwise required under sec-
24 tion 204(e)(8)”;

1 (B) in subparagraph (E), by striking “;
2 and” and inserting a semicolon;

3 (C) in subparagraph (F), by striking the
4 period at the end and inserting “; and”; and

5 (D) by adding after subparagraph (F), the
6 following:

7 “(G) the costs of stock assessments, sur-
8 veys, and data collection in fisheries managed
9 under this Act.”;

10 (2) by redesignating paragraph (2) as para-
11 graph (3);

12 (3) in paragraph (3), as redesignated, by strik-
13 ing “Any person” and inserting “LIABILITY FOR
14 COSTS INCURRED.—Any person”; and

15 (4) by inserting after paragraph (1) the fol-
16 lowing:

17 “(2) FISHERIES ENFORCEMENT FUND.—There
18 is established in the Treasury a non-interest bearing
19 fund to be known as the Fisheries Enforcement
20 Fund, into which shall be deposited all sums re-
21 ceived as described in paragraph (1), which shall re-
22 main available to the Secretary until expended as
23 authorized in paragraph (1), without appropriation
24 or fiscal year limitation.”.

1 (c) ADMINISTRATIVE ADJUDICATION.—Section 311
2 (16 U.S.C. 1861) is amended—

3 (1) by redesignating subsections (d) through (j)
4 as subsections (e) through (k), respectively; and

5 (2) by inserting after subsection (c) the fol-
6 lowing:

7 “(d) ADMINISTRATIVE ADJUDICATION.—

8 “(1) IN GENERAL.—Notwithstanding section
9 559 of title 5, United States Code, with respect to
10 any marine resource conservation law or regulation
11 administered by the Secretary acting through the
12 National Oceanic and Atmospheric Administration,
13 all adjudicatory functions that are required by chap-
14 ter 5 of title 5, United States Code to be performed
15 by an administrative law judge may be performed by
16 another Federal agency on a reimbursable basis.

17 “(2) DETAILS.—If another Federal agency per-
18 forming adjudicatory functions under paragraph (1)
19 requires the detail of an administrative law judge to
20 perform any of these functions, such Federal agency
21 may request temporary or occasional assistance from
22 the Office of Personnel Management under section
23 3344 of title 5, United States Code.”.

24 (d) REPEALS.—Sections 110 and 111 of title I of Di-
25 vision B of the Consolidated and Further Continuing Ap-

1 appropriations Act, 2012 (Public Law 112–55; 16 U.S.C.
2 1861 note), are repealed.

3 (e) ANNUAL REPORT ON SPECIAL FUNDS.—Section
4 304(k)(1), as added by section 103(e) of this Act, is
5 amended—

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

8 (2) in subparagraph (D), by striking the period
9 at the end and inserting “; and”; and

10 (3) by adding at the end the following:

11 “(E) the Fisheries Enforcement Fund es-
12 tablished under section 311(e)(2).”.

13 (f) CONFORMING AMENDMENTS.—

14 (1) CIVIL FORFEITURES.—Section 310 (16
15 U.S.C. 1860) is amended—

16 (A) in subsection (b), by striking “section
17 311(d)” and inserting “section 311(e)”; and

18 (B) in subsection (d), by striking “section
19 311(d)” each place it appears and inserting
20 “subsection 311(e)”.

21 (2) ENFORCEMENT; NORTH ATLANTIC SALMON
22 FISHING.—Section 308 of the Atlantic Salmon Con-
23 vention Act of 1982 (16 U.S.C. 3607) is amended
24 by striking “and (d)” each place it appears and in-
25 serting “and (e)”.

1 **SEC. 108. TRANSITION TO SUSTAINABLE FISHERIES.**

2 (a) AUTHORIZATION OF APPROPRIATIONS.—Section
3 312(a)(4) (16 U.S.C. 1861a(a)(4)) is amended—

4 (1) by inserting “to carry out this subsection”
5 after “necessary”; and

6 (2) by striking “2007 through 2013” and in-
7 serting “2015 through 2021”.

8 (b) FISHERIES DISASTER RELIEF.—Section 312(a)
9 (16 U.S.C. 1861a(a)) is amended—

10 (1) in paragraph (1), by inserting “, a tribe,”
11 after “affected State”;

12 (2) by redesignating paragraphs (2) through
13 (4) as paragraphs (3) through (5), respectively;

14 (3) by inserting after paragraph (1) the fol-
15 lowing:

16 “(2) The Secretary shall make a decision re-
17 garding a request under paragraph (1) not later
18 than 90 days after the date the Secretary receives
19 a complete estimate of the economic impact of the
20 fishery resource disaster from the affected State,
21 tribal government, or fishing community.”; and

22 (4) in paragraph (3), as redesignated—

23 (A) by inserting “tribe, or” after “by the
24 affected State,”;

25 (B) by inserting “, tribe,” after “with the
26 affected State”; and

1 (C) by striking “to assist a fishing commu-
2 nity” and inserting “to assist a State, tribe, or
3 fishing community”.

4 **SEC. 109. NORTH PACIFIC FISHERIES CONSERVATION.**

5 (a) ELECTRONIC TECHNOLOGIES.—Section 313 (16
6 U.S.C. 1862) is amended—

7 (1) in subsection (a)—

8 (A) in the matter preceding paragraph (1),
9 by striking “jurisdiction except a salmon fishery
10 which” and inserting “jurisdiction, except a
11 salmon fishery, that”;

12 (B) in paragraph (1), by striking “that ob-
13 servers be stationed” and inserting “electronic
14 technologies or observers”; and

15 (C) by amending paragraph (2) to read as
16 follows:

17 “(2) establishes a system of fees to pay for the
18 cost of implementing the plan and any integrated
19 data collection program, including electronic tech-
20 nology requirements, established by the Council.”;
21 and

22 (2) in subsection (b)—

23 (A) in paragraph (1)(A), by inserting
24 “placing electronic technologies or” before “sta-
25 tioning observers on”;

1 (B) in paragraph (2)(E), by inserting “ac-
2 tual electronic technology costs or” before “ac-
3 tual observer costs”; and

4 (C) by adding at the end the following:

5 “(3) Any system of fees established under this
6 section may vary by fishery, management area, elec-
7 tronic technology, or observer coverage level.”.

8 (b) ARCTIC COMMUNITY DEVELOPMENT QUOTA.—
9 Section 313 (16 U.S.C. 1862) is amended by adding at
10 the end the following:

11 “(k) ARCTIC COMMUNITY DEVELOPMENT QUOTA.—
12 If the North Pacific Fishery Management Council issues
13 a fishery management plan for the exclusive economic zone
14 in the Arctic Ocean, or an amendment to its current Fish-
15 ery Management Plan for Fish Resources of the Arctic
16 Management Area, that makes available to commercial
17 fishing and establishes a sustainable harvest level for any
18 part of such zone, the North Pacific Fishery Management
19 Council shall set aside not less than 10 percent of the total
20 allowable catch therein as a community development quota
21 for coastal villages north and east of the Bering Strait.”.

22 (c) NORTH PACIFIC BYCATCH REPORT.—Section
23 313 (16 U.S.C. 1862), as amended by subsection (b), is
24 further amended by adding after subsection (k) the fol-
25 lowing:

1 “(l) NORTH PACIFIC BYCATCH REPORT.—Not later
 2 than 1 year after the date of enactment of the Magnuson-
 3 Stevens Fishery Conservation and Management Reauthor-
 4 ization Act of 2014, the Secretary shall submit a report
 5 to the Committee on Commerce, Science, and Transpor-
 6 tation of the Senate and the Committee on Natural Re-
 7 sources of the House of Representatives which examines
 8 agency actions since 2007 to reduce bycatch in fisheries
 9 of the North Pacific managed under this Act, including
 10 a review of regulatory actions that create incentives for
 11 individual vessels to avoid bycatch.”.

12 **SEC. 110. REGIONAL FISHERY CONSERVATION AND MAN-**
 13 **AGEMENT AUTHORITIES.**

14 (a) IN GENERAL.—Title III (16 U.S.C. 1851 et seq.)
 15 is amended—

16 (1) in section 313 (16 U.S.C. 1862), by amend-
 17 ing the section heading to read as follows:

18 **“SEC. 313. NORTH PACIFIC FISHERY CONSERVATION AND**
 19 **MANAGEMENT.”;**

20 and

21 (2) by inserting after section 313 the following:

22 **“SEC. 313A. GULF OF MEXICO FISHERIES CONSERVATION**
 23 **AND MANAGEMENT.**

24 “‘At least once every 5 years, the Gulf of Mexico Fish-
 25 ery Management Council shall review, in accordance with

1 the provisions of this Act, any allocation of fishing privi-
 2 leges among the commercial, recreational, and charter
 3 components of a fishery managed under a fishery manage-
 4 ment plan prepared by the Gulf Council, except that the
 5 Gulf Council may delay action for not more than 3 addi-
 6 tional 1-year periods if necessary.

7 **“SEC. 313B. SOUTH ATLANTIC FISHERIES CONSERVATION**
 8 **AND MANAGEMENT.**

9 “At least once every 5 years, the South Atlantic Fish-
 10 ery Management Council shall review, in accordance with
 11 the provisions of this Act, any allocation of fishing privi-
 12 leges among the commercial, recreational, and charter
 13 components of a fishery managed under a fishery manage-
 14 ment plan prepared by the South Atlantic Council, except
 15 that the South Atlantic Council may delay action for not
 16 more than 3 additional 1-year periods if necessary.”.

17 (b) CONFORMING AMENDMENTS.—The table of con-
 18 tents is amended—

19 (1) by amending the item relating to section
 20 313 to read as follows:

“313. North Pacific fishery conservation and management.”;

21 and

22 (2) by inserting after the item relating to sec-
 23 tion 313, the following:

“313A. Gulf of Mexico fisheries conservation and management.

“313B. South Atlantic fisheries conservation and management.”.

1 **SEC. 111. SUMMER FLOUNDER MANAGEMENT.**

2 (a) IN GENERAL.—Not later than 1 year after the
3 date of the enactment of this Act, the Mid-Atlantic Fish-
4 ery Management Council shall submit to the Secretary of
5 Commerce, and the Secretary of Commerce may approve,
6 a modified fishery management plan or plan amendment
7 for the commercial and recreational management of sum-
8 mer flounder (*Paralichthys dentatus*) under the Magnu-
9 son-Stevens Fishery Conservation and Management Act
10 (16 U.S.C. 1801 et seq.). The modified fishery manage-
11 ment plan or plan amendment shall—

12 (1) be based on the best scientific information
13 available;

14 (2) reflect changes in the distribution, abun-
15 dance, and location of summer flounder in estab-
16 lishing distribution of the commercial and rec-
17 reational catch quotas;

18 (3) consider regional, coast-wide, or other man-
19 agement measures for summer flounder that comply
20 with the National Standards under section 301(a) of
21 the Magnuson-Stevens Fishery Conservation and
22 Management Act (16 U.S.C. 1851(a)); and

23 (4) prohibit the allocation of commercial or rec-
24 reational catch quotas for summer flounder on a
25 State-by-State basis using historical landings data
26 that does not reflect the status of the summer floun-

1 der stock, based on the most recent scientific infor-
2 mation.

3 (b) CONSULTATION WITH THE COMMISSION.—In
4 preparing the modified fishery management plan or plan
5 amendment as described in subsection (a), the Council
6 shall consult with the Atlantic States Marine Fisheries
7 Commission to ensure consistent management throughout
8 the range of the fishery.

9 (c) FAILURE TO SUBMIT PLAN.—If the Council fails
10 to submit a modified fishery management plan or plan
11 amendment as described in subsection (a) that may be ap-
12 proved by the Secretary, the Secretary shall prepare and
13 approve such a modified plan or plan amendment.

14 (d) REPORT.—Not later than 1 year after the date
15 of the approval of a modified fishery management plan
16 or plan amendment as described in subsection (a), the
17 Comptroller General of the United States shall submit to
18 the Committee on Commerce, Science, and Transportation
19 of the Senate and the Committee on Natural Resources
20 of the House of Representatives a report on the implemen-
21 tation of the modified plan or plan amendment that in-
22 cludes an assessment of whether the implementation com-
23 plies with the national standards for fishery conservation
24 and management under section 301(a) of the Magnuson-

1 Stevens Fishery Conservation and Management Act (16
2 U.S.C. 1851(a)).

3 **SEC. 112. STUDY OF ALLOCATIONS IN MIXED-USE FISH-**
4 **ERIES.**

5 (a) STUDY.—Not later than 60 days after the date
6 of enactment of this Act, the Secretary of Commerce shall
7 enter into a contract with the National Academy of
8 Sciences to conduct a study—

9 (1) to provide guidance on criteria that could be
10 used for allocating fishing privileges, including con-
11 sideration of the conservation and socioeconomic
12 benefits of the commercial, recreational, and charter
13 components of a fishery, to a Regional Fishery Man-
14 agement Council established under section 302 of
15 the Magnuson-Stevens Fishery Conservation and
16 Management Act (16 U.S.C. 1852) in the prepara-
17 tion of a fishery management plan under that Act;
18 and

19 (2) to identify sources of information that could
20 reasonably support the use of such criteria in alloca-
21 tion decisions.

22 (b) REPORT.—Not later than 1 year after the date
23 the contract is entered into under subsection (a), the Na-
24 tional Academy of Sciences shall submit to the Committee
25 on Commerce, Science, and Transportation of the Senate

1 and the Committee on Natural Resources of the House
2 of Representatives a report on the study conducted under
3 subsection (a).

4 **TITLE II—FISHERY INFORMA-**
5 **TION, RESEARCH, AND DE-**
6 **VELOPMENT**

7 **SEC. 201. INTEGRATED DATA COLLECTION PROGRAM AND**
8 **ELECTRONIC TECHNOLOGIES.**

9 (a) SENSE OF CONGRESS.—It is the sense of Con-
10 gress that the use of electronic technologies such as digital
11 video cameras and monitors, digital recording systems,
12 and other forms of electronic technology as a complement
13 to, and in some cases a replacement for, observers can
14 maintain, increase, or improve the amount and accuracy
15 of observer and fishery dependent information collected
16 from fisheries while reducing the need for observers and
17 the financial costs and logistical difficulties associated
18 with such observers and paper reporting requirements.

19 (b) INTEGRATED DATA COLLECTION PROGRAM AS-
20 SESSMENTS.—

21 (1) IN GENERAL.—Not later than 2 years after
22 the date of enactment of this Act, the Regional
23 Fishery Management Councils, in consultation with
24 the Secretary of Commerce, shall assess the fishery
25 dependent data needs of the fisheries in the regions

1 and, if necessary to meet those needs, develop rec-
2 ommendations for an integrated data collection pro-
3 gram, including appropriate electronic technologies,
4 to gather and analyze data required for fisheries
5 management.

6 (2) ELEMENTS OF ASSESSMENTS.—Each as-
7 sessment required by this subsection shall—

8 (A) identify the fisheries with respect to
9 which the incorporation of electronic technology,
10 as a complement to or replacement for observ-
11 ers, and electronic reporting can decrease costs,
12 improve efficiencies and data accuracy, or ease
13 the logistic constraints posed by observers in
14 the fisheries while continuing to meet the stand-
15 ards and requirements of the Magnuson-Ste-
16 vens Fishery Conservation and Management
17 Act (16 U.S.C. 1801 et seq.);

18 (B) specify for each fishery identified
19 which type or types of electronic technology can
20 achieve such cost and efficiency improvements;
21 and

22 (C) outline the system, or systems, of fees
23 required in subsection (c)(3) to support the in-
24 tegrated data collection program.

1 (c) REGIONAL INTEGRATED DATA COLLECTION PRO-
2 GRAM ADOPTION PLANS.—

3 (1) IN GENERAL.—Not later than 1 year after
4 receiving the results of the assessments required
5 under subsection (b), the Secretary of Commerce, in
6 consultation with the relevant Regional Fishery
7 Management Council, shall review the relevant as-
8 sessment for compliance with provisions of this sec-
9 tion and shall develop a plan to adopt and imple-
10 ment, with any changes needed based on the compli-
11 ance review, an integrated data collection program,
12 including the use of electronic technologies, in each
13 of the fisheries identified in the assessment.

14 (2) ELEMENTS OF PLANS.—Each plan devel-
15 oped under this subsection—

16 (A) shall have fishery dependent data col-
17 lection as its principal purpose;

18 (B) shall include electronic technologies
19 consistent with the assessment required by sub-
20 section (b) and the review required by para-
21 graph (1);

22 (C) shall include an estimate of anticipated
23 improvements in cost effectiveness, accuracy of
24 information, and management efficiency for
25 each fishery in the plan;

1 (D) shall include an explanation of why the
2 most cost-effective approach is not being used,
3 if applicable;

4 (E) shall prioritize fishery management
5 plans in each region, to guide development,
6 adoption, and implementation of integrated
7 data collection amendments to such plans;

8 (F) shall set forth an implementation
9 schedule, consistent with the implementation
10 deadline specified in subsection (d), for the de-
11 velopment, review, adoption, and implementa-
12 tion of integrated data collection program
13 amendments to fishery management plans; and

14 (G) may be reviewed or amended annually
15 to address changing circumstances or improve-
16 ments in technology.

17 (3) INTEGRATED DATA COLLECTION PROGRAM
18 FEES.—The Secretary of Commerce shall establish a
19 system, or systems, of fees, which may vary by fish-
20 ery, management area, or observer coverage level, to
21 pay for the cost of implementing each relevant inte-
22 grated data collection program implemented under
23 this subsection.

24 (4) COUNCIL ACTION.—Not later than 4 years
25 after the date of enactment of this Act, each Re-

1 regional Fishery Management Council shall amend its
2 fishery management plans as necessary to comply
3 with this subsection.

4 (d) DEADLINE FOR IMPLEMENTATION.—Not later
5 than 5 years after the date of enactment of this Act, the
6 Regional Fishery Management Councils and the Secretary
7 of Commerce shall complete implementation of the plans
8 developed under subsection (c), subject to available appro-
9 priations.

10 (e) REVIEWS.—The relevant Regional Fishery Man-
11 agement Council shall determine a time period for regular
12 review of the integrated data collection program.

13 **SEC. 202. CAPITAL CONSTRUCTION.**

14 (a) DEFINITIONS; ELIGIBLE AND QUALIFIED FISH-
15 ERY FACILITIES.—Section 53501 of title 46, United
16 States Code, is amended—

17 (1) by striking “(7) UNITED STATES FOREIGN
18 TRADE.—” and inserting “(11) UNITED STATES
19 FOREIGN TRADE.—”;

20 (2) by striking “(8) VESSEL.—” and inserting
21 “(12) VESSEL.—”;

22 (3) by redesignating paragraphs (5), (6), and
23 (7) as paragraphs (8), (9), and (10), respectively;

24 (4) by redesignating paragraphs (2), (3), and
25 (4) as paragraphs (4), (5), and (6), respectively;

1 (5) by redesignating paragraph (1) as para-
2 graph (2);

3 (6) by inserting before paragraph (2), as redesi-
4 gnated, the following:

5 “(1) AGREEMENT FISHERY FACILITY.—The
6 term ‘agreement fishery facility’ means an eligible
7 fishery facility or a qualified fishery facility that is
8 subject to an agreement under this chapter.”;

9 (7) by inserting after paragraph (2), as redesi-
10 gnated, the following:

11 “(3) ELIGIBLE FISHERY FACILITY.—

12 “(A) IN GENERAL.—Subject to subpara-
13 graph (B), the term “eligible fishery facility”
14 means—

15 “(i) for operations on land—

16 “(I) a structure or an appur-
17 tenance thereto designed for unload-
18 ing and receiving from a vessel, proc-
19 essing, holding pending processing,
20 distribution after processing, or hold-
21 ing pending distribution, of fish from
22 a fishery;

23 “(II) the land necessary for the
24 structure or appurtenance described
25 in subclause (I); and

1 “(III) equipment that is for use
2 with the structure or appurtenance
3 that is necessary to perform a func-
4 tion described in subclause (I);

5 “(ii) for operations not on land, a ves-
6 sel built in the United States and used for,
7 equipped to be used for, or of a type nor-
8 mally used for, processing fish; or

9 “(iii) for aquaculture, including oper-
10 ations on land or elsewhere—

11 “(I) a structure or an appur-
12 tenance thereto designed for aqua-
13 culture;

14 “(II) the land necessary for the
15 structure or appurtenance;

16 “(III) equipment that is for use
17 with the structure or appurtenance
18 and that is necessary to perform a
19 function described in subclause (I);
20 and

21 “(IV) a vessel built in the United
22 States and used for, equipped to be
23 used for, or of a type normally used
24 for, aquaculture.

1 “(B) OWNERSHIP REQUIREMENT.—Under
2 subparagraph (A), the structure, appurtenance,
3 land, equipment, or vessel shall be owned by—

4 “(i) an individual who is a citizen of
5 the United States; or

6 “(ii) an entity that is—

7 “(I) a citizen of the United
8 States under section 50501 of this
9 title; and

10 “(II) at least 75 percent owned
11 by citizens of the United States, as
12 determined under section 50501 of
13 this title.”; and

14 (8) by inserting after paragraph (6), as redesignated,
15 the following:

16 “(7) QUALIFIED FISHERY FACILITY.—

17 “(A) IN GENERAL.—Subject to subparagraph
18 graph (B), the term ‘qualified fishery facility’
19 means—

20 “(i) for operations on land—

21 “(I) a structure or an appurtenance
22 thereto designed for unloading
23 and receiving from a vessel, processing,
24 holding pending processing,
25 distribution after processing, or hold-

1 ing pending distribution, of fish from
2 a fishery;

3 “(II) the land necessary for the
4 structure or appurtenance; and

5 “(III) equipment that is for use
6 with the structure or appurtenance
7 and necessary to perform a function
8 described in subclause (I);

9 “(ii) for operations not on land, a ves-
10 sel built in the United States and used for,
11 equipped to be used for, or of a type nor-
12 mally used for, processing fish; or

13 “(iii) for aquaculture, including oper-
14 ations on land or elsewhere—

15 “(I) a structure or an appur-
16 tenance thereto designed for aqua-
17 culture;

18 “(II) the land necessary for the
19 structure or appurtenance;

20 “(III) equipment that is for use
21 with the structure or appurtenance
22 and necessary for performing a func-
23 tion described in subclause (I); and

24 “(IV) a vessel built in the United
25 States.

1 “(B) OWNERSHIP REQUIREMENT.—Under
2 subparagraph (A), the structure, appurtenance,
3 land, equipment, or vessel shall be owned by—

4 “(i) an individual who is a citizen of
5 the United States; or

6 “(ii) an entity that is—

7 “(I) a citizen of the United
8 States under section 50501 of this
9 title; and

10 “(II) at least 75 percent owned
11 by citizens of the United States, as
12 determined under section 50501 of
13 this title.”.

14 (b) ELIGIBLE FISHERY FACILITIES.—

15 (1) DEFINITION OF SECRETARY.—Section
16 53501(9)(A) of title 46, United States Code, as re-
17 designated by subsection (a) of this section, is
18 amended to read as follows:

19 “(A) the Secretary of Commerce with re-
20 spect to—

21 “(i) an eligible vessel or a qualified
22 vessel operated or to be operated in the
23 fisheries of the United States; or

24 “(ii) an eligible fishery facility or a
25 qualified fishery facility; and”.

1 (2) ESTABLISHING A CAPITAL CONSTRUCTION
2 FUND.—Section 53503 of title 46, United States
3 Code, is amended—

4 (A) in subsection (a)—

5 (i) by inserting “or eligible fishery fa-
6 cility” after “eligible vessel”; and

7 (ii) by inserting “or fishery facility”
8 after “the vessel”; and

9 (B) in subsection (b)—

10 (i) by striking “The purpose of the
11 agreement shall be” and inserting “The
12 purpose of the agreement shall be—”;

13 (ii) by designating the text that fol-
14 lows after “The purpose of the agreement
15 shall be—” as paragraph (1) and indent-
16 ing accordingly;

17 (iii) in paragraph (1), as designated,
18 by striking “United States.” and inserting
19 “United States; or”; and

20 (iv) by adding after paragraph (1), as
21 designated, the following:

22 “(2) to provide for the acquisition, construction,
23 or reconstruction of a fishery facility owned by—

24 “(A) an individual who is a citizen of the
25 United States; or

- 1 “(B) an entity that is—
- 2 “(i) a citizen of the United States
- 3 under section 50501; and
- 4 “(ii) at least 75 percent owned by citi-
- 5 zens of the United States, as determined
- 6 under section 50501.”.

7 (c) AGREEMENT FISHERY FACILITIES.—

8 (1) DEPOSITS AND WITHDRAWALS.—Section

9 53504(b) of title 46, United States Code, is amend-

10 ed by inserting “or an agreement fishery facility”

11 after “agreement vessel”.

12 (2) CEILING ON DEPOSITS.—Section 53505 of

13 title 46, United States Code, is amended—

14 (A) in subsection (a)—

15 (i) in paragraphs (1) and (2) of sub-

16 section (a), by inserting “or agreement

17 fishery facilities” after “agreement ves-

18 sels”; and

19 (ii) in paragraph (3) by inserting “or

20 agreement fishery facility” after “agree-

21 ment vessel” each place it appears; and

22 (B) in subsection (b)—

23 (i) by inserting “or agreement fishery

24 facility” after “an agreement vessel”; and

1 (ii) by inserting “or fishery facility”
2 after “the vessel”.

3 (d) QUALIFIED FISHERY FACILITIES.—

4 (1) QUALIFIED WITHDRAWALS.—Section
5 53509(a) of title 46, United States Code, is amend-
6 ed—

7 (A) in paragraph (1), by striking “quali-
8 fied vessel; or” and inserting “qualified vessel,
9 or the acquisition, construction, or reconstruc-
10 tion of a qualified fishery facility; or”; and

11 (B) in paragraph (2), by striking “quali-
12 fied vessel.” and inserting “qualified vessel, or
13 the acquisition, construction, or reconstruction,
14 of a qualified fishery facility.”.

15 (2) TAX TREATMENT OF QUALIFIED WITH-
16 DRAWALS AND BASIS OF PROPERTY.—Section 53510
17 of title 46, United States Code, is amended—

18 (A) in subsections (b) and (c), by striking
19 “or container” each place it appears and insert-
20 ing “container, or fishery facility”; and

21 (B) in subsection (d), by striking “and
22 containers” and inserting “containers, and fish-
23 ery facilities”.

24 (3) TAX TREATMENT OF NONQUALIFIED WITH-
25 DRAWALS.—Section 53511(e)(4) of title 46, United

1 States Code, is amended by inserting “or fishery fa-
2 cility” after “vessel”.

3 (e) TECHNICAL AMENDMENT.—Section 53501 of
4 title 46, United States Code, as amended by subsection
5 (a) of this section, is further amended in paragraph
6 (8)(A)(iii), by striking “trade trade” and inserting
7 “trade”.

8 **SEC. 203. FISHERIES RESEARCH.**

9 (a) STOCK ASSESSMENT PLAN.—Section 404 (16
10 U.S.C. 1881c) is amended by adding at the end the fol-
11 lowing:

12 “(e) STOCK ASSESSMENT PLAN.—

13 “(1) IN GENERAL.—The Secretary, in consulta-
14 tion with the Councils, shall develop and publish in
15 the Federal Register, on the same schedule as re-
16 quired for the strategic plan required under sub-
17 section (b), a plan to conduct stock assessments for
18 all stocks of fish for which a fishery management
19 plan is in effect under this Act.

20 “(2) CONTENTS.—The plan shall—

21 “(A) for each stock of fish for which a
22 stock assessment has previously been con-
23 ducted—

24 “(i) establish a schedule for updating
25 the stock assessment that is reasonable

1 given the biology and characteristics of the
2 stock; and

3 “(ii) subject to the availability of ap-
4 propriations, require completion of a new
5 stock assessment, or an update of the most
6 recent stock assessment—

7 “(I) at least once every 5 years,
8 except a Council may delay action for
9 not more than 3 additional 1-year pe-
10 riods; or

11 “(II) within such other time pe-
12 riod specified and justified by the Sec-
13 retary in the plan;

14 “(B) for each economically important stock
15 of fish for which a stock assessment has not
16 previously been conducted—

17 “(i) establish a schedule for con-
18 ducting an initial stock assessment that is
19 reasonable given the biology and character-
20 istics of the stock; and

21 “(ii) subject to the availability of ap-
22 propriations, require completion of the ini-
23 tial stock assessment not later than 3
24 years after the date that the plan is pub-
25 lished in the Federal Register unless an-

1 other time period is specified and justified
2 by the Secretary in the plan; and

3 “(C) identify data and analysis, especially
4 concerning recreational fishing, that, if avail-
5 able, would reduce uncertainty in and improve
6 the accuracy of future stock assessments, in-
7 cluding whether that data and analysis could be
8 provided by nongovernmental sources, including
9 fishermen, fishing communities, universities,
10 and research institutions.

11 “(3) WAIVER OF STOCK ASSESSMENT REQUIRE-
12 MENT.—Notwithstanding subparagraphs (A)(ii) and
13 (B)(ii) of paragraph (2), a stock assessment shall
14 not be required for a stock of fish in the plan if the
15 Secretary determines that such a stock assessment
16 is not necessary and justifies the determination in
17 the Federal Register notice required by this sub-
18 section.”.

19 (b) DEADLINE.—Notwithstanding subsection (e)(1)
20 of section 404 of the Magnuson-Stevens Fishery Conserva-
21 tion and Management Act (16 U.S.C. 1881c(e)(1)), as
22 added by this section, the Secretary of Commerce shall
23 issue the first stock assessment plan under that subsection
24 not later than 1 year after the date of enactment of this
25 Act.

1 (c) STRATEGIC PLAN.—Section 404(b)(5) (16 U.S.C.
2 1881c(b)(5)) is amended by striking “and affected States,
3 and provide for coordination with the Councils, affected
4 States, and other research entities” and inserting “, af-
5 fected States, and tribal governments, and provide for co-
6 ordination with the Councils, affected States, tribal gov-
7 ernments, and other research entities”.

8 **SEC. 204. IMPROVING SCIENCE.**

9 (a) IMPROVING DATA COLLECTION AND ANALYSIS.—

10 (1) IN GENERAL.—Section 404 (16 U.S.C.
11 1881c), as amended by section 203 of this Act, is
12 further amended by adding at the end the following:

13 “(f) IMPROVING DATA COLLECTION AND ANAL-
14 YSIS.—

15 “(1) IN GENERAL.—The Secretary, in consulta-
16 tion with the scientific and statistical committees of
17 the Councils established under section 302(g), shall
18 develop and submit to the Committee on Commerce,
19 Science, and Transportation of the Senate and the
20 Committee on Natural Resources of the House of
21 Representatives a report on facilitating greater in-
22 corporation of data, analysis, stock assessments, and
23 surveys from nongovernmental sources, including
24 fishermen, fishing communities, universities, and re-

1 search institutions, into fisheries management deci-
2 sions.

3 “(2) CONTENT.—The report under paragraph
4 (1) shall—

5 “(A) identify types of data and analysis,
6 especially concerning recreational fishing, that
7 can be reliably used for purposes of this Act
8 and the basis for establishing conservation and
9 management measures as required by section
10 303(a)(1), including setting standards for the
11 collection and use of that data and analysis in
12 stock assessments and surveys and for other
13 purposes;

14 “(B) provide specific recommendations for
15 collecting data and performing analyses identi-
16 fied as necessary to reduce the uncertainty re-
17 ferred to in section 404(e)(2)(C);

18 “(C) consider the extent to which it is pos-
19 sible to establish a registry of persons providing
20 such information; and

21 “(D) consider the extent to which the ac-
22 ceptance and use of data and analysis identified
23 in the report in fishery management decisions is
24 practicable.”.

1 (b) DEADLINE.—The Secretary of Commerce shall
 2 submit the report required under the amendment made
 3 by subsection (a) not later than 1 year after the date of
 4 enactment of this Act.

5 (c) INFORMATION COLLECTION; CONTRACTING AU-
 6 THORITY.—Section 402 (16 U.S.C. 1881a) is amended—

7 (1) in subsection (b)(1)(H), by striking “includ-
 8 ing” and all that follows through the end and insert-
 9 ing “including the Coast Guard’s 11 statutory mis-
 10 sions under section 888(a) of the Homeland Security
 11 Act of 2002 (6 U.S.C. 468(a)).”; and

12 (2) in subsection (d), by inserting “tribal gov-
 13 ernment,” before “Council” each place it appears.

14 **SEC. 205. FOCUSING ASSETS FOR IMPROVED FISHERIES**
 15 **OUTCOMES.**

16 (a) IN GENERAL.—Section 2(b) of the Act of August
 17 11, 1939 (15 U.S.C. 713c–3(b)), is amended—

18 (1) in paragraph (1)—

19 (A) by striking “beginning with the fiscal
 20 year commencing July 1, 1954, and ending on
 21 June 30, 1957.”;

22 (B) by striking “moneys” the first place
 23 that term appears and inserting “monies”; and

24 (C) by striking “shall be maintained in a
 25 separate fund only for” and all that follows

1 through the end and inserting “shall only be
2 used for the purposes described under sub-
3 section (c).”; and

4 (2) by striking paragraph (2).

5 (b) LIMITATIONS ON BILLS TRANSFERRING
6 FUNDS.—Section 2(b) of the Act of August 11, 1939 (15
7 U.S.C. 713c–3(b)), as amended by subsection (a) of this
8 section, is further amended by adding at the end the fol-
9 lowing:

10 “(2) LIMITATIONS ON BILLS TRANSFERRING
11 FUNDS.—

12 “(A) IN GENERAL.—It shall not be in
13 order in the Senate or the House of Represent-
14 atives to consider any bill, resolution, amend-
15 ment, or conference report that reduces any
16 amount in the fund referred to in paragraph
17 (1) in a manner that is inconsistent with such
18 paragraph.

19 “(B) LIMITATION ON CHANGES TO THIS
20 PARAGRAPH.—It shall not be in order in the
21 Senate or the House of Representatives to con-
22 sider any bill, resolution, amendment, or con-
23 ference report that would repeal or otherwise
24 amend this paragraph.

1 “(C) WAIVER.—A provision of this para-
2 graph may be waived or suspended in the Sen-
3 ate only by the affirmative vote of three-fifths
4 of the Members, duly chosen and sworn.

5 “(D) APPEALS.—An affirmative vote of
6 three-fifths of the Members of the Senate, duly
7 chosen and sworn, shall be required to sustain
8 an appeal of the ruling of the Chair on the
9 point of order raised under this paragraph.

10 “(E) RULES OF THE SENATE AND THE
11 HOUSE OF REPRESENTATIVES.—This para-
12 graph is enacted by Congress—

13 “(i) as an exercise of the rulemaking
14 power of the Senate and the House of Rep-
15 resentatives, respectively, and is deemed to
16 be part of the rules of each house, respec-
17 tively, but applicable only with respect to
18 the procedure to be followed in the House
19 in the case of a bill, resolution, amend-
20 ment, or conference report under this
21 paragraph, and it supersedes other rules
22 only to the extent that it is inconsistent
23 with such rules; and

24 “(ii) with full recognition of the con-
25 stitutional right of either House to change

1 the rules (so far as they relate to the pro-
2 cedure of that House) at any time, in the
3 same manner, and to the same extent as in
4 the case of any other rule of that House.”.

5 **SEC. 206. SEAFOOD MARKETING.**

6 (a) IN GENERAL.—The Secretary of Commerce shall
7 analyze the likely costs and benefits of establishing and
8 administering a seafood marketing program to facilitate
9 fuller realization of the commercial and economic value of
10 U.S. fishery resources.

11 (b) SCOPE.—In performing the analysis required by
12 subsection (a), the Secretary shall consider—

13 (1) the impacts of additional investment in sea-
14 food marketing for seafood harvesters, processors,
15 growers, and other persons in the United States
16 on—

17 (A) domestic and international markets for
18 U.S. seafood and the competitive position of the
19 United States in those markets;

20 (B) sustainable development and utiliza-
21 tion of fishery resources of the United States
22 resulting from promotion, public education, and
23 changes in markets;

1 (C) the ability of seafood harvesters, proc-
2 essors, growers and other persons in the United
3 States to improve—

4 (i) the safety, traceability, quality,
5 marketability, and sustainability of U.S.
6 seafood; and

7 (ii) the coordination of their mar-
8 keting activities; and

9 (D) education of consumers regarding nu-
10 tritional and health benefits of seafood; and

11 (2) the feasibility of a seafood marketing pro-
12 gram that—

13 (A) is funded by—

14 (i) industry fees;

15 (ii) contributions, donations, or gifts
16 by private or nonprofit organizations;

17 (iii) sums received as fines, penalties,
18 or forfeitures of property for violations of
19 the Magnuson-Stevens Fishery Conserva-
20 tion and Management Act (16 U.S.C. 1801
21 et seq.) or any other marine resource law
22 enforced by the Secretary of Commerce, in-
23 cluding the Lacey Act Amendments of
24 1981 (16 U.S.C. 3371 et seq.);

1 (iv) interest generated by the invest-
2 ment of amounts described in clauses (i)
3 through (iii); or

4 (v) any combination of the amounts
5 described in clauses (i) through (iv); and

6 (B) apportions funds annually, on a for-
7 mula basis, to each State, territory, or posses-
8 sion of the United States that is represented on
9 a Regional Fishery Management Council under
10 section 302(a)(1) of the Magnuson-Stevens
11 Fishery Conservation and Management Act (16
12 U.S.C. 1852(a)(1)), to award grants through a
13 competitive process to U.S. seafood growers,
14 harvesters, processors, and other persons.

15 (c) DEADLINE FOR SUBMISSION.—Not later than 1
16 year after the date of enactment of this Act, the Secretary
17 of Commerce shall provide the analysis under this section,
18 together with any recommendations the Secretary con-
19 siders appropriate, in writing to the Committee on Com-
20 merce, Science, and Transportation of the Senate and the
21 Committee on Natural Resources of the House of Rep-
22 resentatives.

1 **TITLE III—REAUTHORIZATION**
2 **OF OTHER FISHERY STATUTES**

3 **SEC. 301. ANADROMOUS FISH CONSERVATION ACT.**

4 Section 4 of the Anadromous Fish Conservation Act
5 (16 U.S.C. 757d) is amended by striking “2007 through
6 2012” and inserting “2015 through 2021”.

7 **SEC. 302. INTERJURISDICTIONAL FISHERIES ACT OF 1986.**

8 Section 308 of the Interjurisdictional Fisheries Act
9 of 1986 (16 U.S.C. 4107) is amended—

10 (1) in subsection (a), by striking “\$5,000,000”
11 and all that follows through the end and inserting
12 “\$5,000,000 for each of fiscal years 2015 through
13 2021.”; and

14 (2) in subsection (c), by striking “\$900,000 for
15 each of fiscal years 2007 through 2012” and insert-
16 ing “\$1,000,000 for each of fiscal years 2015
17 through 2021”.

18 **SEC. 303. ATLANTIC COASTAL FISHERIES COOPERATIVE**
19 **MANAGEMENT ACT.**

20 Section 811(a) of the Atlantic Coastal Fisheries Co-
21 operative Management Act (16 U.S.C. 5108(a)) is amend-
22 ed—

23 (1) by striking “\$10,000,000” and inserting
24 “\$13,500,000”; and

1 **TITLE IV—INTERNATIONAL CON-**
2 **SERVATION AND MANAGE-**
3 **MENT**

4 **SEC. 401. SECRETARIAL REPRESENTATIVE FOR INTER-**
5 **NATIONAL FISHERIES.**

6 (a) IN GENERAL.—Title II (16 U.S.C. 1821 et seq.)
7 is amended by inserting after section 202 the following:

8 **“SEC. 202A. SECRETARIAL REPRESENTATIVE FOR INTER-**
9 **NATIONAL FISHERIES.**

10 “(a) IN GENERAL.—The Secretary, in consultation
11 with the Under Secretary of Commerce for Oceans and
12 Atmosphere, shall designate a senior official who is ap-
13 pointed by the President, by and with the advice and con-
14 sent of the Senate, to serve as the Secretarial Representa-
15 tive for International Fisheries for the purpose of per-
16 forming the duties of the Secretary with respect to inter-
17 national agreements involving fisheries and other living
18 marine resources, including the development of policy and
19 representation of the United States as a Commissioner
20 under such international agreements.

21 “(b) ADVICE.—The Secretarial Representative for
22 International Fisheries shall, in consultation with the
23 Deputy Assistant Secretary for International Affairs and
24 the Administrator of the National Marine Fisheries Serv-
25 ice, advise the Secretary, Undersecretary of Commerce for

1 Oceans and Atmosphere, and other senior officials of the
 2 Department of Commerce and the National Oceanic and
 3 Atmospheric Administration on development of policy on
 4 international fishery conservation and management mat-
 5 ters.

6 “(c) CONSULTATION.—The Secretarial Representa-
 7 tive for International Fisheries shall consult with the Com-
 8 mittee on Commerce, Science, and Transportation of the
 9 Senate and the Committee on Natural Resources of the
 10 House of Representatives on matters pertaining to any re-
 11 gional or international negotiation concerning living ma-
 12 rine resources.”.

13 (b) REPEAL.—Section 408 of the Magnuson-Stevens
 14 Fishery Conservation and Management Reauthorization
 15 Act of 2006 (16 U.S.C. 1891d) and the item relating to
 16 that section in the table of contents for that Act are re-
 17 pealed.

18 (c) CONFORMING AMENDMENT.—The table of con-
 19 tents is amended by inserting after the item relating to
 20 section 202 the following:

“Sec. 202A. Secretarial Representative for International Fisheries.”.

21 **SEC. 402. AMENDMENTS TO PACIFIC SALMON TREATY ACT**
 22 **OF 1985.**

23 Section 11 of the Pacific Salmon Treaty Act of 1985
 24 (16 U.S.C. 3640) is amended—

1 (1) by redesignating subsections (c) and (d) as
2 subsections (d) and (e), respectively;

3 (2) by inserting after subsection (b) the fol-
4 lowing:

5 “(c) COMPENSATION OF COMMITTEE ON SCIENTIFIC
6 COOPERATION MEMBERS.—Members of the Committee on
7 Scientific Cooperation who are not State or Federal em-
8 ployees shall receive compensation at a rate equivalent to
9 the rate payable for level IV of the Executive Schedule
10 under section 5315 of title 5, United States Code, when
11 engaged in actual performance of duties for the Commis-
12 sion.”; and

13 (3) in subsection (e), as redesignated, by strik-
14 ing “71” and inserting “171”.

15 **SEC. 403. REAUTHORIZATION OF ATLANTIC TUNAS CON-**
16 **VENTION ACT OF 1975.**

17 Section 10 of the Atlantic Tunas Convention Act of
18 1975 (16 U.S.C. 971h) is amended—

19 (1) in subsection (a)—

20 (A) in paragraph (1), by striking
21 “\$5,770,000 for each of fiscal years 2007 and
22 2008” and inserting “\$6,500,000 for each of
23 fiscal years 2015 and 2016”;

24 (B) in paragraph (2), by striking
25 “\$6,058,000 for each of fiscal years 2009 and

1 2010” and inserting “\$6,500,000 for each of
2 fiscal years 2017 and 2018”; and

3 (C) in paragraph (3), by striking
4 “\$6,361,000 for each of fiscal years 2011 and
5 2013” and inserting “\$6,750,000 for each of
6 fiscal years 2019, 2020, and 2021”; and

7 (2) in subsection (b)—

8 (A) in paragraph (1), by striking
9 “\$160,000” and inserting “\$180,000”; and

10 (B) in paragraph (2), by striking
11 “\$7,500,000” and inserting “\$4,600,000”.

12 **SEC. 404. REAUTHORIZATION OF THE SOUTH PACIFIC TUNA**
13 **ACT OF 1988.**

14 Section 20(a) of the South Pacific Tuna Act of 1988
15 (16 U.S.C. 973r(a)) is amended—

16 (1) in the matter preceding paragraph (1)—

17 (A) by striking “for fiscal years 1992,
18 1993, 1994, 1995, 1996, 1997, 1998, 1999,
19 2000, 2001, and 2002”; and

20 (B) by striking “Act including—” and in-
21 serting “Act.”; and

22 (2) by striking paragraphs (1) and (2).

1 **SEC. 405. AMENDMENTS TO THE HIGH SEAS DRIFTNET**
2 **FISHING MORATORIUM PROTECTION ACT.**

3 (a) **ILLEGAL, UNREPORTED, OR UNREGULATED**
4 **FISHING DEFINED.**—Section 609(e) of the High Seas
5 Driftnet Fishing Moratorium Protection Act (16 U.S.C.
6 1826j(e)) is amended—

7 (1) in paragraph (2), by striking “Within 3
8 months after the date of enactment of the Magnu-
9 son-Stevens Fishery Conservation and Management
10 Reauthorization Act of 2006” and inserting “Not
11 later than 3 months after the date of enactment of
12 the Magnuson-Stevens Fishery Conservation and
13 Management Reauthorization Act of 2014”; and

14 (2) in paragraph (3)—

15 (A) in subparagraph (B), by striking
16 “and” at the end;

17 (B) in subparagraph (C), by striking
18 “agreement.” and inserting “agreement; and”;
19 and

20 (C) by adding at the end the following:

21 “(D) to the extent possible—

22 “(i) fishing activities conducted by
23 foreign vessels in waters under the juris-
24 diction of a nation without permission of
25 that nation; and

1 “(ii) fishing activities conducted by
2 foreign vessels in contravention of a na-
3 tion’s laws, including fishing activity that
4 has not been reported or that has been
5 misreported to the relevant national au-
6 thority of a nation in contravention of that
7 nation’s laws.”.

8 (b) **AUTHORIZATION OF APPROPRIATIONS; ILLEGAL,**
9 **UNREPORTED, OR UNREGULATED FISHING.**—Section
10 609(f) of the High Seas Driftnet Fishing Moratorium Pro-
11 tection Act (16 U.S.C. 1826j(f)) is amended by striking
12 “2007 through 2013” and inserting “2015 through
13 2021”.

14 (c) **AUTHORIZATION OF APPROPRIATIONS; EQUIVA-**
15 **LENT CONSERVATION MEASURES.**—Section 610(f) of the
16 High Seas Driftnet Fishing Moratorium Protection Act
17 (16 U.S.C. 1826k(f)) is amended by striking “2007
18 through 2013” and inserting “2015 through 2021”.

19 **SEC. 406. REAUTHORIZATION OF NORTHWEST ATLANTIC**
20 **FISHERIES CONVENTION ACT OF 1995.**

21 Section 211 of the Northwest Atlantic Fisheries Con-
22 vention Act of 1995 (16 U.S.C. 5610) is amended by strik-
23 ing “2012” and inserting “2020”.

1 **TITLE V—MISCELLANEOUS**

2 **SEC. 501. TECHNICAL AMENDMENTS.**

3 (a) MAGNUSON-STEVENS FISHERY CONSERVATION
4 AND MANAGEMENT ACT.—

5 (1) SOUTH PACIFIC TUNA TREATY.—Section
6 202(e)(5) (16 U.S.C. 1822(e)(5)) is amended by
7 striking “and it Annexes” and inserting “and its
8 Annexes”.

9 (2) REGIONAL FISHERY MANAGEMENT COUN-
10 CILS.—Section 302 (16 U.S.C. 1852) is amended—

11 (A) in subsection (a)(1)(F) by striking
12 “Federally” and inserting “federally”;

13 (B) in subsection (b)—

14 (i) in paragraph (2)(C) by striking
15 “subsection (k)” and inserting “subsection
16 (j)”;

17 (ii) in paragraph (5)(A) by striking
18 “Federally” and inserting “federally”; and

19 (iii) in paragraph (6) by striking
20 “paragraphs” and inserting “paragraph”;

21 (C) in subsection (h)(5) by striking “ex-
22 cept as provided in section” and inserting “ex-
23 cept as provided in”; and

24 (D) in subsection (i)(3)(B) by striking
25 “subpararaph” and inserting “subparagraph”.

1 (3) CONTENTS OF FISHERY MANAGEMENT
2 PLANS.—Section 303 (16 U.S.C. 1853) is amend-
3 ed—

4 (A) in subsection (a)(5)—

5 (i) by striking “recreational,” and in-
6 sserting “recreational, and”; and

7 (ii) by striking “processors,” and in-
8 sserting “processors;”; and

9 (B) in subsection (b) by redesignating
10 paragraph (14) as paragraph (13).

11 (4) LIMITED ACCESS PRIVILEGE PROGRAMS.—
12 Section 303A(c)(4)(A)(v) (16 U.S.C.
13 1853a(c)(4)(A)(v)) is amended by striking “is” and
14 inserting “its”.

15 (5) PROHIBITED ACTS.—Section 307(1)(K) (16
16 U.S.C. 1857(1)(K)) is amended by striking “to to
17 steal” and inserting “to steal”.

18 (6) FISHING CAPACITY REDUCTION PRO-
19 GRAM.—Section 312(b)(2)(A) (16 U.S.C.
20 1861a(b)(2)(A)) is amended by striking “federal or
21 state” and inserting “Federal or State”.

22 (7) NORTH PACIFIC FISHERIES CONSERVA-
23 TION.—Section 313 (16 U.S.C. 1862) is amended—

24 (A) in subsection (a)(2), by striking “or
25 system” and inserting “or systems”; and

1 (B) in subsection (j)(9), by striking “sec-
2 tion 307(l)” and inserting “section 307(1)”.

3 (8) ACTIVITIES UNDER NORTHWEST ATLANTIC
4 OCEAN FISHERIES REINVESTMENT PROGRAM.—Sec-
5 tion 314(a)(3) (16 U.S.C. 1863(a)(3)) is amended
6 by striking “subsection (1)” and inserting “para-
7 graph (1)”.

8 (9) COORDINATION ON SEABIRD INTER-
9 ACTIONS.—Section 316(c) (16 U.S.C. 1865(c)) is
10 amended by striking “Interior” and inserting “the
11 Interior”.

12 (10) FISHERY INFORMATION.—Section
13 401(c)(5) (16 U.S.C. 1881(c)(5)) is amended by
14 striking “subsection” and inserting “section”.

15 (11) REGIONAL ECOSYSTEM RESEARCH.—Sec-
16 tion 406(f)(1)(A) (16 U.S.C. 1882(f)(1)(A)) is
17 amended by striking “federal, state” and inserting
18 “Federal, State”.

19 (b) MAGNUSON-STEVENSON FISHERY CONSERVATION
20 AND MANAGEMENT REAUTHORIZATION ACT OF 2006.—
21 Section 104 of the Magnuson-Stevens Fishery Conserva-
22 tion and Management Reauthorization Act of 2006 (16
23 U.S.C. 1854 note) is amended by striking subsection (d).

24 (c) HIGH SEAS DRIFTNET FISHING MORATORIUM
25 PROTECTION ACT.—Section 610(a)(1)(A) of the High

1 Seas Driftnet Fishing Moratorium Protection Act (16
2 U.S.C. 1826k(a)(1)(A)) is amended by striking “prac-
3 tices;” and inserting “practices—”.

4 (d) ANADROMOUS FISH CONSERVATION ACT.—Sec-
5 tion 2 of the Anadromous Fish Conservation Act (16
6 U.S.C. 757b) is amended in paragraph (5) by striking
7 “Seretary” and inserting “Secretary”.

8 (e) NORTHERN PACIFIC HALIBUT ACT OF 1982.—
9 The Northern Pacific Halibut Act of 1982 is amended—

10 (1) in section 9(a) (16 U.S.C. 773g(a)) by
11 striking “any” and inserting “an”; and

12 (2) in section 12 (16 U.S.C. 773j)—

13 (A) by redesignating subsections (a) and
14 (b) as paragraphs (1) and (2), respectively, and
15 indenting accordingly; and

16 (B) in paragraph (2), as redesignated, by
17 striking “section 262(b)” and inserting “section
18 262b”.

19 (f) GREAT LAKES FISHERY ACT OF 1956.—The
20 Great Lakes Fishery Act of 1956 is amended—

21 (1) in section 3(a)(1)(B) (16 U.S.C.
22 932(a)(1)(B)) by inserting “a” after “official of”;
23 and

24 (2) in section 8 (16 U.S.C. 937) by striking
25 “these provisions of title 28, U. S. C.,” and insert-

1 ing “those provisions of title 28, United States
2 Code,”.

3 (g) SOUTH PACIFIC TUNA ACT OF 1988.—Section
4 9(h) of the South Pacific Tuna Act of 1988 (16 U.S.C.
5 973g(h)) is amended—

6 (1) in paragraph (3), by striking “(16 U.S.C.
7 1374(h)(2) and 1416(a))—” and inserting “(16
8 U.S.C. 1374(h)(2) and 1416(a));”; and

9 (2) in the matter following paragraph (3), by
10 striking “treaty” and inserting “Treaty”.

11 (h) ANTARCTIC MARINE LIVING RESOURCES CON-
12 VENTION ACT OF 1984.—Section 303(1) of the Antarctic
13 Marine Living Resources Convention Act of 1984 (16
14 U.S.C. 2432(1)) is amended by striking “60 degrees
15 south; 50 degrees west” and inserting “60 degrees south,
16 50 degrees west”.

17 (i) PACIFIC SALMON TREATY ACT OF 1985.—Section
18 3 of the Pacific Salmon Treaty Act of 1985 (16 U.S.C.
19 3632) is amended—

20 (1) in subsection (a), by striking “States of Or-
21 egon, or Washington” and inserting “State of Or-
22 egon or Washington”; and

23 (2) in subsection (h)(2), by inserting a period
24 after “under subsection (a)”.

1 (j) NORTH PACIFIC ANADROMOUS STOCKS ACT OF
2 1992.—The North Pacific Anadromous Stocks Act of
3 1992 (16 U.S.C. 5001 et seq.) is amended—

4 (1) in section 803(6) (16 U.S.C. 5002(6)) by
5 striking “North Latitude” and inserting “north lati-
6 tude”; and

7 (2) in section 809(d)(1)(B) (16 U.S.C.
8 5008(d)(1)(B)), by striking “If any” and inserting
9 “if any”.

10 (k) NORTHWEST ATLANTIC FISHERIES CONVENTION
11 ACT OF 1995.—Section 210(5) of the Northwest Atlantic
12 Fisheries Convention Act of 1995 (16 U.S.C. 5609(5)) is
13 amended by striking “Article” and inserting “Articles”.

14 (l) YUKON RIVER SALMON ACT OF 1995.—The
15 Yukon River Salmon Act of 1995 (16 U.S.C. 5701 et seq.)
16 is amended—

17 (1) in section 704(c) (16 U.S.C. 5703(e)), by
18 striking “subsections (b)(1) and (3)” and inserting
19 “paragraph (1) or (3) of subsection (b)”;

20 (2) in section 709(c) (16 U.S.C. 5708(e)), by
21 striking “chapter 71” and inserting “chapter 171”;
22 and

23 (3) in section 710(2) (16 U.S.C. 5709(2)), by
24 striking “section 262(b)” and inserting “section
25 262b”.

1 (m) YUKON RIVER SALMON ACT OF 2000.—Section
2 206(e) of the Yukon River Salmon Act of 2000 (16 U.S.C.
3 5725(e)) is amended by striking “chapter 71” and insert-
4 ing “chapter 171”.

5 (n) WESTERN AND CENTRAL PACIFIC FISHERIES
6 CONVENTION IMPLEMENTATION ACT.—The Western and
7 Central Pacific Fisheries Convention Implementation Act
8 (16 U.S.C. 6901 et seq.) is amended—

9 (1) in section 502(8) (16 U.S.C. 6901(8)), by
10 striking “Convention Area” and inserting “conven-
11 tion area”;

12 (2) in section 503 (16 U.S.C. 6902)—

13 (A) in subsection (d)(1)(C), by striking
14 “fashion.” and inserting “fashion,”; and

15 (B) by redesignating subsection (f) as sub-
16 section (e);

17 (3) in section 507(a)(7) (16 U.S.C.
18 6906(a)(7)), by striking “chapter” and inserting
19 “act”; and

20 (4) in section 508 (16 U.S.C. 6907)—

21 (A) in subsection (a), by striking “United
22 States government” and inserting “United
23 States Government”; and

24 (B) in subsection (e)—

1 (i) in the subsection heading, by strik-
2 ing “REGULATIONS—” and inserting
3 “REGULATIONS.—”;

4 (ii) in paragraph (1)(B)(i), by striking
5 “that” and inserting “than”; and

6 (iii) in paragraph (3), by striking
7 “pursuant” and inserting “under”.

8 (o) PACIFIC WHITING ACT OF 2006.—Section
9 608(c)(4) of the Pacific Whiting Act of 2006 (16 U.S.C.
10 7007(c)(4)) is amended by striking “United State’s” and
11 inserting “United States”.

12 **SEC. 502. PACIFIC INSULAR AREAS; MARINE CONSERVA-**
13 **TION PLANS.**

14 Section 204(e)(4)(A) (16 U.S.C. 1824(e)(4)(A)) is
15 amended—

16 (1) in clause (i), by inserting “, in consultation
17 with the Western Pacific Council,” after “Sec-
18 retary”;

19 (2) in clause (iii), by striking “coastal studies;”
20 and inserting “coastal studies; and”;

21 (3) by striking clause (iv); and

22 (4) by redesignating clause (v) as clause (iv).

1 **SEC. 503. REPEAL OF GULF OF MEXICO RED SNAPPER**

2 **CATCH LIMITS.**

3 Section 407 (16 U.S.C. 1883) is amended by striking
4 subsection (d).

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