[STAFF WORKING DRAFT]

APRIL 3, 2014

113TH CONGRESS
2D SESSION

S.

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

introduced the following bill; which was read twice and referred to the Committee on

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 Representatives of the United States of America in Congress assembled,

3 SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) Short Title.—This Act may be cited as the “Magnuson-Stevens Fishery Conservation and Management Reauthorization Act of 2014”.
(b) **TABLE OF CONTENTS.**—The table of contents of 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. Fishery ecosystem planning authority.
Sec. 104. Action by the Secretary.
Sec. 105. Other requirements and authority.
Sec. 106. Prohibited acts.
Sec. 107. Penalties.
Sec. 108. Enforcement.
Sec. 109. Transition to sustainable fisheries; authorization of appropriations.
Sec. 110. North Pacific fisheries conservation.
Sec. 111. Summer flounder management.
Sec. 112. Study of allocations in mixed-use fisheries.

**TITLE II—FISHERY INFORMATION, RESEARCH, AND DEVELOPMENT**

Sec. 201. Electronic monitoring.
Sec. 203. Capital construction.
Sec. 204. Fisheries research.
Sec. 205. Improving science.
Sec. 206. South Atlantic red snapper cooperative research program.
Sec. 207. Focusing assets for improved fisheries outcomes.

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

Sec. 301. Anadromous Fish Conservation Act.
Sec. 303. Atlantic Coastal Fisheries Cooperative Management Act.
Sec. 306. State authority for Dungeness crab fishery management.

**TITLE IV—INTERNATIONAL**

Sec. 401. Secretarial representative for international fisheries.
Sec. 405. High Seas Driftnet Fishing Moratorium Protection Act.
TITLE V—MISCELLANEOUS

Sec. 501. Technical amendments.

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

Except as otherwise expressly provided, wherever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.).

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

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

(1) in paragraph (2), by striking “direct and indirect habitat losses which have resulted in a diminished capacity to support existing fishing levels” and inserting “natural and human-caused effects on ecosystems, including direct and indirect habitat losses, bycatch mortality, and trophic impacts that have changed the physical, chemical, and ecological processes that support marine ecosystems and resulted in a diminished capacity to support existing fishing levels”;  

(2) in paragraph (3) by striking “at an ever-increasing rate over the past decade”;
(3) in paragraph (6), by inserting “and marine ecosystems” after “essential fish habitats”;

(4) in paragraph (11), by striking “have demonstrated” and inserting “are demonstrating”;

(5) by redesignating paragraph (12) as paragraph (17);

(6) by inserting before paragraph (17), as redesignated, the following:

“(16) Bycatch of living marine resources in United States marine fisheries can have profound population, ecosystem, and socioeconomic effects on United States fishery resources and the communities that depend on those fishery resources.”;

(7) by redesignating paragraphs (8) through (11) as paragraphs (12) through (15), respectively;

(8) by inserting before paragraph (12), as redesignated, the following:

“(11) Forage species are a fundamental component of marine ecosystems, highly vulnerable to natural population fluctuations and fishing pressure, and are subject to increasing fishing pressure. In most regions of the country there are few, if any, constraints on the rapid development of new fisheries for forage fish, and the management approaches for the currently developed fisheries for
forage fish often put the ecological role of these critically important species at risk.”;

(9) by redesignating paragraph (7) as paragraph (10);

(10) by inserting before paragraph (10), as redesignated, the following:

“(8) By establishing mechanisms, under authority of this Act, for specifying science-based annual catch limits in fishery management plans at levels such that overfishing does not occur in fisheries, including measures to ensure accountability, the Nation’s fishery resources are now being managed sustainably to prevent overfishing and respond quickly if overfishing occurs.

“(9) It is of critical importance to the health of the Nation’s fishery resources and the coastal communities that depend on them that the United States maintain its progress in preventing overfishing and rebuilding overfished stocks.”;

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

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

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

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

(1) in paragraph (1), by inserting “, and fishery resources in the special areas” before the semicolon;
(2) in paragraph (3), by striking “and recreational” and inserting “, recreational, and subsistence”;
(3) in paragraph (5), by striking “the State” and inserting “the States, tribal governments,”;
(4) in paragraph (7), by striking “the review of projects” and inserting “projects and activities”;
(5) by redesignating paragraphs (5) through (7) as paragraphs (6) through (8), respectively; and
(6) by inserting after paragraph (4) the following:

“(5) to provide for the adoption of ecosystem-based fishery management goals and policies that promote ecosystem health, stability, and sustainability, and the conservation and management of fishery resources;”.
(c) POLICY.—Section 2(c)(3) (16 U.S.C. 1801(c)(3)

is amended—

(1) by inserting “, tribes,” after “affected

States”; 

(2) by inserting “tribal,” after “State,”; and 

(3) by striking “that minimize bycatch and

avoid unnecessary waste of fish; and is workable and
effective” and inserting “to avoid bycatch, minimize
mortality of bycatch that cannot be avoided, and
avoid unnecessary waste of fish; and is workable and
effective”.

SEC. 4. DEFINITIONS.

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

(1) by amending paragraph (2) to read as fol-

lows:

“(2) The term ‘bycatch’—

“(A) means fish that are harvested in a

fishery and discarded, including economic dis-
cards and regulatory discards, fish that are har-
vested in a fishery and retained but not landed,
non-target fish that are harvested in a fishery
and retained, or fish that are subject to mor-
tality due to a direct encounter with fishing

gear; and
“(B) does not include fish released alive under a recreational catch and release fishery management program.”;

(2) by inserting after paragraph (8) the following:

“(8A) The terms ‘depleted’ and ‘depletion’ mean, with respect to a stock of fish in a fishery, that the stock is of a size that jeopardizes the capacity of the fishery to produce the maximum sustainable yield on a continuing basis.”;

(3) by inserting after paragraph (18) the following:

“(18A) The term ‘forage fish’ means any low trophic level fish that contributes significantly to the diets of other fish and that retains a significant role in energy transfer from lower to higher trophic levels throughout its life cycle.”;

(4) by inserting after paragraph (30) the following:

“(30A) The term ‘non-target fish’ means fish that are caught incidentally during the pursuit of target fish in a fishery, including regulatory discards which may or may not be retained for sale or personal use.”;
(5) in paragraph (36), by inserting ‘‘, tribal,’’ after ‘‘State,’’;

(6) by inserting after paragraph (42) the following:

‘‘(42A) The term ‘subsistence fishing’ means fishing in which the fish harvested are intended for customary and traditional uses, including for direct personal or family consumption as food or clothing; for the making or selling of handcraft articles out of nonedible byproducts taken for personal or family consumption, for barter, or sharing for personal or family consumption; and for customary trade. In this paragraph, the term—

‘‘(A) ‘family’ means all persons related by blood, marriage, or adoption, or any person living within the household on a permanent basis; and

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

‘‘(i) for another fish or fish part; or

‘‘(ii) for other food or for nonedible items other than money if the exchange is of a limited and noncommercial nature.
“(42B) The term ‘target fish’ means fish that are caught for sale or personal use, including economic discards.”; and

(7) by inserting after paragraph (43) the following:

“(43A) The terms ‘tribal’ and ‘tribe’ mean an Indian tribe as defined in section 102 of the Federally Recognized Indian Tribe List Act of 1994 (25 U.S.C. 479a).”.

(b) REDESIGNATION.—Paragraphs (1) through (50) of section 3, as amended by subsection (a) of this section, are redesignated as paragraphs (1) through (56), respectively.

(e) TECHNICAL AND CONFORMING AMENDMENTS.—

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

(2) Section 3 of the Whale Conservation and Protection Study Act (16 U.S.C. 917a) is amended by striking “including the fishery conservation zone as defined in section 3(8)” and inserting “including the exclusive economic zone as defined in section 3”.

(3) Section 114(o) of the Marine Mammal Protection Act of 1972 (16 U.S.C. 1383a(o)) is amended—
(A) in paragraph (1), by striking “section 3(8)” and inserting “section 3”; and

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

(4) Section 304(g)(2) (16 U.S.C. 1854(g)(2)) is amended by striking “Notwithstanding section 3(2)” and inserting “Notwithstanding the definition of by-catch under section 3”.

(5) Section 8(b)(2) of the Lacey Act Amendments of 1981 (16 U.S.C. 3377(b)(2)) is amended—

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

(B) by striking “as defined in paragraph (13) of such section 3” and inserting “as defined in such section 3”.

(6) Section 302 of the Atlantic Salmon Convention Act of 1982 (16 U.S.C. 3601) is amended—

(A) in paragraph (6), by striking “in section 3(10)” and inserting “in section 3” and

(B) in paragraph (8), by striking “in section 3(19)” and inserting “in section 3”.

(7) Section 3(6) of the Atlantic Striped Bass Conservation Act (16 U.S.C. 5152(6)) is amended
by striking “in section 3(6)” and inserting “in section 3”.

(8) Section 104(f)(4)(B) of the Compact of Free Association Act of 1985 (48 U.S.C. 1904(f)(4)(B)) is amended by striking “have the same meanings as provided in paragraphs (10) and (14), respectively, of section 3” and inserting “have the same meanings as provided in section 3”.

SEC. 5. AUTHORIZATION OF APPROPRIATIONS.

Section 4 (16 U.S.C. 1803) is amended to read as follows:

“SEC. 4. AUTHORIZATION OF APPROPRIATIONS.

“There are authorized to be appropriated to the Secretary to carry out the provisions of this Act—

“(1) [$XXX,XXX,XXX] for fiscal year 2015;
“(2) [$XXX,XXX,XXX] for fiscal year 2016;
“(3) [$XXX,XXX,XXX] for fiscal year 2017;
“(4) [$XXX,XXX,XXX] for fiscal year 2018;
“(5) [$XXX,XXX,XXX] for fiscal year 2019;
“(6) [$XXX,XXX,XXX] for fiscal year 2020;

and

“(7) [$XXX,XXX,XXX] for fiscal year 2021.”.
TITLE I—CONSERVATION AND MANAGEMENT

SEC. 101. REGIONAL FISHERY MANAGEMENT COUNCILS.

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

(1) in subparagraph (A), by striking “or the commercial or recreational harvest” and inserting “or the commercial, recreational, or subsistence fishing harvest”; and

(2) in subparagraph (D)—

(A) in clause (i)—

(i) by striking “Fisheries” and inserting “Fishery”; and

(ii) by inserting “or the South Atlantic Fishery Management Council” after “Council”; and

(B) by striking clause (iv).

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

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

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

(3) by striking “21” and inserting “23”; and
(4) by striking “13” and inserting “14”.

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

“(B) Each scientific and statistical committee shall—

“(i) provide its Council ongoing scientific advice for fishery management decisions, including recommendations for acceptable biological catch, preventing overfishing, maximum sustainable yield, achieving rebuilding targets, goals and objectives of fishery ecosystem plans developed under the discretionary authority provided under section 303B, and reports on stock status and health, bycatch, habitat status, social and economic impacts of management measures, and sustainability of fishing practices;

“(ii) develop a control rule to derive annual recommendations for acceptable biological catch for a forage fishery which account for the importance of forage species to managed fish throughout their range and provide a minimum reference
point to determine when a forage fishery should close; and

“(iii) carry out the requirements of this subparagraph in a transparent manner, allowing for public involvement in the process.”.

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

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

(2) by redesignating paragraph (8) as paragraph (10);

(3) by redesignating paragraphs (2) through (7) as paragraphs (3) through (8), respectively;

(4) by inserting after paragraph (1) the following:

“(2) review any allocation of fishing privileges among sectors of a mixed-use fishery under a fishery management plan prepared by that Council not less often than once every 5 years, except a Council may delay action for not more than 3 additional 1-year periods;”; and

(5) by inserting after paragraph (8), as redesignated, the following:
“(9) have the authority to use alternative fishery management measures in a recreational fishery (or the recreational component of a mixed-use fishery), including extraction rates, fishing mortality, and harvest control rules, to the extent they are in accordance with the requirements of this section; and”.

(e) Webcasts of Council Meetings.—Section 302(i)(2) (16 U.S.C. 1852(i)(2)) is amended by adding at the end the following:

“(G) Unless closed in accordance with paragraph (3), each Council shall, where practicable, make available on the Internet website of the Council a video or audio webcast of each meeting of the Council and each meeting of the science and statistical committee of the Council not later than 30 days after the date of the conclusion of such meeting.”.

(f) Regional Fishery Management Councils; Procedural Matters.—Section 302(i) (16 U.S.C. 1852(i)) is amended—

(1) in paragraph (4), by striking “or State authorities” and inserting “, State, or tribal authorities”; and
(2) in paragraph (6), by striking “Federal agency or from a” and inserting “Federal agency, tribal government, or”.

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

(1) by striking “Within 6 months after the date of enactment of the Magnuson-Stevens Fishery Conservation and Management Reauthorization Act of 2006 [enacted Jan. 12, 2007], the” and inserting “The”;

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

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

(4) by adding at the end the following:

“(J) ecosystem-based fishery management.”.

SEC. 102. CONTENTS OF FISHERY MANAGEMENT PLANS.

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

(1) in subsection (a)—

(A) in paragraph (5), by inserting “, and subsistence” after “charter”;
(B) in paragraph (13), by striking “and charter” each place it appears and inserting “charter, and subsistence”;  

(C) in paragraph (14), by striking “and charter fishing sectors in the fishery and;” and inserting “charter, and subsistence fishing sectors in the fishery;”;  

(D) by redesignating paragraphs (14) and (15) as paragraphs (16) and (17), respectively;  

(E) by inserting after paragraph (13) the following:  

“(14) in the case of a fishery for a forage fish—  

“(A) when determining annual catch limits under this Act, assess, specify, and adjust those limits by the feeding requirements of dependent fish throughout the range of the dependent fish; and  

“(B) include a control rule developed and applied by the scientific and statistical committee of the relevant Council to derive annual recommendations—  

“(i) for acceptable biological catch for a fishery for forage fish and a minimum
(F) in paragraph (17), as redesignated, by
striking “establish a mechanism” and inserting
“subject to subsection (d), establish a mecha-

ism”; and

(2) by adding at the end the following:

“(d) LIMITATIONS.—

“(1) IN GENERAL.—The requirements under
subsection (a)(17) shall not—

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

“(B) limit or otherwise affect the require-
ments of section 301(a)(1) or 304(e) of this
Act; and

“(C) be construed as requiring that a fish-
ery management plan specify a separate annual
catch limit and accountability measures for
each individual species of non-target fish in the
fishery.

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

“(e) INTEGRATED DATA COLLECTION.—

“(1) IN GENERAL.—Any integrated data collec-
tion required by subsection (a)(15) shall—

“(A) have scientific data collection as its
principal purpose;

“(B) specifically consider the requirements
of section 301(a)(8);

“(C) with respect to any data to be col-
lected from a fishing vessel while that vessel is
at-sea, give first consideration and priority to the utilization of electronic monitoring;

“(D) subject to paragraph (3), provide for a system of fees on a fishery specific basis to be collected from participants in the fishery, including those persons whose participation is as direct harvesters or bycatch harvesters;

“(E) be developed in consultation with stakeholders, including fishery participants, equipment providers in the case of electronic monitoring systems, and contractors in the case of human observers; and

“(F) include—

“(i) initial performance standards for the fishery;

“(ii) field support systems;

“(iii) data review procedures; and

“(iv) implementation strategies.

“(2) IMPORTANCE OF FISHERY RESOURCES TO FISHING COMMUNITIES.—When specifically considering the requirements of section 301(a)(8), the integrated data collection required by subsection (a)(15) may provide, as appropriate, for electronic monitoring, human observers, and dockside monitoring.
“(3) System of fees.—The system of fees under paragraph (1)(D) shall be consistent with the applicable sections of this title.”.

(b) Fishery Management Plan Amendments.—
Not later than 1 year after the date of enactment of this Act, each Regional Fishery Management Council shall amend each fishery management plan under its jurisdiction to comply with subsections (a)(15) and (e) of section 303 of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1853), as amended by section 102(a) of this Act.

(c) Technical and Conforming Amendments.—
(1) Section 104 of the Magnuson-Stevens Fishery Conservation and Management Reauthorization Act of 2006 (120 Stat. 3584; 16 U.S.C. 1853 note) is amended—
(A) by striking subsection (b); and
(B) by redesignating subsection (c) as subsection (b).
(2) Section 313(g)(2) (16 U.S.C. 1862(g)(2)) is amended by striking “Notwithstanding section 303(d)” and inserting “Notwithstanding section 303A”.
(3) Section 407(b) (16 U.S.C. 1883(b)) is amended by inserting “as in effect on the day before
the date of enactment of Magnuson-Stevens Fishery Conservation and Management Reauthorization Act of 2006 (120 Stat. 3575),” after “In addition to the restrictions under section 303(d)(1)(A)”.

(4) Section 53706(a)(7) of title 46, United States Code, is amended by striking “section 303(d)(4)” and inserting “section 303A”.

SEC. 103. FISHERY ECOSYSTEM PLANNING AUTHORITY.

(a) IN GENERAL.—Title III (16 U.S.C. 1851 et seq.) is amended by inserting after section 303A the following:

“SEC. 303B. FISHERY ECOSYSTEM PLANNING AUTHORITY.

“(a) DISCRETIONARY PLANNING AUTHORITY.—

“(1) COUNCIL AUTHORITY.—For a fishery or fisheries for which a fishery management plan has been prepared by a Regional Fishery Management Council and approved by the Secretary, the Council may, at the Council’s discretion and in accordance with the provisions of this Act, prepare and submit to the Secretary a fishery ecosystem plan and amendments to such plan as are necessary from time to time or required under subsection (c).

“(2) SECRETARIAL AUTHORITY.—For a fishery or fisheries for which a fishery management plan has been prepared and approved by the Secretary, the Secretary may, at the Secretary’s discretion and
in accordance with the provisions of this Act, prepare a fishery ecosystem plan and amendments to such plan as are necessary from time to time or required under subsection (c).

“(b) REQUIRED PROVISIONS.—A fishery ecosystem plan that is prepared at the discretion of a Council or the Secretary on or after the date of enactment of the Magnuson-Stevens Fishery Conservation and Management Reauthorization Act of 2014 shall—

“(1) contain a description of the fishery ecosystem and fishery ecosystem context, including—

“(A) the geographical extent of the fishery ecosystem;

“(B) the biological, physical, chemical, and socioeconomic aspects of the fishery ecosystem;

“(C) the goods and services provided by the fishery ecosystem;

“(D) the structure and function of the food web, including key predator-prey relationships and the habitat needs of different life history stages of key species that make up the food web;

“(E) the indicators of fishery ecosystem health; and
“(F) the impacts of activities on the fishery ecosystem and on indicators of fishery ecosystem health, including direct, indirect, and cumulative impacts of activities under the Council’s jurisdiction and outside the Council’s jurisdiction;

“(2) specify fishery ecosystem-level goals and objectives for management, including—

“(A) identifying and preventing fishing rates or exploitation patterns that jeopardize the maintenance or recovery of the fishery ecosystem or biological community structure, function, stability, or resilience;

“(B) protecting and restoring species diversity;

“(C) protecting and restoring habitat diversity and integrity;

“(D) protecting and restoring food web structure and function; and

“(E) optimizing economic output;

“(3) assess the level of uncertainty in fishery ecosystem structure, function, data, and reasonably foreseeable responses to management action;

“(4) specify how the uncertainty under paragraph (3) is accounted for in conservation and man-
agement measures that achieve the goals and objectives under paragraph (2);

“(5) contain conservation and management measures—

“(A) that achieve the goals and objectives under paragraph (2);

“(B) that will be implemented through relevant fishery management plans; and

“(C) that will not limit or otherwise affect the conservation requirements of the national standards or other provisions of this Act; and

“(6) contain a monitoring and evaluation plan—

“(A) to describe available data sources and specify information gaps for assessing the performance of management in achieving fishery ecosystem-level goals and objectives specified under paragraph (2);

“(B) to develop measurable standards and performance measures based on indicators of fishery ecosystem health identified under paragraph (1)(E); and

“(C) to measure the achievement of fishery ecosystem-level goals and objectives specified under paragraph (2).
“(c) Assessment and Updating of Plans.—

“(1) In general.—Each fishery ecosystem plan prepared by a Council or the Secretary shall be assessed and updated as necessary to better achieve ecosystem-level goals and objectives.

“(2) Assessment criteria.—A plan assessment or update under paragraph (1) shall—

“(A) identify research priorities—

“(i) to improve monitoring of fishery ecosystem health and understanding of fishery ecosystem processes; and

“(ii) to fill data gaps;

“(B) analyze progress in meeting fishery ecosystem-level goals and objectives included in the fishery ecosystem plan; and

“(C) specify additional actions that shall be taken when practicable to better meet fishery ecosystem-level goals and objectives.

“(d) Rule of construction.—Nothing in this section shall be construed as requiring a Council or the Secretary to exercise the discretionary planning authority provided by this section.”.

(b) Conforming Amendment.—The table of contents in the Act is amended by inserting after the item relating to section 303A the following:

“303B. Fishery ecosystem planning authority.”.
SEC. 104. ACTION BY THE SECRETARY.

(a) Updated Agency Procedures.—Not later than 90 days after the date of enactment of this Act, the Secretary of Commerce shall issue a notice of proposed rulemaking to revise and update agency procedures under the mandate of section 304(i) of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1854(i)), as added by section 107 of the Magnuson-Stevens Fishery Conservation and Management Reauthorization Act of 2006 (120 Stat. 3594).

(b) Review of Plans.—Section 304 (16 U.S.C. 1854) is amended—

(1) in subsection (a)—

(A) in paragraph (1), by inserting “, fishery ecosystem plan,” after “fishery management plan”; and

(B) in paragraph (5), by inserting “fishery ecosystem plan,” after “fishery management plan,”;

(2) in subsection (b), by inserting “fishery ecosystem plan,” after “fishery management plan,” each place it appears; and

(3) in subsection (c)—

(A) in paragraph (1), by inserting “or fishery ecosystem plan” after “fishery management plan” each place it appears;
(B) in paragraph (3), by inserting “or fishery ecosystem plan” after “fishery management plan”;

(C) in paragraph (4), by inserting “, fishery ecosystem plan,” after “fishery management plan”; and

(D) in paragraph (7), by inserting “with the fishery ecosystem plan,” after “fishery management plan,”.

(c) Establishment of Fees.—Section 304(d) (16 U.S.C. 1854(d)) is amended—

(1) in paragraph (2)(A)(i), by striking “; and” and inserting a semicolon;

(2) in paragraph (2)(A)(ii), by striking the period at the end and inserting “; and”;

(3) in paragraph (2)(A), by adding at the end the following:

“(iii) management program that allocates a percentage of the total allowable catch to individuals who have formed a sector.”; and

(4) by adding at the end the following:

“(3) The Secretary shall not collect any fee under this section or section 313(a) before preparing an analysis that identifies the costs that will be re-
covered by the fee and the costs that will not be re-
covered by the fee. The analysis shall be included in
the applicable fisheries management plan.”;

(d) REBUILDING OVERFISHED AND DEPLETED
FISHERIES.—Section 304(e) (16 U.S.C. 1854(e)) is
amended—

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

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

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

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

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

(4) in paragraph (3)(B), by inserting “or otherwise depleted” after “overfished”;

(5) in paragraph (4)—

(A) in the matter preceding subparagraph (A), by inserting “or otherwise depleted” after “overfished”;

(B) in subparagraph (A)(i), by inserting “or otherwise depleted” after “overfished” each place it appears; and

(C) by amending subparagraph (A)(ii) to read as follows:

“(ii) except in cases where the biology of the stock of fish, other environmental conditions, or management measures under an international agreement in which the United States participates dictate otherwise, not exceed—

“(I) the sum of the minimum time required to rebuild an affected stock of fish and the mean generation time of the affected stock of fish, if
those time values are scientifically est-
established and widely accepted among
fish population biologists; or
“(II) 10 years, if either of the
time values specified in subclause (I)
is not scientifically established and
widely accepted among fish population
biologists;”; and
(6) in paragraph (5), by striking “that a fishery
is overfished” and inserting “that a fishery is over-
fished or otherwise depleted”.

e) INTERNATIONAL OVERFISHING.—Section 304 (16
U.S.C. 1854) is amended—
(1) by striking “(i) INTERNATIONAL OVER-
FISHING.—” and inserting “(j) INTERNATIONAL
OVERFISHING.—”; and
(2) in subsection (j)(1), as redesignated by
paragraph (1) of this subsection, by inserting
“shall” after “State,”.

f) ANNUAL REPORT ON SPECIAL FUNDS.—Section
304 (16 U.S.C. 1854), as amended by subsection (e) of
this section, is further amended by inserting at the end
the following:
“(k) ANNUAL REPORT ON SPECIAL FUNDS.—
“(1) ANNUAL REPORT.—Not later than 30 days after the last day of each fiscal year, the Secretary shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Natural Resources of the House of Representatives a report for that fiscal year on—

“(A) the Western Pacific Sustainable Fisheries Fund established under section 204(e)(7);

“(B) the Limited Access System Administration Fund established under section 305(h)(5)(B);

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

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

“(2) REQUIRED INFORMATION.—The annual report required under paragraph (1) shall include a detailed accounting of—

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

“(B) all moneys deposited in each fund during the fiscal year;
“(C) all moneys paid out of each fund during the fiscal year; and

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

SEC. 105. OTHER REQUIREMENTS AND AUTHORITY.

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

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

(2) in paragraph (4)—

(A) by striking “from a Council or Federal or State agency” and inserting “from a Council, Federal or State agency, or tribal government”; and

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

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

April 3, 2014 (2:01 p.m.)
(c) Consumer Information Regarding Sustainably Caught Fish.—Section 305(k) (16 U.S.C. 1855(k)) is amended to read as follows:

“(k) Consumer Information Regarding Sustainably Caught Fish.—

“(1) In general.—The producer, processor, importer, exporter, distributor, or seller of a fish product may place the words ‘Sustainably Caught’ on the fish product and any packaging thereof if—

“(A) the fish that comprises or is contained in the fish product meets the sustainability standard specified in paragraph (2); and

“(B) the information specified in paragraph (3) is displayed on the packaging of, or otherwise accompanies, the fish product through processing, distribution, and final sale.

“(2) Sustainability standard.—

“(A) In general.—For the purpose of paragraph (1)(A), fish meets the sustainability standard if—

“(i) the fish is harvested in accordance with—

“(I) a fishery management plan prepared and approved under this Act; or
“(II) equivalent State, tribal, foreign, or international conservation and management measures, as determined by the Secretary;

“(ii) the fishery from which the fish is harvested is not overfished or otherwise depleted; and

“(iii) overfishing or other depletion is not occurring in the fishery from which the fish is harvested.

“(B) REBUILDING FISHERIES.—A fishery that is subject to a rebuilding plan under this Act, or equivalent conservation and management measures as determined by the Secretary, meets the criteria specified in clauses (ii) and (iii) of subparagraph (A) if the Secretary determines that the plan is effectively rebuilding the fishery.

“(3) REQUIRED INFORMATION.—For the purpose of paragraph (1)(B), information is required about the fish that comprises or is contained in a fish product as follows:

“(A) The common name.

“(B) The scientific name.

“(C) The country of origin.
“(D) The Federal, State, tribal, foreign, or other entity responsible for overseeing its conservation and management or cultivation.

“(E) If harvested from the wild—

“(i) the country of registry of the harvesting vessel;

“(ii) the general method of harvest; and

“(iii) the management region.

“(F) If cultivated—

“(i) the country of cultivation; and

“(ii) the method of cultivation, including whether it is produced through land-based aquaculture, ocean aquaculture, or another method.

“(4) DEFINITIONS.—In this subsection:

“(A) The term ‘common name’ means the common name used to refer to the fish species in the fishery management plan, or equivalent measures, under which it is conserved and managed.

“(B) The term ‘fish product’ means a fish or an item that contains fish, which has been harvested, processed, manufactured, or produced for sale or use as food.”.
SEC. 106. PROHIBITED ACTS.

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

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

(2) by redesignating subparagraph (R) as sub-
paragraph (T); and

(3) by inserting after paragraph (Q) the fol-
lowing:

“(R) to make or submit any incomplete,
invalid, or false record, account, or label for, or
any false identification of, any fish or fish prod-
uct (including false identification of the species,
harvesting vessel or nation, or the date or loca-
tion where harvested) that has been or is in-
tended to be imported, exported, transported,
sold, offered for sale, purchased, or received in
interstate or foreign commerce, except where
such making or submission is prohibited under
subparagraph (I);

“(S) to place on a fish product, as defined
in section 305(k)(4), the words “sustainably
caught” or any other word, phrase, mark, or
symbol that claims or suggests that the fish
that comprises or is contained in the fish prod-
uct is sustainably caught if the person knows or
reasonably should know—
“(i) that the fish does not meet the sustainability standard under section 305(k)(2); or

“(ii) that the required information specified in section 305(k)(3) is false, misleading, incomplete, or not displayed on the packaging of, or otherwise accompanying, the fish product through processing, distribution, and final sale; or”.

SEC. 107. PENALTIES.

(a) Civil Penalties and Permit Sanctions.—Section 308 (16 U.S.C. 1858) is amended—

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

(2) in subsection (f), by inserting “or investigation of a violation of this Act” after “under this section”.

(b) Criminal Penalties.—Section 309(b) (16 U.S.C. 1859) is amended—

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

(2) by striking “$200,000” each place it appears and inserting “$360,000”.

SEC. 108. ENFORCEMENT.

(a) Jurisdiction of the Courts.—
Section 311(d) (16 U.S.C. 1861(d)) is amended to read as follows:

“(d) JURISDICTION OF THE COURTS.—

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

“(A) enter restraining orders or prohibitions;

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

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

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

“(2) HAWAII AND PACIFIC INSULAR AREAS.—In the case of Hawaii or any possession of the United States in the Pacific Ocean, the appropriate court is the United States District Court for the District of Hawaii, except that—

“(A) in the case of Guam and Wake Island, the appropriate court is the United States District Court for the District of Guam; and

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

(2) CONSTRUCTION.—Nothing in this section, or the amendments made by subsection (a), shall be construed to affect any case or controversy commenced, or any case or controversy pending before a district court of the United States, prior to the date of enactment of this Act.

(b) PAYMENT OF STORAGE, CARE, AND OTHER COSTS.—Section 311(e) (16 U.S.C. 1861(e)) is amended—

(1) in paragraph (1), by striking “Notwithstanding any other provision of law” and inserting “IN GENERAL.—”;

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

(3) in paragraph (3), as redesignated, by striking “Any person” and inserting “LIABILITY FOR COSTS INCURRED.—Any person”; and

(4) by inserting after paragraph (1) the following:

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

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

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

(2) by inserting after subsection (e) the fol-
lowing:

“(d) ADMINISTRATIVE ADJUDICATION.—

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

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

(d) REPEALS.—Sections 110 and 111 of title I of Division B of the Consolidated and Further Continuing Appropriations Act, 2012 (Public Law 112—55; 16 U.S.C. 1861 note), and the items relating to those sections in the table of contents for that Act, are repealed.

(e) ANNUAL REPORT ON SPECIAL FUNDS.—Section 304(k), as added by section 104(f) of this Act, is amended—

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

(2) in paragraph (1)(D), by striking “2006.” and inserting “2006; and”;

(3) by inserting at the end the following:

“(E) the Fisheries Enforcement Fund established under section 311(f)(2).”.

(f) CONFORMING AMENDMENTS.—

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

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

(B) in subsection (d), by striking “section 311(d)” each place it appears and inserting “subsection 311(e)”.
(2) Enforcement; North Atlantic Salmon Fishing.—Section 308 of the Atlantic Salmon Convention Act of 1982 (16 U.S.C. 3607) is amended by striking “and (d)” each place it appears and inserting “and (e)”.

SEC. 109. Transition to Sustainable Fisheries; Authorization of Appropriations.

Section 312(a)(4) (16 U.S.C. 1861a(a)(4)) is amended—

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

(2) by striking “2007 through 2013” and inserting “2015 through 2021”.


(a) Electronic Monitoring Systems.—Section 313 (16 U.S.C. 1862) is amended—

(1) in subsection (a)—

(A) in the sentence preceding paragraph (1), by striking “jurisdiction except a salmon fishery which” and inserting “jurisdiction, except a salmon fishery, that”; and

(B) in paragraph (1), by inserting “electronic monitoring systems or” before “observers”; and
(C) by amending paragraph (2) to read as follows:

“(2) establish a system of fees to pay for the cost of implementing the plan and any integrated data collection program, including electronic monitoring, established under subsections (a)(15) and (e) of section 303;”; and

(2) in subsection (b)—

(A) in paragraph (1)(A), by inserting “placing electronic monitoring systems or” before “stationing observers on”; 

(B) in paragraph (2)(E), by inserting “actual electronic monitoring system costs or” before “actual observer costs”; and

(C) by adding at the end the following:

“(3) Any system of fees established under this section may vary by fishery, management area, electronic monitoring system, or observer coverage level.”.

(b) ARCTIC COMMUNITY DEVELOPMENT QUOTA.—

Section 313 (16 U.S.C. 1862) is amended by adding at the end the following:

“(k) ARCTIC COMMUNITY DEVELOPMENT QUOTA.—

If the North Pacific Fishery Management Council issues a fishery management plan for the exclusive economic zone
in the Arctic Ocean, or an amendment to its current Fish-
ery Management Plan for Fish Resources of the Arctic
Management Area, that makes available to commercial
fishing and establishes a sustainable harvest level for any
part of such zone, the North Pacific Fishery Management
Council shall set aside not less than 10 percent of the total
allowable catch therein as a community development quota
for coastal villages north and east of the Bering Strait.”

SEC. 111. SUMMER FLOUNDER MANAGEMENT.

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

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

(2) reflect changes in the distribution, abun-
dance, and location of summer flounder in estab-
lishing distribution of the commercial and rec-
reational catch quotas;
(3) consider regional, coast-wide, or other management measures for summer flounder that comply with the National Standards under section 301(a) of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1851(a)); and

(4) prohibit the allocation of commercial or recreational catch quotas for summer flounder on a State-by-State basis using historical landings data that does not reflect the status of the summer flounder stock, based on the most recent scientific information.

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

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

(d) REPORT.—Not later than 1 year after the date of the approval of a modified fishery management plan or plan amendment as described in subsection (a), the
Comptroller General of the United States shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Natural Resources of the House of Representatives a report on the implementation of the modified plan or plan amendment that includes an assessment of whether the implementation complies with the national standards for fishery conservation and management under section 301(a) of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1851(a)).

SEC. 112. STUDY OF ALLOCATIONS IN MIXED-USE FISHERIES.

(a) STUDY REQUIREMENTS.—The National Academy of Sciences, in coordination with the Assistant Administrator for Fisheries of the Department of Commerce, shall conduct a study—

(1) to determine which variables, including consideration of the conservation and socioeconomic benefits of each sector in a fishery, should be considered by a Regional Fishery Management Council established under section 302 of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1852) in allocating fishing privileges in a fishery management plan prepared under that Act; and
(2) to determine which sources should be used for such variables.

(b) REPORT.—Not later than 180 days after the date of enactment of this Act, the National Academy of Sciences shall submit a report on the study conducted under subsection (a) to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Natural Resources of the House of Representatives.

TITLE II—FISHERY INFORMATION, RESEARCH, AND DEVELOPMENT

SEC. 201. ELECTRONIC MONITORING.

(a) SENSE OF CONGRESS.—It is the sense of Congress that the use of technologies such as digital video cameras and monitors, digital recording systems, and other forms of electronic monitoring as a complement to observers can maintain or increase observer information collected from fisheries while reducing the need for observers and the financial costs and logistical difficulties associated with such observers.

(b) ELECTRONIC MONITORING REVIEW.—Not later than 180 days after the date of enactment of this Act, the Secretary of Commerce, in consultation with the Regional Fishery Management Councils, shall complete and
submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Natural Resources of the House of Representatives a review of all Federal fishery management plans that—

(1) identifies each fishery management plan with respect to which the incorporation of electronic monitoring, as a complement to observers, can decrease costs and improve efficiencies in the fishery while continuing to meet the standards and requirements of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.); and

(2) specifies for each fishery management plan identified which type or types of electronic monitoring technology can achieve such cost and efficiency improvements.

(c) REGIONAL ELECTRONIC MONITORING ADOPTION PLANS.—

(1) IN GENERAL.—Not later than 1 year after submitting the results of the review required under subsection (b), each Regional Fishery Management Council, in consultation with the Secretary of Commerce, shall develop a plan to adopt and implement electronic monitoring in each of its fishery management plans identified in the review.
(2) ELEMENTS OF PLANS.—Each plan required by this subsection

(A) shall include an estimate of anticipated improvements in cost effectiveness and management efficiency for each Federal fishery management plan in the plan;

(B) shall prioritize fishery management plans in each region, to guide development, adoption, and implementation of electronic monitoring amendments to such plans;

(C) shall set forth an implementation schedule, consistent with the implementation deadline specified in subsection (d), for the development, review, adoption, and implementation of electronic monitoring amendments to Federal fishery management plans; and

(D) may be reviewed or amended annually to address changing circumstances or improvements in technology.

(d) DEADLINE FOR IMPLEMENTATION.—Not later than 4 years after the date of enactment of this Act, the Regional Fishery Management Councils and the Secretary of Commerce shall complete implementation of the plans developed under subsection (c).
SEC. 202. COST REDUCTION REPORT.

Not later than 1 year after the date of enactment of this Act, the Secretary of Commerce, in consultation with the Regional Fishery Management Councils, shall submit a report to Congress that, with respect to each fishery governed by a fishery management plan in effect under the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.)—

(1) identifies the goals of the applicable programs governing monitoring and enforcement of fishing that is subject to the plan;

(2) identifies methods to accomplish the goals under paragraph (1), including human observers, electronic monitoring, and vessel monitoring systems;

(3) certifies the methods under paragraph (2) that are most cost-effective for fishing that is subject to the plan; and

(4) explains why the most-cost-effective methods under paragraph (3) are not required, if applicable.

SEC. 203. CAPITAL CONSTRUCTION.

(a) DEFINITIONS; ELIGIBLE AND QUALIFIED FISHERY FACILITIES.—Section 53501 of title 46, United States Code, is amended—
(1) by striking “(7) UNITED STATES FOREIGN TRADE.—” and inserting “(11) UNITED STATES FOREIGN TRADE.—”; 

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

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

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

(5) by redesignating paragraph (1) as paragraph (2); 

(6) by inserting before paragraph (2), as redesignated, the following: 

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

(7) by inserting after paragraph (2), as redesignated, the following: 

“(3) ELIGIBLE FISHERY FACILITY.— 

“(A) IN GENERAL.—Subject to subparagraph (B), the term “eligible fishery facility” means— 

“(i) for operations on land—
“(I) a structure or an appurtenance thereto designed for unloading and receiving from a vessel, processing, holding pending processing, distribution after processing, or holding pending distribution, of fish from a fishery;

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

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

“(ii) for operations not on land, a vessel built in the United States and used for, equipped to be used for, or of a type normally used for, processing fish; or

“(iii) for aquaculture, including operations on land or elsewhere—

“(I) a structure or an appurtenance thereto designed for aquaculture;

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

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

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

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

“(ii) an entity that is—

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

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

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

“(7) QUALIFIED FISHERY FACILITY.—
“(A) IN GENERAL.—Subject to subparagraph (B), the term ‘qualified fishery facility’ means—

“(i) for operations on land—

“(I) a structure or an appurtenance thereto designed for unloading and receiving from a vessel, processing, holding pending processing, distribution after processing, or holding pending distribution, of fish from a fishery;

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

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

“(ii) for operations not on land, a vessel built in the United States and used for, equipped to be used for, or of a type normally used for, processing fish; or

“(iii) for aquaculture, including operations on land or elsewhere—
“(I) a structure or an appurtenance thereto designed for aquaculture;

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

“(III) equipment that is for use with the structure or appurtenance and necessary for performing a function described in subclause (I); and

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

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

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

“(ii) an entity that is—

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

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

(b) ELIGIBLE FISHERY FACILITIES.—
(1) **Definition of Secretary.**—Section 53501 of title 46, United States Code, as amended by subsection (a) of this section is further amended in paragraph (9)(A), by inserting “, and an eligible fishery facility or a qualified fishery facility” after “United States”.

(2) **Establishing a Capital Construction Fund.**—Section 53503 of title 46, United States Code, is amended—

(A) in subsection (a)—

(i) by inserting “or eligible fishery facility” after “eligible vessel”; and

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

(B) in subsection (b)—

(i) by designating the text that follows after “The purpose of the agreement shall be” as paragraph (1) and indenting appropriately;

(ii) in paragraph (1), as designated, by striking “United States.” and inserting “United States; or”; and

(iii) by inserting after paragraph (1), as designated, the following:
“(2) to provide for the acquisition, construction, or reconstruction of a fishery facility owned by—

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

“(B) an entity that is—

“(i) a citizen of the United States under section 50501; and

“(ii) at least 75 percent owned by citizens of the United States, as determined under section 50501.”.

(c) AGREEMENT FISHERY FACILITIES.—

(1) DEPOSITS AND WITHDRAWALS.—Section 53504(b) of title 46, United States Code, is amended by inserting “or an agreement fishery facility” after “agreement vessel”.

(2) CEILING ON DEPOSITS.—Section 53505 of title 46, United States Code, is amended—

(A) in paragraphs (1) and (2) of subsection (a), by inserting “or agreement fishery facilities” after “agreement vessels”; 

(B) in subsection (a)(3) by inserting “or agreement fishery facility” after “agreement vessel” each place it appears; and

(C) in subsection (b)—
(i) by inserting “or agreement fishery facility” after “an agreement vessel”; and
(ii) by inserting “or fishery facility” after “the vessel”.

(d) QUALIFIED FISHERY FACILITIES.—

(1) QUALIFIED WITHDRAWALS.—Section 53509(a) of title 46, United States Code, is amended—

(A) in paragraph (1), by striking “qualified vessel; or” and inserting “qualified vessel, or the acquisition, construction, or reconstruction of a qualified fishery facility; or”; and

(B) in paragraph (2), by striking “qualified vessel.” and inserting “qualified vessel, or the acquisition, construction, or reconstruction, of a qualified fishery facility.”.

(2) TAX TREATMENT OF QUALIFIED WITHDRAWALS AND BASIS OF PROPERTY.—Section 53510 of title 46, United States Code, is amended—

(A) in subsections (b) and (c), by striking “or container” each place it appears and inserting “container, or fishery facility”; and

(B) in subsection (d), by striking “and containers” and inserting “containers, and fishery facilities”.

April 3, 2014 (2:01 p.m.)
(3) Tax treatment of nonqualified withdrawals.—Section 53511(e)(4) of title 46, United States Code, is amended by inserting “or fishery facility” after “vessel”.

(e) Technical amendment.—Section 53501 of title 46, United States Code, as amended by subsection (a) of this section, is further amended in paragraph (8)(A)(iii), by striking “trade trade” and inserting “trade”.

SEC. 204. FISHERIES RESEARCH.

(a) Definition of stock assessment.—Section 3 (16 U.S.C. 1802), as amended by section 4 of this Act, is further amended by redesignating paragraphs (45) through (56) as paragraphs (46) through (57), and by inserting after paragraph (44) the following:

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

“(A) a range of life history characteristics for the stock, including—

“(i) the geographical boundaries of the stock; and

“(ii) information on age, growth, natural mortality, sexual maturity and repro-
duction, feeding habits, and habitat pref-

erences of the stock; and

“(B) fishing for the stock.”.

(b) Stock Assessment Plan.—Section 404 (16
U.S.C. 1881c) is amended by adding at the end the fol-
lowing:

“(e) Stock Assessment Plan.—

“(1) In general.—The Secretary shall develop
and publish in the Federal Register, on the same
schedule as required for the strategic plan required
under section 404(b) of such Act, a plan to conduct
stock assessments for all stocks of fish for which a
fishery management plan is in effect under this Act.

“(2) Contents.—The plan shall—

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

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

“(ii) subject to the availability of ap-
propriations, require completion of a new
stock assessment, or an update of the most
recent stock assessment—
“(I) every 5 years, except a Council may delay action for not more than 3 additional 1-year periods; or

“(II) within such other time period specified and justified by the Secretary in the plan;

“(B) for each stock of fish for which a stock assessment has not previously been conducted—

“(i) establish a schedule for conducting an initial stock assessment that is reasonable given the biology and characteristics of the stock; and

“(ii) subject to the availability of appropriations, require completion of the initial stock assessment not later than 3 years after the date that the plan is published in the Federal Register unless another time period is specified and justified by the Secretary in the plan; and

“(C) identify data and analysis, especially concerning recreational fishing, that, if available, would reduce uncertainty in and improve the accuracy of future stock assessments, including whether that data and analysis could be
provided by nongovernmental sources, including fishermen, fishing communities, universities, and research institutions.

“(3) WAIVER OF STOCK ASSESSMENT REQUIREMENT.—Notwithstanding subparagraphs (A)(ii) and (B)(ii) of paragraph (2), a stock assessment shall not be required for a stock of fish in the plan if the Secretary determines that such a stock assessment is not necessary and justifies the determination in the Federal Register notice required by this subsection.”.

(c) DEADLINE.—Notwithstanding paragraph (1) of section 404(e) of the Magnuson-Stevens Fishery Conservation and Management Act, as amended by this section, the Secretary of Commerce shall issue the first stock assessment plan under that section by not later than 1 year after the date of enactment of this Act.

(d) STRATEGIC PLAN.—Section 404(b)(5) (16 U.S.C. 1881c(b)(5)) is amended by striking “and affected States, and provide for coordination with the Councils, affected States, and other research entities” and inserting “, affected States, and tribal governments, and provide for coordination with the Councils, affected States, tribal governments, and other research entities”.
SEC. 205. IMPROVING SCIENCE.

(a) INCORPORATION OF INFORMATION FROM WIDE VARIETY OF SOURCES.—Section 2 (16 U.S.C. 1801), as amended by section 3 of this Act, is further amended by adding at the end of subsection (a)(10) the following:

“Fisheries management is most effective when it incorporates information provided by governmental and non-governmental sources, including State and Federal agency staff, fishermen, fishing communities, universities, research institutions, and other appropriate entities. As appropriate, that information should be considered the best scientific information available and form the basis of conservation and management measures as required by this Act.”

(b) IMPROVING DATA COLLECTION AND ANALYSIS.—

(1) IN GENERAL.—Section 404 (16 U.S.C. 1881c), as amended by section 204 of this Act, is further amended by adding at the end the following:

“(f) IMPROVING DATA COLLECTION AND ANALYSIS.—

“(1) IN GENERAL.—The Secretary, in consultation with the science and statistical committee of the Councils established under section 302(g), shall develop and publish in the Federal Register guidelines that will facilitate greater incorporation of data, analysis, and stock assessments from nongovern-
mental sources, including fishermen, fishing communities, universities, and research institutions, into fisheries management decisions.

“(2) CONTENT.—The guidelines shall—

“(A) identify types of data and analysis, especially concerning recreational fishing, that can be reliably used as the best scientific information available for purposes of this Act and the basis for establishing conservation and management measures as required by section 303(a)(1), including setting standards for the collection and use of that data and analysis in stock assessments and for other purposes;

“(B) provide specific guidance for collecting data and performing analyses identified as necessary to reduce the uncertainty referred to in section 404(e)(2)(C); and

“(C) establish a registry of persons providing such information.

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

“(A) use all data and analyses that meet the guidelines published under paragraph (1) as the best scientific information available for pur-
poses of this Act in fisheries management decisions, unless otherwise determined by the science and statistical committee of the C­ncils established under section 302(g) of this Act;

“(B) explain in the Federal Register notice announcing the fishery management decision how the data and analyses under subparagraph (A) have been used to establish conservation and management measures; and

“(C) if any data or analysis under sub­paragraph (A) is not used, provide in the Fed­eral Register notice announcing the fishery management decision an explanation developed by such science and statistical committee of why that data or analysis was not used.”.

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

(d) INFORMATION COLLECTION; CONTRACTING AU­THORITY.—

Section 402(d) (16 U.S.C. 1881a(d)) is amended by inserting “tribal government,” before “Council” each place it appears.
SEC. 206. SOUTH ATLANTIC RED SNAPPER COOPERATIVE RESEARCH PROGRAM.

(a) IN GENERAL.—Title IV (16 U.S.C. 1881 et seq.) is amended—

(1) by redesignating section 408 as section 409; and

(2) by inserting after section 407 the following:

“SEC. 408. SOUTH ATLANTIC RED SNAPPER COOPERATIVE RESEARCH PROGRAM.

“(a) Research Program Required.—Not later than 90 days after the date of enactment of this Act, the Secretary of Commerce, in consultation with the South Atlantic Fishery Management Council, shall commence carrying out a research program to assess the status of the red snapper fishery in the South Atlantic.

“(b) Duration.—Subject to subsection (g), the research program shall be carried out during the 6-year period beginning on the date of the commencement of the research program.

“(c) Research Permits.—

“(1) In General.—The Secretary shall carry out the research program through the issuance of research permits to participants in the research program.

“(2) Entitlement.—For each research permit that a participant in the research program receives
under the research program in a year of the re-
search program, the participant shall be entitled to
land 1 fish in the fishery described in subsection (a)
in that year.

“(3) Intent to use.—The Secretary shall en-
sure that research permits are only issued under the
research program to participants in the research
program who intend to use the research permits to
gather data by fishing from the fishery described in
subsection (a).

“(4) Number of research permits
issued.—The Secretary shall issue research permits
under the research program as follows:

“(A) During the first 2 years of the re-
search program, up to \[X\] research permits
per year.

“(B) During any subsequent 2-year period
of the research program, such number of re-
search permits as the South Atlantic Fishery
Management Council determines appropriate
using the best available science and with consid-
eration of the needs of other fishery manage-
ment plans.

“(5) Allocation.—The Secretary shall allo-
cate the issuance of research permits to the fol-
allowing categories of persons in percentage distributions determined appropriate by the South Atlantic Fishery Management Council for purposes of meeting the data requirements of the research program:

“(A) Recreational.

“(B) Charter.

“(C) Commercial.

“(6) Transferability.—

“(A) In general.—A person that receives a research permit under the research program may transfer the research permit to another person participating in the research program.

“(B) No consideration.—A person that transfers a research permit under the research program may not receive consideration for that transfer.

“(d) Participation.—

“(1) Voluntary.—Participation in the research program shall be voluntary.

“(2) Exclusion from participation in open season.—A person that participates in the research program in a year of the program may not participate in any fishery management plan in that year that involves the imposition of limitations on periods
in which a fish can or cannot be fished from the
fishery described in subsection (a).

“(3) Report.—

“(A) In general.—At the end of each
year of the research program, each person that
participated in the research program in that
year shall submit to the Secretary the weight
and length of each fish that was fished by the
person under the research program and date of
issue of the research permit that entitled the
person to capture that fish.

“(B) Failure to report.—A person sub-
ject to subparagraph (A) that fails to submit a
report under that subparagraph for a year may
not participate in the research program in any
subsequent year.

“(e) Fees.—

“(1) In general.—Subject to paragraph (3),
the Secretary may collect a fee for each research
permit issued under the research program.

“(2) Disposition of fees.—The Secretary
may use amounts collected under this subsection—

“(A) to administer the research program;
and
“(B) to determine and enhance the red 
snapper biomass in the fisheries under the ju-
risdiction of the South Atlantic Fishery Man-
agement Council.

“(3) LIMITATION.—The Secretary shall ensure 
that no more is collected under this subsection than 
is necessary for the uses set forth in paragraph (2).

“(f) STATE AND LOCAL COOPERATION.—The Sec-
retary may enter into cooperative agreements with State 
and local government agencies to assist the Secretary in 
carrying out the research program.

“(g) BIENNIAL CONSIDERATION OF TERMINATION.—

“(1) CONSIDERATION.—Not less frequently 
than once every 2 years, the Secretary shall assess 
the research program using the best available 
science and determine whether continuing the re-
search program would be advisable.

“(2) TERMINATION.—The Secretary shall ter-
minate the research program on the earlier of the 
following:

“(A) The soonest practicable date after the 
date on which the Secretary makes a deter-
mination under paragraph (1) that continuation 
of the pilot program would not be advisable.
“(B) The date that is 6 years after the date of the commencement of the research program.”.

(b) CONFORMING AMENDMENTS.—The table of contents in the Act is amended—

(1) by redesignating the item relating to section 308 as the item relating to 309; and

(2) by inserting after the item relating to section 307 the following:

“308. South Atlantic red snapper cooperative research program.”.

SEC. 207. FOCUSING ASSETS FOR IMPROVED FISHERIES OUTCOMES.

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

(1) in paragraph (1)—

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

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

(C) by striking “shall be maintained in a separate fund only for” and all that follows and inserting “shall only be used for the purposes described under subsection (c).”; and

(2) by striking paragraph (2).
(b) LIMITATIONS ON BILLS TRANSFERRING FUNDS.—Section 2(b) of the Act of August 11, 1939 (15 U.S.C. 713c-3(b)), as amended by subsection (a) of this section, is further amended by adding at the end the following:

“(2) LIMITATIONS ON BILLS TRANSFERRING FUNDS.—

“(A) IN GENERAL.—It shall not be in order in the Senate or the House of Representatives to consider any bill, resolution, amendment, or conference report that reduces any amount in the fund referred to in paragraph (1) in a manner that is inconsistent with such paragraph.

“(B) LIMITATION ON CHANGES TO THIS PARAGRAPH.—It shall not be in order in the Senate or the House of Representatives to consider any bill, resolution, amendment, or conference report that would repeal or otherwise amend this paragraph.

“(C) WAIVER.—A provision of this paragraph may be waived or suspended in the Senate only by the affirmative vote of three-fifths of the Members, duly chosen and sworn.
“(D) Appeals.—An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on the point of order raised under this paragraph.

“(E) Rules of the Senate and the House of Representatives.—This paragraph is enacted by Congress—

“(i) as an exercise of the rulemaking power of the Senate and the House of Representatives, respectively, and is deemed to be part of the rules of each house, respectively, but applicable only with respect to the procedure to be followed in the House in the case of a bill, resolution, amendment, or conference report under this paragraph, and it supersedes other rules only to the extent that it is inconsistent with such rules; and

“(ii) with full recognition of the constitutional right of either House to change the rules (so far as they relate to the procedure of that House) at any time, in the same manner, and to the same extent as in the case of any other rule of that House.”.
TITLE III—REAUTHORIZATION
OF OTHER FISHERY STATUTES

SEC. 301. ANADROMOUS FISH CONSERVATION ACT.
Section 4 of the Anadromous Fish Conservation Act (16 U.S.C. 757d) is amended by striking “2007 through 2012” and inserting “2015 through 2021”.

SEC. 302. INTERJURISDICTIONAL FISHERIES ACT OF 1986.
Section 308 of the Interjurisdictional Fisheries Act of 1986 (16 U.S.C. 4107) is amended—
(1) in subsection (a), by striking “$5,000,000” and all that follows through the end of that subsection and inserting “[X,XXX,XXX] for each of fiscal years 2015 through 2021.”; and
(2) in subsection (c), by striking “$900,000 for each of fiscal years 2007 through 2012” and inserting “[X,XXX,XXX] for each of fiscal years 2015 through 2021”.

SEC. 303. ATLANTIC COASTAL FISHERIES COOPERATIVE MANAGEMENT ACT.
Section 811(a) of the Atlantic Coastal Fisheries Cooperative Management Act (16 U.S.C. 5108(a)) is amended—
(1) by striking “$10,000,000” and inserting [“X,XXX,XXX”]; and
2 by striking “2001 through 2005” and inserting “2015 through 2021”.

3 SEC. 304. ATLANTIC STRIPED BASS CONSERVATION ACT.


4 SEC. 305. YUKON RIVER SALMON ACT OF 2000.

   Section 208 of the Yukon River Salmon Act of 2000 (16 U.S.C. 5727) is amended by striking “fiscal years 2007 through 2011” and inserting “fiscal years 2015 through 2021”.

5 SEC. 306. STATE AUTHORITY FOR DUNGENESS CRAB FISHERY MANAGEMENT.

   Section 203 of Public Law 105—384 (16 U.S.C. 1856 note) is amended—

   (1) by striking subsection (i); and

   (2) by redesignating subsection (j) as subsection (i).

6 TITLE IV—INTERNATIONAL

7 SEC. 401. SECRETARIAL REPRESENTATIVE FOR INTERNATIONAL FISHERIES.

   (a) In General.—Title II (16 U.S.C. 1821 et seq.) is amended by inserting after section 202 the following:
“SEC. 202A. SECRETARIAL REPRESENTATIVE FOR INTERNATIONAL FISHERIES.

(a) IN GENERAL.—The Secretary, in consultation with the Under Secretary of Commerce for Oceans and Atmosphere, shall designate a senior official who is appointed by the President, by and with the advice and consent of the Senate, to serve as the Secretarial Representative for International Fisheries for the purpose of performing the duties of the Secretary with respect to international agreements involving fisheries and other living marine resources, including the development of policy and representation of the United States as a Commissioner under such international agreements.

(b) ADVICE.—The Secretarial Representative for International Fisheries shall, in consultation with the Deputy Assistant Secretary for International Affairs and the Administrator of the National Marine Fisheries Service, advise the Secretary, Undersecretary of Commerce for Oceans and Atmosphere, and other senior officials of the Department of Commerce and the National Oceanic and Atmospheric Administration on development of policy on international fishery conservation and management matters.

(c) CONSULTATION.—The Secretarial Representative for International Fisheries shall consult with the Committee on Natural Resources of the House of Representa-
tives and the Committee on Commerce, Science, and Transportation of the Senate on matters pertaining to any regional or international negotiation concerning living marine resources.”.

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

(c) CONFORMING AMENDMENT.—The table of contents in the first section of the Act (16 U.S.C. 1801 et seq.) is amended by inserting after the item relating to section 202 the following:

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

SEC. 402. AMENDMENT TO PACIFIC SALMON TREATY ACT OF 1985.

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

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

(2) by inserting after subsection (b) the following:

“(e) COMPENSATION OF COMMITTEE ON SCIENTIFIC COOPERATION MEMBERS.—Members of the Committee on Scientific Cooperation who are not State or Federal employees shall receive compensation at a rate equivalent to
the rate payable for level IV of the Executive Schedule under section 5315 of title 5, United States Code, when engaged in actual performance of duties for the Commission.”; and

(3) by striking “71” in subsection (e), as redesignated, and inserting “171”.

SEC. 403. REAUTHORIZATION OF ATLANTIC TUNAS CONVENTION ACT OF 1975.

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

(1) in subsection (a)(1), by striking “$5,770,000 for each of fiscal years 2007 and 2008” and inserting “[X,XXX,XXX] for each of fiscal years 2015 and 2016”; 

(2) in subsection (a)(2), by striking “$6,058,000 for each of fiscal years 2009 and 2010” and inserting “[X,XXX,XXX] for each of fiscal years 2017 and 2018”; 

(3) in subsection (a)(3), by striking “$6,361,000 for each of fiscal years 2011 and 2013” and inserting “[X,XXX,XXX] for each of fiscal years 2019, 2020, and 2021”; 

(4) in subsection (b)(1), by striking “$160,000” and inserting “[“XXX,XXX”]; and
(5) in subsection (b)(2), by striking “$7,500,000” and inserting “[“$X,XXX,XXX”].


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

(1) in the text preceding paragraph (1)—


(B) by striking “Act including—” and inserting “Act.”; and

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

SEC. 405. HIGH SEAS DRIFTNET FISHING MORATORIUM PROTECTION ACT.

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

(1) by striking “Within 3 months after the date of enactment of the Magnuson-Stevens Fishery Conservation and Management Reauthorization Act of 2006” and inserting “Not later than 3 months after the date of enactment of the Magnuson-Stevens
Fishery Conservation and Management Reauthorization Act of 2014” in paragraph (2);

(2) by striking “and” at the end of paragraph

(3)(B);

(3) in paragraph (3)(C), by striking “agreement.” and inserting “agreement; and”; and

(4) by adding at the end the following:

“(D) to the extent possible—

“(i) fishing activities conducted by

foreign vessels in waters under the jurisdiction of a nation without permission of

that nation; and

“(ii) fishing activities conducted by

foreign vessels in contravention of a nation’s laws, including fishing activity that

has not been reported or that has been

misreported to the relevant national au-

thority of a nation in contravention of that

nation’s laws.”.

(b) Authorization of Appropriations; Illegal, Unreported, or Unregulated Fishing.—Section

609(f) of the High Seas Driftnet Fishing Moratorium Protection Act (16 U.S.C. 1826j(f)) is amended by striking

“2007 through 2013” and inserting “2015 through 2021”.

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(c) Authorization of Appropriations; Equivalent Conservation Measures.—Section 610(f) of the High Seas Driftnet Fishing Moratorium Protection Act (16 U.S.C. 1826k) is amended by striking “2007 through 2013” and inserting “2015 through 2021”.


Section 211 of the Northwest Atlantic Fisheries Convention Act of 1995 (16 U.S.C. 5610) is amended—

(1) by striking “$500,000” and inserting [“$XXX,XXX”]; and

(2) by striking “2012” and inserting “2020”.

TITLE V—MISCELLANEOUS

SEC. 501. TECHNICAL AMENDMENTS.

(a) Magnuson-Stevens Fishery Conservation and Management Act.—

(1) Section 202(e)(5) (16 U.S.C. 1822(e)(5)) is amended by striking “and it Annexes” and inserting “and its Annexes”.

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

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

(B) in subsection (b)(2)(C) by striking “subsection (k)” and inserting “subsection (j)”;

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(C) in subsection (b)(5)(A) by striking “Federally” and inserting “federally”; 
(D) in subsection (b)(6) by striking “paragraphs” and inserting “paragraph”; 
(E) in subsection (h)(5) by striking “except as provided in section” and inserting “except as provided in”; and 
(F) in subsection (i)(3)(B) by striking “subparagraph” and inserting “subparagraph”.

(3) Section 303 (16 U.S.C. 1853) is amended—
(A) in subsection (a)(5)—
(i) by striking “recreational,” and inserting “recreational, and”; and 
(ii) by striking “processors,” and inserting “processors;”; and 
(B) in subsection (b) by redesignating paragraph (14) as paragraph (13).

(4) Section 303A(c)(4)(A)(v) (16 U.S.C. 1853a(c)(4)(A)(v)) is amended by striking “is” and inserting “its”.

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

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(6) Section 312(b)(2)(A) (16 U.S.C. 1861a) is amended by striking “federal or state” and inserting “Federal or State”.

(7) Section 313 (16 U.S.C. 1862) is amended—
(A) in subsection (a)(2), by striking “or system” and inserting “or systems”; and
(B) in subsection (j)(9), by striking “section 307(l)” and inserting “section 307(1)”.

(8) Section 314(a)(3) (16 U.S.C. 1863(a)(3)) is amended by striking “subsection (1)” and inserting “paragraph (1)”.

(9) Section 316(c) (16 U.S.C. 1865(c)) is amended by striking “Interior” and inserting “the Interior”.

(10) Section 401(c)(5) (16 U.S.C. 1881(c)(5)) is amended by striking “subsection” and inserting “section”.


(b) MAGNUSON-STEVENS FISHERY CONSERVATION AND MANAGEMENT REAUTHORIZATION ACT OF 2006.— Section 104 of the Magnuson-Stevens Fishery Conservation and Management Reauthorization Act of 2006 (120
Stat. 3584; 16 U.S.C. 1854 note) is amended by striking subsection (d).

(c) High Seas Driftnet Fishing Moratorium Protection Act.—Section 610(a)(1)(A) of the High Seas Driftnet Fishing Moratorium Protection Act (16 U.S.C. 1826k(a)(1)(A)) is amended by striking “practices;” and inserting “practices—”.

(d) Anadromous Fish Conservation Act.—Section 2 of the Anadromous Fish Conservation Act (16 U.S.C. 757b) is amended in paragraph (5) by striking “Secretary” and inserting “Secretary”.

(e) Northern Pacific Halibut Act of 1982.—The Northern Pacific Halibut Act of 1982 is amended—

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

(2) in section 12 (16 U.S.C. 773j)—

(A) by redesignating subsections (a) and (b) as paragraphs (1) and (2), respectively; and

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

(f) Great Lakes Fishery Act of 1956.—The Great Lakes Fishery Act of 1956 is amended—
(1) in section 3(a)(1)(B) (16 U.S.C. 932(a)(1)(B)) by inserting “a” after “official of”; and


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

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

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

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

(i) PACIFIC SALMON TREATY ACT OF 1985.—The Pacific Salmon Treaty Act of 1985 (16 U.S.C. 3631 et seq.) is amended—
(1) in section 3(a) (16 U.S.C. 3632(a)), by striking “States of Oregon, or Washington” and inserting “State of Oregon or Washington”; and

(2) in section 3(h)(2) (16 U.S.C. 3632(h)(2)) by inserting a period after “under subsection (a)”.


(1) in section 803(6) (16 U.S.C. 5002(6)) by striking “North Latitude” and inserting “north latitude”; and

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

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


(1) in section 704(e), by striking “subsections (b)(1) and (3)” and inserting “paragraphs (1) or (3) of subsection (b)”;
(2) in section 709(c) (16 U.S.C. 5708(c)), by striking “chapter 71” and inserting “chapter 171”; and

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

(m) YUKON RIVER SALMON ACT OF 2000.—Section 206(c) of the Yukon River Salmon Act of 2000 (16 U.S.C. 5725(c)) is amended by striking “chapter 71” and inserting “chapter 171”.

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

(1) in section 502(8) (16 U.S.C. 6901(8)), by striking “Convention Area” and inserting “convention area”;

(2) in section 503 (16 U.S.C. 6902)—

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

(B) by redesignating subsection (f) as subsection (e);

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

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(4) in section 508 (16 U.S.C. 6907)—

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

(B) in subsection (e)(1)((B)(i)), by striking “that” and inserting “than”;

(C) by striking “(e) APPLICATION OF REGULATIONS—” and inserting “(e) APPLICATION OF REGULATIONS.—”; and

(D) in subsection (e)(3), by striking “pursuant” and inserting “under”.

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