

H.R. 1207 – The “Healthy Fisheries through Better Science Act”

Sponsor - Congressman Wittman (R-Virginia)

Introduced on March 2, 2015

Referred to the House Natural Resources Committee

Section 1 – Short Title.

Section 2 – Definition of Stock Assessment. This provision would add a new definition of “stock assessment” to the Act.

Section 3 – Stock Assessment Plan – This provision would require the Secretary, within one year, to create a plan to conduct stock assessments of each stock of fish for which there is a fishery management plan in place and then, subject to the availability of appropriations, conduct a new stock assessment for each of those stocks that has previously been assessed at least once every five years (or within a time frame specified by the Secretary).

The provision would require the Secretary, for those stocks that have not been assessed previously, to establish a schedule for conducting an initial assessment and require the Secretary to conduct an initial stock assessment for each of those stocks within 3 years, subject to the availability of appropriations and unless the Secretary specifies a different time period.

The provision allows the Secretary to waive the stock assessment requirement if the Secretary determines that the assessment is not necessary and justifies that determination and publishes that determination in the Federal Register.

Section 4 – Improving Science – This provision would amend one of the “Congressional Findings” in the Act so that it would read (proposed new language in *italics*), “The Congress finds and declares the follow: The collection of reliable data is essential to the effective conservation, management, and scientific understanding of the fishery resources of the United States. *Fisheries management is most effective when it incorporates information provided by governmental and nongovernmental sources, including State and Federal agency staff, fishermen, fishing communities, universities, research institutions, and other appropriate entities. As appropriate, such information should be considered the best scientific information available and form the basis of conservation and management measures as required by this Act.*”

The bill would require the Secretary within one year, in consultation with the scientific and statistical committees (SSC) of the Councils, develop guidelines that will facilitate greater incorporation of data, analysis and stock assessments from non-governmental sources for the use in fisheries management decisions. It lists a number of sources of such data including fishermen, fishing communities, universities, and research institutions. The bill would require that the guidelines: identify the types of data (especially concerning recreational fishing) that can reliably be used as best scientific information available; set standards for the collection and use of such data; provide specific guidance for the collection of the data and for performing analyses to reduce uncertainty; and establish a registry of persons providing such information.

The bill would require that the Secretary and the Councils use all of the data and analysis that meet the new guidelines in their fisheries management decisions unless the Council's SSC determines otherwise. The bill would require that the Secretary and the Councils explain in each fishery management decision how the data and analysis that had been provided by these non-governmental sources had been used to establish conservation and management measures and publish the explanation in the Federal Register. If any of the data and analysis provided by these non-governmental sources is not used in a fishery conservation or management decision, the Federal Register notice announcing the decision must include an explanation – developed by the SSC – why the data or analysis was not used.

Section 5 – Cost Reduction Report – This provision would require the Secretary of Commerce, in consultation with the Councils, to submit a report to Congress with respect to each fishery governed by a fishery management plan that identifies the goals the monitoring and enforcement programs, identifies the methods for accomplishing those goals, certify which methods are most cost-effective, and explains why the most cost-effective methods are not required.

Section 6 – Cost Sharing – This provision would prohibit the Secretary of Commerce from collecting any fee authorized under section 304(d) or section 313(a) before preparing an analysis that identifies the costs that will be recovered by the fee and the costs that will not be recovered by the fee. The provision would require that the analysis be included in the applicable fishery management plan.