

MEMORANDUM

TO: Legislative Committee Members

FROM: David Witherell
Executive Director

ESTIMATED TIME 3 HOURS

DATE: October 3, 2017

SUBJECT: Recent Legislation

ACTION REQUIRED - Review and prepare comments on several draft bills.

BACKGROUND

Senator Sullivan, per email from his staff Erik Elam, has requested Council comment, analysis, and views on the legislation as a whole and specific sections on the following legislation. The bills are posted as B1 attachments to the October meeting agenda.

- S. 1520 Modernizing Recreational Fishing Management Act of 2017
- H.R. 200 Strengthening Fishing Communities and Increasing Flexibility in Fisheries Management Act
- Huffman discussion draft "Strengthening Fishing Communities Through Improving Science, Increasing Flexibility, and Modernizing Fisheries Management Act"
- S. 1323 Young Fishermen's Development Act of 2017
- S. 1322 American Fisheries Advisory Committee Act

S. 1520, H.R. 200 and the Huffman discussion draft bill are all specific to MSA Reauthorization. Reference materials that could be helpful to Committee members and the Council include our draft comments dated May 2017, and the CCC MSA Working Paper (for other regional perspectives) posted under B1. Please note that:

- We've already drafted comments on H.R. 200 so unless the Committee wants to consider recommending changes to these comments, our previous draft remains relevant.
- Any sections in S. 1520 and Huffman draft discussion bill that we've already addressed in HR 200 do not need additional comment, although there are some variations in language that may need additional comment or clarification.
- The sections in S. 1520 and the Huffman draft discussion bill that are relevant to the North Pacific may require more review by the Committee in order to recommend comments.

Per the legal guidance from NMFS region and NOAA about providing review and comment to Congress, any comments the Council submits should be tied to the Council's performance of its grant as specifically as possible. Therefore, comments should explain how the Council believes specific provisions of the bills could have harmful or beneficial impacts on the Council's ability to fulfill its responsibilities under the MSA, or affect the Council's ability to conserve and manage marine resources and resource users. Comments should not express general support or disfavor with the bill or with a particular provision without a description of the impairment.

Given the numerous aspects of these bills, the Committee and Council may want focus on sections most relevant to the North Pacific, and develop comments accordingly.