

Major Theme	H.R. 200	S. 1520	Differences
<p>Rebuilding Flexibility</p>	<ul style="list-style-type: none"> - would remove the term “possible” and replace it with “practicable” in the requirement in section 304 of the Act that a rebuilding period “be as short as possible”; - would remove the language requiring a 10-year time frame for rebuilding overfished/depleted fisheries and replace it with a requirement that the rebuilding timeframe be the time it would take for the fishery to rebuild without any fishing occurring plus one mean generation time except in the case that: <ul style="list-style-type: none"> - the biology of the stock, other environmental conditions, or management measures under an international agreement dictate otherwise; - the Secretary determines that the cause of the stock being overfished/depleted is outside the jurisdiction of the Council or the rebuilding program cannot be effective only by limiting fishing activities; - the Secretary determines that one or more components of a mixed-stock fishery is depleted but cannot be rebuilt within the timeframe without significant economic harm to the fishery or cannot be rebuilt without causing another component of the mixed-stock fishery to approach a depleted status; - the Secretary determines that recruitment, distribution, or life history of or fishing activities for are affected by informal transboundary agreements under which management activities outside the EEZ by another country may hinder conservation and management efforts by the US; 	<ul style="list-style-type: none"> - would remove the language requiring a 10-year time frame for rebuilding overfished/depleted fisheries and replace it with a requirement that the rebuilding timeframe be the time it would take for the fishery to rebuild without any fishing occurring plus one mean generation time except in the case that management measures under an international agreement dictate otherwise; 	<ul style="list-style-type: none"> - Senate bill does not have the number of “exemptions” to the rebuilding timeframes as the House bill does

	<ul style="list-style-type: none">- the Secretary determines that the stock has been affected by unusual events that make rebuilding within the specified time period improbable without significant economic harm to fishing communities; - would allow Councils to take into account environmental conditions and predator/prey relationships when developing rebuilding plans; - would require that the fishery management plan for any fishery that is considered overfished/depleted specify a schedule for reviewing the rebuilding targets, evaluating environmental impacts on rebuilding progress, and evaluating the progress that is being made toward reaching the rebuilding targets; - would allow a fishery management plan for any fishery that is considered overfished/depleted to use alternative rebuilding strategies including harvest control rules and fishing mortality rate targets to the extent those alternatives are in compliance with the requirements of the Act; - would allow a Council to terminate any rebuilding plan for a fishery that was initially determined to be overfished/depleted and then found not to be overfished/depleted within two years or within 90 days after the completion of the next stock assessment; - would extend the current provision which allows the Secretary to implement emergency interim measures for fisheries in which overfishing is taking place for a second year.	<ul style="list-style-type: none">- would require the Secretary to review any rebuilding plan and determine whether adequate progress has been	
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		<p>made toward reducing overfishing and rebuilding affected stocks</p> <p>- if the Secretary finds that the status of the stock is not improving such that it is unlikely the stock will be rebuilt in the rebuilding timeframe specified in the plan, or if the fishing mortality rate or catch limit is being exceeded and the causes have not been corrected, or if the rebuilding expectations are significantly changed due to new information about the status of the stock and the new information indicates that less progress than expected has been made toward rebuilding the stock, the Council would be prohibited from approving a plan or plan amendment unless the Council's SSC determines that any amendments to the rebuilding plan have at least a 75% probability of meeting the new rebuilding targets.</p>	<p>- current law already requires a review after year 2 of a rebuilding plan</p>
<p>ACL Flexibility</p>	<p>- would allow Councils to use alternative fishery management measures in a recreational fishery or for the recreational component of a mixed-use fishery including the use of extraction rates, fishing mortality targets, and harvest control rules in developing fishery management plans, plan amendments, or proposed regulations;</p> <p>- would allow Councils to consider changes in the ecosystem and the economic needs of the fishing communities when setting annual catch limits (ACLs); however, this must be consistent with the requirement to establish annual catch limits that do not exceed the fishing level recommendation of the science and statistical committee or the peer review process;</p> <p>- would allow Councils to establish ACLs for multi-species stock complexes</p>	<p>- would allow Councils to establish an annual catch limit for a stock complex;</p>	<p>- similar Senate language allowing alternative management measures, but Senate bill does not include specific rebuilding language</p>

	<ul style="list-style-type: none"> - would allow Councils to set ACLs for up to a three year period; - would allow Councils an exemption to the ACL requirement for “ecosystem component species” - would allow an exemption to the ACL requirement for those stocks of fish with a life cycle of approximately 1 year as long as the Secretary has determine the fishery is not subject to overfishing; - would provide an exemption to the ACL requirement for a stock for which more than half of a single year class will complete their life cycle in less than 18 months and for which fishing mortality will have little impact on the stock; - would allow a Council, after notifying the Secretary, to maintain the current annual catch limit for a stock of fish until a peer-reviewed stock survey and stock assessment are conducted and the results are considered by the Council and its SSC for fisheries for which: the total allowable catch limit is 25 percent or more below the overfishing limit; a peer-reviewed stock survey and stock assessment have not been performed during the preceding 5 years; and the stock is not subject to overfishing; - would allow Councils, when setting ACLs, take into account management measures under international agreements in which the U.S. participates and, in the case of an annual catch limit developed by a Council for a species, may take into account fishing activities for that species outside the U.S. EEZ and the life-history characteristics of the species that are 	<ul style="list-style-type: none"> - would allow Councils to establish annual catch limits for each year in any continuous period that is not more than three years in duration. 	
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	<p>not subject to the jurisdiction of the Council;</p> <p>- would provide an exemption to the ACL requirement if fishery management activities by another country outside the US EEZ may hinder conservation efforts by US fishermen for a fish species for which recruitment, distribution, life history, of fishing activities are transboundary and for which no informal transboundary agreements are in effect;</p>		
<p>Catch Shares / Limited Access Privilege Programs</p>	<p>- would prohibit four Councils from submitting and prohibit the Secretary from approving or implementing any new catch share program from those Councils or under a secretarial plan or amendment unless the final program has been approved in a referendum by a majority of the permit holders eligible to participate in the fishery;</p> <p>- would also require that prior to the referendum, the Secretary must provide all eligible permit holders with a copy of the proposed program, an estimate of the costs of the program (including the costs to participants), an estimate of the amount of fish or percentage of the quota each permit holder would be allocated, and information on the schedule, procedures and eligibility criteria for the referendum;</p> <p>- would define “catch share” and “permit holder eligible to participate” in a referendum;</p> <p>- would clarify that the Secretary may not implement any catch share program for any fishery managed exclusively by the Secretary unless first petitioned by a majority of the permit holders eligible to participate in the fishery;</p> <p>- would clarify that the requirement for the referendum does not apply to any</p>		<p>- both bills would place a moratorium on new catch share programs for specific Councils</p> <p>- the House bill includes a moratorium for new catch share programs until a referendum is completed for four Councils – New England, Mid-Atlantic, South Atlantic, and Gulf of Mexico</p> <p>- the Senate bill would place a moratorium on new limited access privilege programs for mixed-use fisheries for</p>

	<p>catch share program that is submitted to or proposed by the Secretary before the date of enactment of the bill;</p> <ul style="list-style-type: none"> - would require the Secretary to issue regulations and provide for public comment on the referendum prior to conducting any referendum; - would require the Secretary, to enter into an arrangement with the National Academies of Sciences, Engineering, and Medicine to study the use of limited access privilege programs in mixed-use fisheries and would identify any inequities caused by a limited access privilege program and report to Congress; - would place a moratorium on the submission and approval of a limited access privilege program for a mixed-use fishery until the report is submitted. This moratorium does not restrict a Council from submitting and does not prevent the Secretary from approving a limited access system or limited access privilege program if the program was part of a pending fishery management plan or plan amendment prior to the enactment of this legislation; - would require that if a Council submits a limited access privilege program under the above exemption to the moratorium described above, the Council must, upon the issuance of the report, review and, to the extent practicable, revise the program to be consistent with the recommendations of the report; - would clarify that nothing in this section may be construed to affect a 	<ul style="list-style-type: none"> - would require the Secretary to seek to enter into an arrangement with the National Academies of Sciences, Engineering, and Medicine to study the use of limited access privilege programs in mixed-use fisheries and would identify any inequities caused by a limited access privilege program and report to Congress; - would impose a moratorium on the submission and approval of any new limited access privilege program for any mixed-use fishery for 2 years after the date of enactment of this legislation. This moratorium shall apply to the Gulf of Mexico, the South Atlantic, and the Mid-Atlantic Fishery Management Councils; but would allow a Council to submit, and the Secretary to approve, a limited access privilege program for a mixed-use fishery that is managed under a limited access system if the program was part of a pending fishery management plan or plan amendment before the date of the enactment - would clarify that nothing in the bill would affect a limited access privilege 	<p>two years for three Councils - Mid-Atlantic, South Atlantic, and Gulf of Mexico</p> <ul style="list-style-type: none"> - the House and Senate bills also differ in that one uses the term “catch share” while the other uses the term “limited access privilege program”
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	<p>limited access privilege program approved by the Secretary prior to the date of enactment of this legislation;</p> <p>- would require the Comptroller General of the United States to submit a report to Congress on the resource rent of limited access privilege programs for red snapper in the Gulf of Mexico and the South Atlantic Ocean and how to reclaim resource rent for red snapper in the Gulf of Mexico and the South Atlantic Ocean as revenue to the United States Treasury; however, this would clarify that the Comptroller General shall not consider fishery management programs in any region other than the Gulf of Mexico and the South Atlantic Ocean and shall not consider any fishery management programs for species other than red snapper;</p>	<p>program approved by the Secretary prior to the date of the enactment of this legislation;</p> <p>- would require that if a Council that approves a limited access privilege program under this exception to the moratorium shall, upon the issuance of the OSB report, review and, to the extent practicable, revise the program to be consistent with the recommendations of the report or any subsequent statutory or regulatory requirements that are intended to implement the recommendations of the report;</p> <p>- would clarify that the study described above shall not include the areas covered by the North Pacific Fishery Management Council;</p>	
<p>Exempted Fishing Permits</p>	<p>- would allow a relevant Council, Interstate Marine Fisheries Commission, or the fish and wildlife agency of an affected State to object to the approval or issuance of an exempted fishing permit (EFP). If such an objection is made, the Regional Administrator of the National Marine Fisheries Service who issued the EFP shall respond to the</p>	<p>- would require that if a fishery management council, an interstate marine fisheries commission, or a fish and wildlife agency of an affected state objects to the issuance of an Exempted Fishing Permit (EFP) the Regional Administrator of NMFS who issued the EFP to respond to that entity in writing detailing why the EFP was issued;</p>	<p>- there is no language prohibiting creating a catch share program through an EFP in the Senate bill</p>

	<p>entity in writing detailing why the EFP had been issued;</p> <ul style="list-style-type: none"> - would require that at the end of the 12-month period after the EFP was issued, the Council that prepared the EFP (or the Secretary in the case of an FMP prepared and implemented by the Secretary) to review the EFP and determine whether any unintended negative impacts had occurred that would warrant discontinuation of the EFP; - would prohibit the Secretary from issuing an EFP if the EFP establishes a limited access system or establishes a catch share program - would clarify that this prohibition would not apply to EFPs approved prior to the date of the enactment of this legislation 	<ul style="list-style-type: none"> - would require that 12 months after the issuance of an EFP, the Council that prepared the fishery management plan (or in the case of a Secretarial plan, the Secretary) shall review the EFP and determine whether any unintended negative impacts have occurred that would warrant discontinuation of the EFP; - would clarify that nothing in this section would affect any EFP issued prior to the date of the enactment of this legislation 	
<p>Reauth. of MSA</p>	<ul style="list-style-type: none"> - would reauthorize the Act for Fiscal Years 2018 – 2022 at the currently authorized level 		<ul style="list-style-type: none"> - the Senate bill does not reauthorize the MSA
<p>Science Provisions</p>	<p>Data Poor Stocks</p> <ul style="list-style-type: none"> - would amend section 304 to require the Secretary, within 2 years of a notification from a Council of a data-poor stock, complete a peer-reviewed stock survey and stock assessment of the applicable stock and transmit the results of the survey and assessment to the Council; <p>Stock Assessment Plan - would require the Secretary to develop and publish in the Federal Register a plan to conduct stock assessments for all stocks of fish under a fishery management plan and use the same schedule as is already required for the strategic plan. <i>For each stock of fish for which a stock assessment has already been conducted</i></p>		

	<p>– the plan must establish a schedule for updating stock assessments that is reasonable based on the biology and characteristics of the stock. Subject to the availability of appropriations, this new plan must complete stock assessments or update the most recent stock assessment every five years or within a time period specified and justified by the Secretary in the plan. <i>For each stock of fish for which a stock assessment has not previously been conducted</i>, the plan must establish a schedule for conducting an initial stock assessment that is reasonable given the biology and characteristics of the stock and, subject to the availability of appropriations, the Secretary would be required to complete the initial stock assessment within 3 years after the plan is published unless a different time period is specified and justified by the Secretary in the plan</p> <p>Cooperative Data Collection</p> <p>- would require the Secretary to develop, in consultation with the science and statistical committees of the Councils and the Marine Fisheries Commissions a report to Congress on facilitating greater incorporation of data, analysis, stock assessments and surveys from State agencies and non-governmental sources into fishery management decisions;</p> <p>- includes a list of entities considered to be non-governmental sources to include fishermen, fishing communities, universities, and research and philanthropic institutions;</p>	<p>Cooperative Data Collection</p> <p>- would require the Secretary of Commerce, in consultation with the science and statistical committees of the Councils and the Marine Fisheries Commissions, to develop and submit a report on facilitating greater incorporation of data, analysis, stock assessments and surveys from State agencies and non-governmental sources into fishery management decisions to the extent such information is consistent with National Standard #2 and would require a report to Congress;</p>	
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	<p>Northeast Regional Pilot Research Trawl Survey and Study</p> <p>- would require the Secretary, to develop a fishing industry-based Northeast regional pilot research trawl survey to study to enhance and provide improvement to the current NOAA vessel trawl surveys. The Secretary shall develop this program in coordination with the relevant Councils selected by the Secretary and with the Northeast Area Monitoring and Assessment Program (NEAMAP);</p> <p>- would authorized the Secretary to select fishing industry vessels to participate in the study by issuing a request for procurement, and authorize the Secretary to use the NEAMAP Southern New England/Mid-Atlantic Nearshore Trawl Survey as a model, and</p>	<p>- would require the Secretary to: identify types of data and analysis – especially concerning recreational fishing – that can be reliably used for the purposes of the Act and as the basis for establishing conservation and management measures as required by section 303(a)(1) and to include the setting of standards for the collection and use of that data and analysis in stock assessments and surveys and for other purposes; provide specific recommendations for collecting data and performing analyses which have been identified as necessary to reduce uncertainty and improve the accuracy of future stock assessments and whether data and analyses could be provided by the listed non-governmental sources; and consider the extent to which the acceptance and use of data and analysis identified in the report in fishery management decisions is practicable and compatible with National Standard #2;</p>	
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	<p>is required to outfit participating vessels with a peer-reviewed net configuration;</p> <ul style="list-style-type: none">- the selected Councils, in partnership with the NMFS Northeast Fisheries Science Center and the Virginia Institute of Marine Sciences, would be required to collect data and evaluate discrepancies between fishing industry vessel data and NOAA data for five years;- upon completion of the pilot survey and study, the Secretary and the selected Councils would be required to submit a detailed report to Congress; <p>Cooperative Research and Management Program</p> <ul style="list-style-type: none">- would amend Section 318 of the Act to require the Secretary, within one year of the enactment of this Act and after consulting with the Councils, to publish a plan for implementing and conducting a cooperative research and management program;- would require that the plan identify and describe critical regional fishery management and research needs, possible projects to address the identified needs, and the estimated costs for such projects;- would require that the plan be updated every five years and each update must include a description of projects that were funded during the previous five years and which management and research needs were addressed by those projects;- would amend current language in the Act to give priority to projects that use fishing vessels or acoustic or other marine technology, expand the use of electronic catch reporting programs and		
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	<p>technology, and improve monitoring and observer coverage through the expanded use of electronic monitoring devices;</p> <p>Electronic Monitoring</p> <ul style="list-style-type: none"> - would require the Secretary, acting through NOAA, to submit a plan to Congress that will establish fully operational electronic monitoring and reporting procedures for the Northeast Multispecies Fishery by September 30, 2021 including include the proposal of NOAA to cover vessel equipment and installation costs, with daily, half-day, or quarter-day operational costs to be borne by the fishing vessels; 		
<p>Council Operations</p>	<ul style="list-style-type: none"> - would add one voting seat to the New England Council to provide a liaison – and require that this additional seat be a current member of the Mid-Atlantic Council - to represent the interests of fisheries under the jurisdiction of the Mid-Atlantic Council and add one voting seat to the Mid-Atlantic Council to provide a liaison – and require that this additional seat be a current member of the New England Council - to represent the interests of fisheries under the jurisdiction of the New England Council; - - would require Scientific and Statistical Committees (SSCs) of the Councils to develop the scientific advice that they provide to the Councils in a transparent manner and to allow for public involvement in the process. - would also require that each Council, to the extent practicable, provide a Webcast, an audio recording or a live broadcast of each Council meeting and for the Council Coordination Committee meetings. In addition, the bill would require audio, video, searchable audio or written transcript for each Council and SSC meeting on the Council’s 		

	<p>website not more than 30 days after the conclusion of the meeting. The bill would require that the Secretary maintain these audios, videos and transcripts and make them available to the public;</p> <p>- would require the Comptroller General of the United States to report on the fiduciary conflicts of interest in the Gulf of Mexico Fishery Management Council and the South Atlantic Fishery Management Council relating to red snapper and ways of effectively eliminating such conflicts</p>		
<p>Regional Provisions</p>	<p>South Atlantic and Gulf of Mexico Allocation Review</p> <p>- would require the Secretary to enter into an agreement with the National Academy of Sciences (NAS) to conduct a study of the mixed-use fisheries of the South Atlantic and Gulf of Mexico;</p> <p>- the NAS would provide guidance to the South Atlantic and Gulf of Mexico Councils on criteria that could be used for allocating fishing privileges and to develop procedures for allocation reviews and potential adjustments in allocations;</p> <p>- would require the South Atlantic and Gulf of Mexico Councils to perform – within 2 years – a review of allocations among the commercial and recreational sectors in all mixed-use fisheries and perform a similar review every 5 years thereafter. This section would require the Councils, in conducting the reviews, to consider in each allocation decision the conservation and socioeconomic benefits the commercial fishing sector and the recreational fishing sector;</p>	<p>South Atlantic and Gulf of Mexico Allocation Review</p> <p>- would require the Secretary to enter into an agreement with the National Academy of Sciences (NAS) to conduct a study of the mixed-use fisheries of the South Atlantic and Gulf of Mexico;</p> <p>- the NAS would provide guidance to the South Atlantic and Gulf of Mexico Councils on criteria that could be used for allocating fishing privileges and to develop procedures for allocation reviews and potential adjustments in allocations;</p> <p>- would require the South Atlantic and Gulf of Mexico Councils to perform – within 2 years – a review of allocations among the commercial and recreational sectors in all mixed-use fisheries and perform a similar review every 5 years thereafter. This section would require the Councils, in conducting the reviews, to consider in each allocation decision the conservation and socioeconomic benefits the commercial fishing sector and the recreational fishing sector.</p>	

	<p>Gulf of Mexico Region</p> <ul style="list-style-type: none">- would prohibit the Secretary of Commerce from counting red snapper mortality that is a result of the removal of offshore oil rigs in determining whether the total allowable catch has been reached;- would strike section 407 of the Act and replace it;- would allow a Gulf State - that conducts a recreational fisheries survey to make catch estimates for the red snapper fishery landed in the State - to submit the survey to the Secretary for certification;- would require the Secretary, within 90 days of the enactment of this legislation, to establish standards for certifying State marine recreational fisheries statistical survey and provide those standards to the Gulf States. The standards must ensure that the State marine recreational fisheries statistical surveys are appropriately pilot tested, independently peer reviewed, and endorsed for implementation by the reviewers. The standards must use designs consistent with accepted survey sampling practices and must minimize the potential for bias and known sources of survey error;- would require the Secretary to make a certification or a denial of the certification for any submitted survey within six month of the survey being submitted under the standards established by the Secretary and establishes a time period for certification, denial of certification, and automatic approval under certain conditions;		
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	<p>North Pacific Region</p> <ul style="list-style-type: none">- would remove a specific date that is currently in the Act regarding State management of vessels in the North Pacific region;- would allow the North Pacific Council to change the harvest limitation under the American Fisheries Act for entities engaged in the directed pollock fishery as long as that percentage does not exceed 24 percent;- would require the North Pacific Fishery Management Council, if the Council issues a fishery management plan for the EEZ in the Arctic Ocean to set aside no less than 10 percent of the total allowable catch for a community development quota for coastal villages located north and east of the Bering Strait;- would require the Secretary to reallocate annually any unused portion of the allocation of fish authorized under section 803 of division B of the Consolidated Appropriations Act, 2004 if the allocation holder named in that statute notifies the Secretary in writing that the holder will not harvest all or part of the allocation;- would amend section 305 of the Act to change the voting requirement that currently requires a unanimous vote of the CDQ Administrative Panel for the Panel to act to require an affirmative vote of five of the six members of the Panel; <p>Florida Specific</p> <ul style="list-style-type: none">- would amend section 307 of the Act to make it unlawful for any diver to engage in shark feeding in covered waters (except for shark feeding conducted by a research institution, university, or government agency for research purposes or for the purpose of		
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	<p>harvesting sharks) and for any person to operate a vessel for hire for the purpose of carrying a passenger to a site if the person knew or should have known the passenger intended to be a diver who engaged in shark feeding in covered waters or engaged in observing shark feeding in covered waters;</p> <p>Mid-Atlantic Region</p> <p>- would exempt the area commonly referred to as the Block Island Sound Transit Zone from any prohibition on fishing for Atlantic striped bass in the U.S. EEZ;</p> <p>New England Region</p> <p>- would amend section 311 of the Act (which allows fines and penalties imposed for violations of the Northeast Multispecies Fishery Management Plan to be used by the Secretary to enforce that Plan) to allow fines and penalties to also be used to enforce and monitor (including electronic monitoring) implementation of that Plan;</p>		
<p>Recreational-Specific Provisions</p>	<p>- would also be required to take into consideration and, to the extent feasible, implement the recommendations of the NAS report titled "Review of the Marine Recreational Information Program (2017). The Secretary would be required to prioritize the evaluation of electronic data collection, including smartphone applications, electronic diaries for prospective data collection, and internet website options;</p>	<p>- would require the Secretary of Commerce to take into consideration and, to the extent feasible, implement the recommendations of the National Academy of Sciences in the 2017 report titled "Review of the Marine Recreational Information Program" and would require the Secretary to submit a report to the appropriate committees of Congress every two years following the date of the enactment of this legislation detailing the progress made to implement the recommendations;</p> <p>- would require the Secretary to consider and implement the NAS recommendations which would: prioritize the evaluation of electronic</p>	

	<p>- would require the Secretary to evaluate whether the design of MRIP for the purposes of stock assessments and determination of stock management reference points is compatible with the needs of in-season management of annual catch limits. The Secretary would be required, if MRIP is incompatible with the needs of in-season management of annual catch limits, determine an alternative method for in-season management;</p> <p>- would require the Secretary to establish partnerships with States to develop best practices for implementing State recreational fisheries programs;</p> <p>- would require the Secretary to develop guidance, in cooperation with the States, that detail best practices for administering State programs and to provide the guidance to the States</p>	<p>data collection including smartphone apps, electronic diaries for prospective data collection, and an internet website option for panel members or for the public; evaluate whether the design of the Marine Recreational Information Program (MRIP) for the purposes of stock assessment and the determination of stock management reference points is compatible with the needs of in-season management of annual catch limits and, if the program is not compatible with such needs, determine an alternative for in-season management;</p> <p>- would require the Secretary to establish a partnership with a State to develop best practices for the implementation of State recreational fishermen registry programs;</p> <p>- would require the Secretary, in cooperation with the States, to develop guidance that details the best practices for administering State programs and to provide the guidance to the States;</p> <p>- would require the Secretary to submit biennial reports to the appropriate committees of Congress that include: the estimated accuracy of the Federal registry program and the existing State registry programs and the estimated accuracy of the information from each State program;</p> <p>- would authorize the Secretary of Commerce to make grants to States to improve the implementation of State registry programs and to assist such State programs in complying with requirements related to changes in recreational data collection under provisions of the MSA that require modifications to the MRIP program. This section would require that any funds awarded through this grant</p>	
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		<p>program be used to support data collection, quality assurance, and outreach to entities submitting the data;</p> <ul style="list-style-type: none">- would require the Secretary to prioritize the grants based on the ability of the grant to improve the quality and accuracy of the programs;- would require the Secretary of Commerce, within 90 days of the enactment of this legislation, to enter into an agreement with the National Academy of Sciences to evaluate how the design of MRIP, for the purposes of stock assessment and the determination of stock management reference points, can be improved to better meet the needs of in-season management of annual catch limits and what actions the Secretary could take to improve the accuracy and timeliness of data collection and analysis to improve the MRIP and facilitate in-season management;- would then require the Secretary, within 6 months of receiving the report from the NAS, to submit to Congress recommendations for changes that could be made to MRIP to make the program better meet the needs of in-season management of annual catch limits and other requirements and alternative management approaches that could be applied to recreational fisheries for which MRIP is not meeting the needs of in-season management of annual catch limits, consistent with other requirements of the MSA until such time as the changes are made to the MRIP;- would add an additional authority under section 302(h) (Functions of the Councils) to allow Councils to use alternative fishery management	
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		<p>measures in a recreational fishery (or the recreational component of a mixed-use fishery) in developing a fishery management plan, plan amendment, or proposed regulations. This authority would include the ability to use extraction rates, fishing mortality targets, harvest control rules, or traditional or cultural practices of native communities;</p> <ul style="list-style-type: none"> - would require that the Secretary of Commerce report to the appropriate committees of Congress within 180 days of the enactment of this legislation describing the use of alternative management measures as a result of this new authority; - would clarify that nothing in this new authority shall be construed to affect management of any fishery not described in the new authority; 	
<p>Misc.</p>	<ul style="list-style-type: none"> - would require the Secretary when issuing the annual report on the status of fisheries note if a stock was “depleted” (or approaching that condition) as a result of fishing or as a result of factors other than fishing and whether the fishery is a target of directed fishing; - would prohibit the Secretary of Commerce from counting any fish seized from a foreign vessel engaging in illegal fishing in the U.S. EEZ in determining the total allowable catch for that fishery; - would amend the definition of “essential fish habitat” to exempt an area that was previously covered by land or a fresh water environment; and is in a State where specific average annual land loss occurs and exempts projects undertaken by a State or local government with the purpose of restoration or protection of an area described above; 		

	<ul style="list-style-type: none"> - would require the Secretary, acting through NOAA and within 6 months of the enactment of this legislation, to study and report to Congress on all fees imposed by the Administration on the lobster fishing industry; - would amend Title III of the Act to require the Secretary (subject to the approval of an exempted fishing permit submitted by a participating State and under certain conditions) to issue regulations under which a participating State may issue a tag authorizing an individual to take a fish of a covered species in Federal waters (in addition to any fish which can already be legally taken in Federal waters) for submitting lionfish taken in Federal or State waters; 	<ul style="list-style-type: none"> - would clarify that nothing in this legislation shall be construed as modifying the requirements of: the National Standards [section 301(a)]; the requirement for Councils to develop annual catch limits for each of its managed fisheries that may not exceed the fishing level recommendations of its scientific and statistical committee or the peer review process [section 302(h)(6)]; or the requirement that each fishery management plan establish a mechanism for specifying annual catch limits in the plan (including a multiyear plan), implementing regulations, or annual specifications, at a level such that overfishing does not occur in the fishery, including measures to ensure accountability [section 303(a)(15)]; - includes a Congressional Finding that declares that while both recreational and commercial fishing provide significant cultural and economic benefits to the Nation, the two activities are fundamentally different and therefore management approaches should be adapted to the 	
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		characteristics of each of the sectors <i>(Note: Congressional Findings do not carry the weight of law.)</i>	
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