AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO THE RULES COMMITTEE PRINT FOR H.R. 1335
OFFERED BY MR. HUFFMAN OF CALIFORNIA

Strike all and insert the following:

1 SECTION 1. SHORT TITLE.
2 This Act may be cited as the “Fishing Economy Improvement Act”.

4 SEC. 2. REFERENCES.
5 Except as otherwise specifically provided, whenever in
6 this Act an amendment or repeal is expressed in terms
7 of an amendment to, or repeal of, a provision, the ref-
8 erence shall be considered to be made to a provision of
9 the Magnuson-Stevens Fishery Conservation and Manage-
10 ment Act (16 U.S.C. 1801 et seq.).

11 SEC. 3. AMENDMENTS TO DEFINITIONS.
12 Section 3 (16 U.S.C. 1802) is amended—
13 (1) by inserting after paragraph (1) the fol-
14 lowing:
15 “(1a) The term ‘artisanal fishing’ means sub-
16 sistence or small scale traditional fishing involving
17 fishing households (as opposed to commercial com-
18 panies)—
“(A) using a relatively small amount of capital and energy and relatively small fishing vessels (if any);

“(B) making short fishing trips, close to shore; and

“(C) mainly for local consumption.”;

(2) by inserting after paragraph (27) the following:

“(27a) The term ‘marine aquaculture’ means the propagation and rearing of aquatic species in controlled or selected environments in the exclusive economic zone.”; and

(3) in paragraph (16), by adding at the end the following: “Such term does not include marine aquaculture.”.

SEC. 4. TRANSPARENCY AND PUBLIC PROCESS.

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

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

“(G) Each Council shall make available on the Internet website of the Council—
“(i) to the extent practicable, a Web
cast or a live audio or video broadcast of
each meeting of the Council, and of the
Council Coordination Committee estab-
lished under subsection (l), that is not
closed in accordance with paragraph (3);
and
“(ii) an audio or video recording (if
the meeting was in person or by video con-
ference), or a searchable audio recording
or written transcript, of each meeting of
the Council and of the meetings of commit-
tees referred to in section 302(g)(1)(B) of
the Council, by not later than 30 days
after the conclusion of the meeting.
“(H) The Secretary shall maintain and
make available to the public an archive of
Council and scientific and statistical committee
meeting audios, videos, and transcripts made
available under clauses (i) and (ii) subpara-
graph (G).”.
SEC. 5. INCLUSION OF ARTISANAL FISHING SECTORS IN FISHERY MANAGEMENT PLANS.

Section 303(a)(13) (16 U.S.C. 1853(a)(13)) is amended by inserting “artisanal,” after “include a description of the commercial, recreational,”.

SEC. 6. IMPROVING FISHERIES DATA COLLECTION.

(a) ELECTRONIC MONITORING.—

(1) ISSUANCE OF GUIDANCE.—

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

(B) CONTENT.—The guidance shall—

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

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

(C) PROCESS.—In issuing the guidance the Secretary shall—
(i) consult with the Regional Fishery Management Councils and interstate fishery management commissions;

(ii) publish the proposed guidance;

and

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

(2) IMPLEMENTATION OF MONITORING.—

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

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

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

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

(3) PILOT PROJECTS.—Before the issuance of final guidance, a Council, or the Secretary for fisheries referred to in section 302(a)(3) of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1852(a)(3)), may, subject to the requirements of such Act, on a fishery-by-fishery basis, and consistent with the existing objectives and management goals of a fishery management plan for a fishery issued by the Council or the Secretary, respectively, conduct a pilot project for the use of electronic monitoring for the fishery.

(4) DEADLINE.—The Secretary shall issue final guidance under this subsection by not later than 12 months after the date of enactment of this Act.
(b) **Video and Acoustic Survey Technologies.**—The Secretary shall work with the Regional Fishery Management Councils and nongovernmental entities to develop and implement the use pursuant to the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.) of video survey technologies and expanded use of acoustic survey technologies.

**SEC. 7. COOPERATIVE RESEARCH AND MANAGEMENT PROGRAM.**

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

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

“(2) Not later than one year after the date of enactment of the Fishing Economy Improvement Act, and after consultation with the Councils, the Secretary shall publish a plan for implementing and conducting the program established in paragraph (1). Such plan shall identify and describe critical regional fishery management and research needs, including for data-poor stocks for which limited scientific or commercial information is available, possible projects that may address those needs, and estimated costs for such projects. The plan shall be revised and updated every 5 years, and updated plans shall include a
brief description of projects that were funded in the prior
5-year period and the research and management needs
that were addressed by those projects.”;

(2) in subsection (b), by striking “in consulta-
tion with the Secretary.” and inserting “. Each
Council shall provide a list of such needs to the Sec-
retary on an annual basis, identifying and
prioritizing such needs.”; and

(3) in subsection (c)—

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

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

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

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

“(C) improving monitoring and observer
coverage through the expanded use of electronic
monitoring devices and satellite tracking sys-
tems such as vessel monitoring systems (VMS)
on small vessels.”.

(b) ZEKE GRADER FISHERIES CONSERVATION AND
MANAGEMENT FUND.—
(1) IN GENERAL.—Section 208 of the Magnuson-Stevens Fishery Conservation and Management
Reauthorization Act of 2006 (16 U.S.C. 1891b) is amended—

(A) in the section heading, by inserting
“ZEKE GRADER” before “FISHERIES CONSERVATION AND MANAGEMENT FUND”;

(B) in subsection (a), by inserting “Zeke Grader” before “Fisheries Conservation and
Management Fund”; and

(C) in subsection (c), by striking “Fishery Conservation and Management Fund” each
place it appears and inserting “Zeke Grader Fisheries Conservation and Management Fund”.

(2) CLERICAL AMENDMENT.—The table of contents is amended by striking the item relating to sec-
tion 208 and inserting the following:

“Sec. 208. Zeke Grader Fisheries Conservation and Management Fund.”.

(3) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of
the United States to the “Fisheries Conservation and Management Fund” is deemed to be a reference
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to the “Zeke Grader Fisheries Conservation and Management Fund”.
SEC. 8. GULF OF MEXICO FISHERIES COOPERATIVE RE-
SEARCH AND RED SNAPPER MANAGEMENT.

(a) REPORTING AND DATA COLLECTION PRO-
GRAM.—The Secretary of Commerce shall—

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

(2) make implementation of this subsection a
priority for funds received by the Secretary and allo-
cated to the Gulf of Mexico region under section 2
of the Act of August 11, 1939 (commonly known as

(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 Mag-

nuson-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 be-
ingning 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.

SEC. 9. RECREATIONAL FISHING DATA.

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

“(4) FEDERAL-STATE PARTNERSHIPS.—

“(A) ESTABLISHMENT.—The Secretary shall establish partnerships with States to develop best practices for implementation of State programs that are exempted under paragraph (2).
“(B) GUIDANCE.—The Secretary shall develop guidance, in cooperation with the States, that details best practices for administering State programs that are exempted under paragraph (2), and provide such guidance to the States.

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

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

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

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

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

(b) Study of Recreational Fisheries Data.—

(1) In general.—Not later than 60 days after the date of the enactment of this Act, the Secretary of Commerce shall enter into an agreement with the National Research Council of the National Academy of Sciences to study the implementation of the programs described in section 401 of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1881). The study shall—

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

(B) evaluate the extent to which the recommendations made in that report were implemented pursuant to subsection (g)(3)(B) of that section; and

(C) examine any limitations of the Marine Recreational Fishery Statistics Survey and the marine recreational information program established under subsection (g)(3)(A) of that section.
(2) REPORT.—Not later than 1 year after entering into an agreement under paragraph (1) the Secretary shall submit a report to Congress on the results of the study under paragraph (1).

SEC. 10. AUTHORIZATION OF APPROPRIATIONS.

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

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

(2) by striking “fiscal year 2013” and inserting “each of fiscal years 2016 through 2021”.

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