

EN BLOC AMENDMENT THE RULES COMMITTEE
PRINT FOR H.R. 1335
OFFERED BY MR. YOUNG OF ALASKA

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

1 “(4) The Secretary shall, to the extent practicable,
2 when hiring individuals to collect information regarding
3 marine recreational fishing under this subsection, give
4 preference to students studying fisheries conservation and
5 management, water resource issues, or other relevant sub-
6 jects at an institution of higher education in the United
7 States.”.

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

Page 47, after line 22, insert the following:

8 **SEC. ____ . REQUIREMENTS FOR LIMITED ACCESS PRIVI-**
9 **LEGES.**

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

1 “(G) include provisions for a formal and
2 detailed review 5 years after the implementation
3 of the program, and thereafter the regular mon-
4 itoring and review by the Council and the Sec-
5 retary of the operations and impacts of the pro-
6 gram, to coincide with scheduled Council review
7 of the relevant fishery management plan (but
8 no less frequently than once every 7 years) in-
9 cluding—

10 “(i) determining progress in meeting
11 the goals of the program and this Act;

12 “(ii) delineating the positive and nega-
13 tive economic effects of the program on
14 fishermen and processors who are part of
15 the program and the coastal communities
16 in which they reside; and

17 “(iii) any necessary modification of
18 the program to meet those goals, including
19 a formal schedule for action to be taken
20 within 2 years;”.

21 **SEC. ____ . HEALTHY FISHERIES THROUGH BETTER**
22 **SCIENCE.**

23 (a) DEFINITION OF STOCK ASSESSMENT.—Section 3
24 (16 U.S.C. 1802), as amended by section 23(a) of this
25 Act, is further amended by redesignating the paragraphs

1 after paragraph (42) in order as paragraphs (44) through
2 (53), and by inserting after paragraph (42) the following:

3 “(43) The term ‘stock assessment’ means an
4 evaluation of the past, present, and future status of
5 a stock of fish, that includes—

6 “(A) a range of life history characteristics
7 for such stock, including—

8 “(i) the geographical boundaries of
9 such stock; and

10 “(ii) information on age, growth, nat-
11 ural mortality, sexual maturity and repro-
12 duction, feeding habits, and habitat pref-
13 erences of such stock; and

14 “(B) fishing for the stock.”.

15 (b) STOCK ASSESSMENT PLAN.—

16 (1) IN GENERAL.—Section 404 (16 U.S.C.
17 1881c), as amended by section 10(d) of this Act, is
18 further amended by adding at the end the following:

19 “(f) STOCK ASSESSMENT PLAN.—

20 “(1) IN GENERAL.—The Secretary shall develop
21 and publish in the Federal Register, on the same
22 schedule as required for the strategic plan required
23 under subsection (b) of this section, a plan to con-
24 duct stock assessments for all stocks of fish for

1 which a fishery management plan is in effect under
2 this Act.

3 “(2) CONTENTS.—The plan shall—

4 “(A) for each stock of fish for which a
5 stock assessment has previously been con-
6 ducted—

7 “(i) establish a schedule for updating
8 the stock assessment that is reasonable
9 given the biology and characteristics of the
10 stock; and

11 “(ii) subject to the availability of ap-
12 propriations, require completion of a new
13 stock assessment, or an update of the most
14 recent stock assessment—

15 “(I) every 5 years; or

16 “(II) within such other time pe-
17 riod specified and justified by the Sec-
18 retary in the plan;

19 “(B) for each stock of fish for which a
20 stock assessment has not previously been con-
21 ducted—

22 “(i) establish a schedule for con-
23 ducting an initial stock assessment that is
24 reasonable given the biology and character-
25 istics of the stock; and

1 “(ii) subject to the availability of ap-
2 propriations, require completion of the ini-
3 tial stock assessment within 3 years after
4 the plan is published in the Federal Reg-
5 ister unless another time period is specified
6 and justified by the Secretary in the plan;
7 and

8 “(C) identify data and analysis, especially
9 concerning recreational fishing, that, if avail-
10 able, would reduce uncertainty in and improve
11 the accuracy of future stock assessments, in-
12 cluding whether such data and analysis could
13 be provided by fishermen, fishing communities,
14 universities, and research institutions.

15 “(3) WAIVER OF STOCK ASSESSMENT REQUIRE-
16 MENT.—Notwithstanding subparagraphs (A)(ii) and
17 (B)(ii), a stock assessment is not required for a
18 stock of fish in the plan if the Secretary determines
19 that such a stock assessment is not necessary and
20 justifies such determination in the Federal Register
21 notice required by this subsection.”.

22 (2) DEADLINE.—Notwithstanding paragraph
23 (1) of section 404(f) of the Magnuson-Stevens Fish-
24 ery Conservation and Management Act, as amended
25 by this section, the Secretary of Commerce shall

1 issue the first stock assessment plan under such sec-
2 tion by not later than 2 years after the date of en-
3 actment of this Act.

4 (c) IMPROVING SCIENCE.—

5 (1) INCORPORATION OF INFORMATION FROM
6 WIDE VARIETY OF SOURCES.—Section 2(a)(8) of the
7 Magnuson-Stevens Fishery Conservation and Man-
8 agement Act (16 U.S.C. 1801) is amended by add-
9 ing at the end the following: “Fisheries management
10 is most effective when it incorporates information
11 provided by governmental and nongovernmental
12 sources, including State and Federal agency staff,
13 fishermen, fishing communities, universities, and re-
14 search institutions. As appropriate, such information
15 should be considered the best scientific information
16 available and form the basis of conservation and
17 management measures as required by this Act.”.

18 (2) IMPROVING DATA COLLECTION AND ANAL-
19 YSIS.—Section 404 (16 U.S.C. 1881c), as amended
20 by this section, is further amended by adding at the
21 end the following:

22 “(g) IMPROVING DATA COLLECTION AND ANAL-
23 YSIS.—

24 “(1) IN GENERAL.—The Secretary, in consulta-
25 tion with the Councils acting in reliance on their

1 science and statistical committees established under
2 section 302(g), shall develop and publish in the Fed-
3 eral Register guidelines that will facilitate greater
4 incorporation of data, analysis, and stock assess-
5 ments from nongovernmental sources, including fish-
6 ermen, fishing communities, universities, and re-
7 search institutions, into fisheries management deci-
8 sions.

9 “(2) CONTENT.—The guidelines shall—

10 “(A) identify types of data and analysis,
11 especially concerning recreational fishing, that
12 can be reliably used as the basis for estab-
13 lishing conservation and management measures
14 as required by section 303(a)(1), including set-
15 ting standards for the collection and use of
16 such data and analysis in stock assessments
17 and for other purposes; and

18 “(B) provide specific guidance for col-
19 lecting data and performing analyses identified
20 as necessary to reduce the uncertainty referred
21 to in section 404(f)(2)(C).

22 “(3) ACCEPTANCE AND USE OF DATA AND
23 ANALYSES.—The Secretary and Regional Fishery
24 Management Councils shall—

1 “(A) use all data and analyses that meet
2 the guidelines published under paragraph (1) as
3 the best scientific information available for pur-
4 poses of this Act in fisheries management deci-
5 sions, unless otherwise determined by the
6 science and statistical committee of the Coun-
7 cils established pursuant to section 302(g) of
8 the Act; and

9 “(B) explain in the Federal Register notice
10 announcing the fishery management decision
11 how such data and analyses have been used to
12 establish conservation and management meas-
13 ures.”.

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

18 (d) COST REDUCTION REPORT.—Within 1 year after
19 the date of enactment of this Act, the Secretary of Com-
20 merce, in consultation with the Regional Fishery Manage-
21 ment Councils, shall submit a report to Congress that,
22 with respect to each fishery governed by a fishery manage-
23 ment plan in effect under the Magnuson-Stevens Fishery
24 Conservation and Management Act (16 U.S.C. 1801 et
25 seq.)—

- 1 (1) identifies the goals of the applicable pro-
2 grams governing monitoring and enforcement of
3 fishing that is subject to such plan;
- 4 (2) identifies methods to accomplish those
5 goals, including human observers, electronic moni-
6 toring, and vessel monitoring systems;
- 7 (3) certifies which such methods are most cost-
8 effective for fishing that is subject to such plan; and
- 9 (4) explains why such most-cost-effective meth-
10 ods are not required, if applicable.

