

S 1335

Ensuring Access to Fisheries Act

Congress: 114 (2015–2017, Ended)

Chamber: Senate

Policy Area: Public Lands and Natural Resources

Introduced: May 13, 2015

Current Status: Held at the desk.

Latest Action: Held at the desk. (May 18, 2016)

Official Text: <https://www.congress.gov/bill/114th-congress/senate-bill/1335>

Sponsor

Name: Sen. Sullivan, Dan [R-AK]

Party: Republican • **State:** AK • **Chamber:** Senate

Cosponsors (1 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Schatz, Brian [D-HI]	D · HI		May 13, 2015

Committee Activity

Committee	Chamber	Activity	Date
Commerce, Science, and Transportation Committee	Senate	Reported By	Mar 28, 2016

Subjects & Policy Tags

Policy Area:

Public Lands and Natural Resources

Related Bills

Bill	Relationship	Last Action
114 HR 6452	Related bill	Dec 16, 2016: Became Public Law No: 114-327.
114 HR 4576	Related bill	Sep 13, 2016: Received in the Senate.
114 S 1336	Related bill	Apr 6, 2016: Placed on Senate Legislative Calendar under General Orders. Calendar No. 419.
114 HR 3269	Identical bill	Aug 31, 2015: Referred to the Subcommittee on Water, Power and Oceans.
114 S 1251	Related bill	Aug 28, 2015: Placed on Senate Legislative Calendar under General Orders. Calendar No. 200.

Ensuring Access to Fisheries Act

TITLE I--NORTH PACIFIC FISHERIES

Subtitle A--North Pacific Fisheries Convention Implementation Act

North Pacific Fisheries Convention Implementation Act

(Sec. 103) This bill authorizes the National Oceanic and Atmospheric Administration (NOAA) to promulgate regulations to implement U.S. participation in the North Pacific Fisheries Convention. The convention is designed to ensure the long-term conservation and sustainable use of fishery resources and marine ecosystems in the North Pacific Ocean.

The United States must be represented by five commissioners on the North Pacific Fisheries Commission.

In addition, a permanent advisory committee is established, which shall be comprised of 11 members. Advisory committee members shall represent groups concerned with fishery resources covered by the North Pacific Fisheries Convention.

(Sec. 104) The Department of State has the authority to receive and transmit various communications concerning the commission.

(Sec. 105) The bill details NOAA's authority in implementing this bill and measures adopted by the commission.

(Sec. 106) NOAA and the U.S. Coast Guard are required to administer and enforce this bill.

(Sec. 107) This bill lists 15 fishing and shipping activities that are prohibited in the North Pacific Ocean.

(Sec. 108) NOAA may cooperate with public and private institutions in the United States and abroad to carry out this bill. Federal agencies are authorized to cooperate with NOAA in conducting research and providing facilities and personnel to assist the commission.

(Sec. 109) The State Department must ensure the Commonwealth of the Northern Mariana Islands participates in the commission in the same manner as territories of other nations.

(Sec. 110) Operators of commercial fishing vessels that do not carry vessel monitoring systems capable of communicating with U.S. enforcement authorities must:

- notify the U.S. Coast Guard prior to or within a reasonable time after entering the exclusive economic zone of the convention area;
- ensure that all fishing gear is stowed below deck and not readily available for fishing; and
- if requested, proceed to a specified location so that a vessel inspection can be conducted.

Subtitle B--Miscellaneous

(Sec. 121) The State Department must pay necessary travel expenses for U.S. commissioners and advisory body members. NOAA may reimburse the State Department for such expenses.

TITLE II--SOUTH PACIFIC FISHERIES CONVENTION IMPLEMENTATION ACT

South Pacific Fisheries Convention Implementation Act

(Sec. 203) The bill authorizes NOAA to promulgate regulations to implement U.S. participation in the South Pacific Fisheries Resources Convention. The convention is designed to ensure the long-term conservation and sustainable use of fishery resources and marine ecosystems in the South Pacific Ocean.

The United States must be represented by no more than three commissioners on the South Pacific Fisheries Commission.

In addition, a permanent advisory committee is established, which shall be comprised of seven members. Advisory committee members shall represent groups concerned with fishery resources covered by the South Pacific Fisheries Convention.

NOAA must develop a memorandum of understanding with the Western Pacific Regional Fishery Management Council describing the role of the council with respect to:

- participation of the United States in consulting with international fishery organizations in the Pacific Ocean,
- providing recommendations to NOAA and the State Department regarding domestic and foreign fishing vessels,
- coordinating with the United States for presentations the council makes to international fishery organizations, and
- recommending domestic fishing regulations that are consistent with the actions of the international fishery organizations.

(Sec. 204) The State Department has the authority to receive and transmit various communications concerning the commission, and can approve or disapprove bylaws and rules adopted by the commission.

(Sec. 205) This bill details NOAA's authority in implementing this bill and measures adopted by the commission.

(Sec. 206) NOAA and the Coast Guard are required to administer and enforce this bill.

(Sec. 207) This bill lists 15 fishing and shipping activities that are prohibited in the South Pacific Ocean.

(Sec. 208) NOAA may cooperate with public and private institutions in the United States and abroad to carry out this bill. Federal agencies are authorized to cooperate with NOAA in conducting research and providing facilities and personnel to assist the commission.

(Sec. 209) The State Department must ensure that American Samoa, Guam, and the Commonwealth of the Northern Mariana Islands participate with the commission in the same manner as territories of other nations.

(Sec. 210) Operators of commercial fishing vessels that do not carry vessel monitoring systems capable of communicating with U.S. enforcement authorities must:

- notify the Coast Guard prior to or within a reasonable time after entering the exclusive economic zone of the convention area;
- ensure that all fishing gear is stowed below deck and not readily available for fishing; and
- if requested, proceed to a specified location so that a vessel inspection can be conducted.

TITLE III--NORTHWEST ATLANTIC FISHERIES CONVENTION AMENDMENTS ACT

Northwest Atlantic Fisheries Convention Amendments Act

(Sec. 301) The bill reauthorizes and amends the Northwest Atlantic Fisheries Convention Act of 1995, which provides for: (1) the implementation of the Convention on Future Multilateral Cooperation in the Northwest Atlantic Fisheries, done in Ottawa on October 24, 1978 (1978 Convention); and (2) the management and conservation of fish in the convention area (specified waters in the Northwest Atlantic Ocean). The Convention on Cooperation in the Northwest Atlantic Fisheries, which was adopted in Lisbon on September 28, 2007, is implemented as well. The 2007 Convention amends the 1978 Convention.

(Sec. 308) The bill applies to all fish, mollusks, and crustaceans within the convention area, excluding: (1) sedentary species over which coastal states may exercise sovereign rights consistent with the United Nations Convention on the Law of the Sea of 10 December 1982 (1982 Convention), and (2) anadromous and catadromous stocks and highly migratory species managed under other international treaties and listed in the 1982 Convention.

The bill also applies to vessels engaged in fishing activities, including fish harvesting vessels, fish processing vessels, vessels engaged in transshipment of fishery resources, and vessels engaged in experimental or exploratory fishing activities.

(Sec. 310) The bill repeals provisions requiring the NOAA to establish and report on a new quota allocation practice.

Actions Timeline

- **May 18, 2016:** Received in the House.
- **May 18, 2016:** Message on Senate action sent to the House.
- **May 18, 2016:** Held at the desk.
- **May 17, 2016:** Measure laid before Senate by unanimous consent. (consideration: CR S2911)
- **May 17, 2016:** Passed/agreed to in Senate: Passed Senate with an amendment by Unanimous Consent.
- **May 17, 2016:** Passed Senate with an amendment by Unanimous Consent.
- **Mar 28, 2016:** Committee on Commerce, Science, and Transportation. Reported by Senator Thune under authority of the order of the Senate of 03/17/2016 without amendment. With written report No. 114-233.
- **Mar 28, 2016:** Placed on Senate Legislative Calendar under General Orders. Calendar No. 405.
- **May 20, 2015:** Committee on Commerce, Science, and Transportation. Ordered to be reported without amendment favorably.
- **May 13, 2015:** Introduced in Senate
- **May 13, 2015:** Read twice and referred to the Committee on Commerce, Science, and Transportation.