

Calendar No. 753

107TH CONGRESS
2^D SESSION**H. R. 1989****[Report No. 107-340]**

IN THE SENATE OF THE UNITED STATES

DECEMBER 12, 2001

Received; read twice and referred to the Committee on Commerce, Science,
and Transportation

NOVEMBER 13, 2002

Reported by Mr. HOLLINGS, with an amendment

[Strike all after the enacting clause and insert the part printed in italic]

AN ACTTo reauthorize various fishing conservation management
programs, 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,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Fisheries Conservation
5 Act of 2001”.

1 **TITLE I—INTERJURISDICTIONAL**
2 **FISHERIES ACT OF 1986**

3 **SEC. 101. REAUTHORIZATION OF INTERJURISDICTIONAL**
4 **FISHERIES ACT OF 1986.**

5 Section 308 of the Interjurisdictional Fisheries Act
6 of 1986 (16 U.S.C. 4107) is amended—

7 (1) by amending subsection (a) to read as fol-
8 lows:

9 “(a) GENERAL APPROPRIATIONS.—There are author-
10 ized to be appropriated to the Department of Commerce
11 for apportionment to carry out the purposes of this title—

12 “(1) \$4,900,000 for fiscal year 2002;

13 “(2) \$5,400,000 for each of fiscal years 2003
14 and 2004; and

15 “(3) \$5,900,000 for each of fiscal years 2005
16 and 2006.”; and

17 (2) in subsection (c) by striking “\$700,000 for
18 fiscal year 1997, and \$750,000 for each of the fiscal
19 years 1998, 1999, and 2000” and inserting
20 “\$800,000 for fiscal year 2002, \$850,000 for each
21 of fiscal years 2003 and 2004, and \$900,000 for
22 each of fiscal years 2005 and 2006”.

1 **SEC. 102. PURPOSES OF THE INTERJURISDICTIONAL FISHERIES ACT OF 1986.**
2

3 Section 302 of the Interjurisdictional Fisheries Act
4 of 1986 (16 U.S.C. 4101) is amended by striking “and”
5 after the semicolon at the end of paragraph (1), striking
6 the period at the end of paragraph (2) and inserting “;
7 and”, and adding at the end the following:

8 “(3) to promote and encourage research in
9 preparation for the implementation of the use of eco-
10 systems and interspecies approaches to the conserva-
11 tion and management of interjurisdictional fishery
12 resources throughout their range.”

13 **TITLE II—ANADROMOUS FISH**
14 **CONSERVATION ACT**

15 **SEC. 201. REAUTHORIZATION OF ANADROMOUS FISH CON-**
16 **SERVATION ACT.**

17 Section 4 of the Anadromous Fish Conservation Act
18 (16 U.S.C. 757d) is amended to read as follows:

19 “AUTHORIZATION OF APPROPRIATIONS

20 “SEC. 4. (a)(1) There are authorized to be appro-
21 priated to carry out the purposes of this Act not to exceed
22 the following sums:

23 “(A) \$4,500,000 for fiscal year 2002;

24 “(B) \$4,750,000 for each of fiscal years 2003
25 and 2004; and

1 “(C) \$5,000,000 for each of fiscal years 2005
2 and 2006.”

3 “(2) Sums appropriated under this subsection are au-
4 thorized to remain available until expended.

5 “(b) Not more than \$625,000 of the funds appro-
6 priated under this section in any one fiscal year shall be
7 obligated in any one State.”

8 **SEC. 202. RESEARCH ON AND USE OF ECOSYSTEMS AND**
9 **INTERSPECIES APPROACHES TO THE CON-**
10 **SERVATION AND MANAGEMENT.**

11 The first section of the Anadromous Fish Conserva-
12 tion Act (16 U.S.C. 757a) is amended in subsection (b)
13 by inserting “(1)” after “(b)”, and by adding at the end
14 the following:

15 “(2) In carrying out responsibilities under this sec-
16 tion, the Secretary shall conduct, promote, and encourage
17 research in preparation for the implementation of the use
18 of ecosystems and interspecies approaches to the conserva-
19 tion and management of anadromous and Great Lakes
20 fishery resources.”

1 **TITLE III—ATLANTIC COASTAL**
2 **FISHERIES**

3 **SEC. 301. REAUTHORIZATION OF ATLANTIC STRIPED BASS**
4 **CONSERVATION ACT.**

5 Section 7(a) of the Atlantic Striped Bass Conserva-
6 tion Act (16 U.S.C. 1851 note) is amended by striking
7 “and 2003” and inserting “2003, 2004, 2005, and 2006”.

8 **SEC. 302. REAUTHORIZATION OF ATLANTIC COASTAL FISH-**
9 **ERIES COOPERATIVE MANAGEMENT ACT.**

10 Section 811(a) of the Atlantic Coastal Fisheries Co-
11 operative Management Act (16 U.S.C. 5108) is amended
12 by striking “2005” and inserting “2006”.

13 **SEC. 303. AMENDMENTS TO ATLANTIC COASTAL FISHERIES**
14 **COOPERATIVE MANAGEMENT ACT.**

15 (a) FINDINGS.—Section 802(a) of the Atlantic Coast-
16 al Fisheries Cooperative Management Act (16 U.S.C.
17 5101(a)) is amended by adding at the end the following:

18 “(7) The understanding of the interactions of
19 species in the maritime environment and the devel-
20 opment of ecosystems-based approaches to fishery
21 conservation and management lead to better stew-
22 ardship and sustainability of coastal fishery re-
23 sources.

24 “(8) Federal and State scientists should gather
25 information on the interaction of species in the ma-

1 rine environment and provide this scientific informa-
2 tion to Federal and State managers.”.

3 (b) PURPOSE.—Section 802(b) of such Act (16
4 U.S.C. 5101(b)) is amended to read as follows:

5 “(b) PURPOSE.—The purpose of this title is to sup-
6 port and encourage the development, implementation, and
7 enforcement of effective interstate conservation and man-
8 agement of Atlantic coastal fishery resources through the
9 use of sound science and multispecies, adaptive, and eco-
10 system-based management measures.”.

11 (c) STATE-FEDERAL COOPERATION IN MULTISPE-
12 CIES AND ECOSYSTEMS INTERACTION RESEARCH.—Sec-
13 tion 804(a) of such Act (16 U.S.C. 5103(a)) is amended
14 by inserting “multispecies and ecosystems interaction re-
15 search;” after “biological and socioeconomic research;”.

16 (d) ASSISTANCE FOR RESEARCH REGARDING INTER-
17 RELATIONSHIPS AMONG ATLANTIC COASTAL FISHERY
18 RESOURCES AND THEIR ECOSYSTEMS.—Section 808 of
19 such Act (16 U.S.C. 5107) is amended by striking “and”
20 after the semicolon at the end of paragraph (1), redesign-
21 ating paragraph (2) as paragraph (3), and inserting after
22 paragraph (1) the following:

23 “(2) research to understand the interrelation-
24 ships among Atlantic coastal fishery resources and
25 their ecosystems; and”.

1 **TITLE IV—ATLANTIC TUNAS**
2 **CONVENTION ACT OF 1975**

3 **SEC. 401. REAUTHORIZATION OF THE ATLANTIC TUNAS**
4 **CONVENTION ACT OF 1975.**

5 Section 10 of the Atlantic Tunas Convention Act of
6 1975 (16 U.S.C. 971h) is amended to read as follows:

7 “AUTHORIZATION OF APPROPRIATIONS

8 “SEC. 10. (a) IN GENERAL.—There are authorized
9 to be appropriated to carry out this Act, including use for
10 payment of the United States share of the joint expenses
11 of the Commission as provided in Article X of the Conven-
12 tion, the following sums:

13 “(1) For each of fiscal years 2002, 2003, and
14 2004, \$5,480,000.

15 “(2) For each of fiscal years 2005 and 2006,
16 \$5,495,000.

17 “(b) ALLOCATION.—Of amounts available under this
18 section for each fiscal year—

19 “(1) \$150,000 are authorized for the advisory
20 committee established under section 4 and the spe-
21 cies working groups established under section 4A;
22 and

23 “(2) \$4,240,000 are authorized for research ac-
24 tivities under this Act and the Act of September 4,
25 1980 (16 U.S.C. 971i).”.

1 **TITLE V—NORTHWEST ATLANTIC FISHERIES CONVENTION ACT OF 1995**

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4 **SEC. 501. REAUTHORIZATION OF THE NORTHWEST ATLANTIC FISHERIES CONVENTION ACT OF 1995.**

5
6 Section 211 of the Northwest Atlantic Fisheries Convention Act of 1995 (16 U.S.C. 5610) is amended by striking
7
8 ing “2001” and inserting “2006”.

9 **TITLE VI—EXTENSION OF DEADLINE FOR SUBMISSION OF OCEAN POLICY REPORT**

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11
12 **SEC. 601. EXTENSION OF DEADLINE.**

13 (a) **EXTENSION OF DEADLINE.**—The Oceans Act of
14 2000 (Public Law 106–256) is amended—

15 (1) in section 3(f)(1) (114 Stat. 647) by striking
16 ing “18 months” and inserting “27 months”;

17 (2) in section 3(i) (114 Stat. 648) by striking
18 “30 days” and inserting “90 days”; and

19 (3) in section 4(a) (114 Stat. 648; 33 U.S.C.
20 857–19 note) by striking “120 days” and inserting
21 “90 days”.

22 (b) **AUTHORIZATION OF APPROPRIATIONS.**—Section
23 3(j) of such Act (114 Stat. 648) is amended by striking
24 “\$6,000,000” and inserting “\$8,500,000”.

1 ~~(e) TECHNICAL CORRECTIONS.—Section 3(e) of such~~
2 ~~Act (114 Stat. 646) is amended—~~

3 ~~(1) in paragraph (1) by striking the colon in~~
4 ~~the third sentence and inserting a period;~~

5 ~~(2) by inserting immediately after such period~~
6 ~~the following:~~

7 ~~“(2) NOTICE; MINUTES; PUBLIC AVAILABILITY~~
8 ~~OF DOCUMENTS.—”;~~ and

9 ~~(3) by redesignating the subsequent paragraphs~~
10 ~~in order as paragraphs (3) and (4), respectively.~~

11 **SECTION 1. SHORT TITLE.**

12 *This Act may be cited as the “Fisheries Conservation*
13 *Act of 2002”.*

14 **TITLE I—INTERJURISDICTIONAL**
15 **FISHERIES ACT OF 1986**

16 **SEC. 101. REAUTHORIZATION OF INTERJURISDICTIONAL**
17 **FISHERIES ACT OF 1986.**

18 *Section 308 of the Interjurisdictional Fisheries Act of*
19 *1986 (16 U.S.C. 4107) is amended—*

20 *(1) by amending subsection (a) to read as fol-*
21 *lows:*

22 ~~“(a) GENERAL APPROPRIATIONS.—There are author-~~
23 ~~ized to be appropriated to the Department of Commerce for~~
24 ~~apportionment to carry out the purposes of this title—~~

25 ~~“(1) \$4,900,000 for fiscal year 2002;~~

1 “(2) \$5,400,000 for each of fiscal years 2003 and
2 2004; and

3 “(3) \$5,900,000 for each of fiscal years 2005 and
4 2006.”; and

5 (2) in subsection (c) by striking “\$700,000 for
6 fiscal year 1997, and \$750,000 for each of the fiscal
7 years 1998, 1999, and 2000” and inserting “\$800,000
8 for fiscal year 2002, \$850,000 for each of fiscal years
9 2003 and 2004, and \$900,000 for each of fiscal years
10 2005 and 2006”.

11 **SEC. 102. PURPOSES OF THE INTERJURISDICTIONAL FISH-**
12 **ERIES ACT OF 1986.**

13 Section 302 of the Interjurisdictional Fisheries Act of
14 1986 (16 U.S.C. 4101) is amended—

15 (1) by striking “and” after the semicolon at the
16 end of paragraph (1);

17 (2) by striking “range.” in paragraph (2) and
18 inserting “range; and”; and

19 (3) adding at the end the following:

20 “(3) to promote and encourage research in prep-
21 aration for the implementation of the use of eco-
22 systems and interspecies approaches to the conserva-
23 tion and management of interjurisdictional fishery
24 resources throughout their range.”.

1 **TITLE II—ANADROMOUS FISH**
2 **CONSERVATION ACT**

3 **SEC. 201. REAUTHORIZATION OF ANADROMOUS FISH CON-**
4 **SERVATION ACT.**

5 *Section 4 of the Anadromous Fish Conservation Act*
6 *(16 U.S.C. 757d) is amended to read as follows:*

7 “AUTHORIZATION OF APPROPRIATIONS

8 “SEC. 4. (a)(1) *There are authorized to be appro-*
9 *priated to carry out the purposes of this Act not to exceed*
10 *the following sums:*

11 “(A) \$4,500,000 for fiscal year 2002;

12 “(B) \$4,750,000 for each of fiscal years 2003 and
13 2004; and

14 “(C) \$5,000,000 for each of fiscal years 2005 and
15 2006.

16 “(2) *Sums appropriated under this subsection are au-*
17 *thorized to remain available until expended.*

18 “(b) *Not more than \$625,000 of the funds appropriated*
19 *under this section in any one fiscal year shall be obligated*
20 *in any one State.”.*

21 **SEC. 202. RESEARCH ON AND USE OF ECOSYSTEMS AND**
22 **INTERSPECIES APPROACHES TO THE CON-**
23 **SERVATION AND MANAGEMENT.**

24 *The first section of the Anadromous Fish Conservation*
25 *Act (16 U.S.C. 757a) is amended in subsection (b) by in-*

1 *serting “(1)” after “(b)”, and by adding at the end the fol-*
 2 *lowing:*

3 *“(2) In carrying out responsibilities under this section,*
 4 *the Secretary shall conduct, promote, and encourage re-*
 5 *search in preparation for the implementation of the use of*
 6 *ecosystems and interspecies approaches to the conservation*
 7 *and management of anadromous and Great Lakes fishery*
 8 *resources.”.*

9 **TITLE III—ATLANTIC TUNAS**
 10 **CONVENTION ACT OF 1975**

11 **SEC. 301. REAUTHORIZATION OF THE ATLANTIC TUNAS**
 12 **CONVENTION ACT OF 1975.**

13 *Section 10 of the Atlantic Tunas Convention Act of*
 14 *1975 (16 U.S.C. 971h) is amended to read as follows:*

15 **“AUTHORIZATION OF APPROPRIATIONS**

16 **“SEC. 10. (a) IN GENERAL.—***There are authorized to*
 17 *be appropriated to carry out this Act, including use for*
 18 *payment of the United States share of the joint expenses*
 19 *of the Commission as provided in Article X of the Conven-*
 20 *tion, the following sums:*

21 **“(1) For each of fiscal years 2002, 2003, and**
 22 **2004, \$5,480,000.**

23 **“(2) For each of fiscal years 2005 and 2006,**
 24 **\$5,495,000.**

25 **“(b) ALLOCATION.—***Of amounts available under this*
 26 *section for each fiscal year—*

1 “(1) \$150,000 are authorized for the advisory
2 committee established under section 4 and the species
3 working groups established under section 4A; and

4 “(2) \$4,240,000 are authorized for research ac-
5 tivities under this Act and the Act of September 4,
6 1980 (16 U.S.C. 971i).”.

7 **TITLE IV—NORTHWEST ATLAN-**
8 **TIC FISHERIES CONVENTION**
9 **ACT OF 1995**

10 **SEC. 401. REAUTHORIZATION OF THE NORTHWEST ATLAN-**
11 **TIC FISHERIES CONVENTION ACT OF 1995.**

12 Section 211 of the Northwest Atlantic Fisheries Con-
13 vention Act of 1995 (16 U.S.C. 5610) is amended by strik-
14 ing “2001” and inserting “2006”.

15 **TITLE V—EXTENSION OF DEAD-**
16 **LINE FOR SUBMISSION OF**
17 **OCEAN POLICY REPORT**

18 **SEC. 501. EXTENSION OF DEADLINE.**

19 (a) *EXTENSION OF DEADLINE.*—The Oceans Act of
20 2000 (Public Law 106–256) is amended—

21 (1) in section 3(i) (114 Stat. 648) by striking
22 “30 days” and inserting “90 days”; and

23 (2) in section 4(a) (114 Stat. 648; 33 U.S.C.
24 857–19 note) by striking “120 days” and inserting
25 “90 days”.

1 (b) *AUTHORIZATION OF APPROPRIATIONS.*—Section
2 3(j) of such Act (114 Stat. 648) is amended by striking
3 “\$6,000,000” and inserting “\$8,500,000”.

4 (c) *TECHNICAL CORRECTIONS.*—Section 3(e) of such
5 Act (114 Stat. 646) is amended—

6 (1) by striking “it.” in paragraph (1) and in-
7 serting “it.”;

8 (2) by inserting immediately after such period
9 the following:

10 “(2) *NOTICE; MINUTES; PUBLIC AVAILABILITY OF*
11 *DOCUMENTS.*—”; and

12 (3) by redesignating paragraphs (2) and (3) as
13 paragraphs (3) and (4), respectively.

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107TH CONGRESS
2^D SESSION

H. R. 1989

[Report No. 107-340]

AN ACT

To reauthorize various fishing conservation
management programs, and for other purposes.

NOVEMBER 13, 2002

Reported with an amendment