

109TH CONGRESS
2^D SESSION

H. R. 5447

To amend the Magnuson-Stevens Fishery Conservation and Management Act to authorize the Secretary of Commerce to establish a regional economic transition program to provide immediate disaster relief assistance to the fishermen, charter fishing operators, United States fish processors, and owners of related fishery infrastructure affected by a catastrophic regional fishery disaster, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 22, 2006

Mr. JINDAL introduced the following bill; which was referred to the Committee on Resources

A BILL

To amend the Magnuson-Stevens Fishery Conservation and Management Act to authorize the Secretary of Commerce to establish a regional economic transition program to provide immediate disaster relief assistance to the fishermen, charter fishing operators, United States fish processors, and owners of related fishery infrastructure affected by a catastrophic regional fishery disaster, and for other purposes.

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

1 **SECTION 1. REGIONAL COASTAL DISASTER ASSISTANCE,**
2 **TRANSITION, AND RECOVERY PROGRAM.**

3 (a) IN GENERAL.—Title III of the Magnuson-Stevens
4 Fishery Conservation and Management Act (16 U.S.C.
5 1851 et seq.) is amended by adding at the end the fol-
6 lowing:

7 **“SEC. 315. REGIONAL COASTAL DISASTER ASSISTANCE,**
8 **TRANSITION, AND RECOVERY PROGRAM.**

9 “(a) IN GENERAL.—When there is a catastrophic re-
10 gional fishery disaster the Secretary may, upon the re-
11 quest of, and in consultation with, the Governors of af-
12 fected States, establish a regional economic transition pro-
13 gram to provide immediate disaster relief assistance to the
14 fishermen, charter fishing operators, United States fish
15 processors, and owners of related fishery infrastructure af-
16 fected by the disaster.

17 “(b) PROGRAM COMPONENTS.—

18 “(1) IN GENERAL.—Subject to the availability
19 of appropriations, the program shall provide funds
20 or other economic assistance to affected entities, or
21 to governmental entities for disbursement to affected
22 entities, for—

23 “(A) meeting immediate regional shoreside
24 fishery infrastructure needs, including proc-
25 essing facilities, cold storage facilities, ice
26 houses, docks, including temporary docks and

1 storage facilities, and other related shoreside
2 fishery support facilities and infrastructure;

3 “(B) financial assistance and job training
4 assistance for fishermen who wish to remain in
5 a fishery in the region that may be temporarily
6 closed as a result of environmental or other ef-
7 fects associated with the disaster;

8 “(C) vessel repair and refloating;

9 “(D) debris removal and cleaning;

10 “(E) public and private oyster bed, shrimp,
11 and other fisheries rehabilitation; and

12 “(F) any other activities authorized under
13 section 312(a) of this Act or section 308(d) of
14 the Interjurisdictional Fisheries Act of 1986
15 (16 U.S.C. 4107(d)).

16 “(2) JOB TRAINING.—Any fisherman who de-
17 cides to scrap a fishing vessel under the program
18 shall be eligible for job training assistance.

19 “(3) NO MATCHING REQUIRED.—The Secretary
20 may waive the matching requirements of section 312
21 of this Act, section 308 of the Interjurisdictional
22 Fisheries Act of 1986 (16 U.S.C. 4107), and any
23 other provision of law under which the Federal share
24 of the cost of any activity is limited to less than 100
25 percent if the Secretary determines that—

1 “(A) no reasonable means are available
2 through which applicants can meet the match-
3 ing requirement; and

4 “(B) the probable benefit of 100 percent
5 Federal financing outweighs the public interest
6 in imposition of the matching requirement.

7 “(4) NET REVENUE LIMIT INAPPLICABLE.—
8 Section 308(d)(3) of the Interjurisdictional Fisheries
9 Act (16 U.S.C. 4107(d)(3)) shall not apply to assist-
10 ance under this section.

11 “(c) REGIONAL IMPACT EVALUATION.—Within 2
12 months after a catastrophic regional fishery disaster the
13 Secretary shall provide the Governor of each State partici-
14 pating in the program a comprehensive economic and
15 socio-economic evaluation of the affected region’s fisheries
16 to assist the Governor in assessing the current and future
17 economic viability of affected fisheries, including the eco-
18 nomic impact of foreign fish imports and the direct, indi-
19 rect, or environmental impact of the disaster on the fish-
20 ery and coastal communities.

21 “(d) CATASTROPHIC REGIONAL FISHERY DISASTER
22 DEFINED.—In this section the term ‘catastrophic regional
23 fishery disaster’ means a natural disaster, including a hur-
24 ricane or tsunami, or a judicial or regulatory closure to
25 protect human health or the marine environment, that—

1 “(1) results in economic losses to coastal or
2 fishing communities;

3 “(2) affects more than 1 State or a major fish-
4 ery managed by a Council or interstate fishery com-
5 mission; and

6 “(3) is determined by the Secretary to be a
7 commercial fishery failure under section 312(a) of
8 this Act or a fishery resource disaster or section
9 308(d) of the Interjurisdictional Fisheries Act of
10 1986 (16 U.S.C. 4107(d)).”.

11 (b) CLERICAL AMENDMENT.—The table of contents
12 in the first section of that Act is amended by inserting
13 after the item relating to section 314 the following:

“Sec. 315. Regional coastal disaster assistance, transition, and recovery pro-
gram”.

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