

## LEGISLATIVE COMMITTEE REPORT ON LEGISLATIVE MATTERS

The Legislative Committee (LC) met on Thursday, September 11 to discuss current legislation, the reauthorization of the Magnuson-Stevens Act, and the Congressional request for comment on HR 2608, the Improved National Monument Designation Process Act.

The meeting was attended by committee members Dr. David Hanson, Mr. David Crabbe, Ms. Dorothy Lowman, Mr. Buzz Brizendine, Mr. Dale Myer, and Mr. Dan Wolford; Council Executive Director Dr. Donald McIsaac, and Council staff Ms. Jennifer Gilden. Rod Moore (West Coast Seafood Processors Association), Mr. Phil Anderson (Washington Department of Fish and Wildlife), Mr. Chuck Tracy (Council staff), and two staff members from the Gulf of Mexico Fishery Management Council also attended.

### **Magnuson-Stevens Act (MSA) Reauthorization**

The LC briefly discussed MSA reauthorization. A full discussion of relevant issues would have included a review of a second Senate draft of a bill to reauthorize the MSA, released shortly before the September Briefing Book deadline, and excerpts from advisory body statements delivered at the June Council meeting that recommended new priorities beyond those adopted by the Council. However, given the short time available for the LC meeting and the request from Senator Murkowski for Council comment on S 2608, the LC postponed their discussion of MSA reauthorization at this meeting, proposing instead to meet by webinar before the November Council meeting. That webinar would focus on the advisory body comments and MSA bills noted above, and the development of a draft report to be finalized at the November LC meeting for review by other advisory bodies in November.

### **S 2608**

The LC discussed HR 2608, the Improved National Monument Designation Process Act (Agenda Item I.1.a, Attachment 8), with reference to the materials in Agenda Item I.2 regarding the proposed expansion of the Pacific Remote Islands Marine National Monument using Presidential authority under the Antiquities Act. The LC recommends (1) that any legislation dealing with establishing national monuments make clear that fishing regulation within marine national monuments be accomplished under the authority and processes of the MSA—rather than the Antiquities Act or any other Act, and (2) that a requirement be added to the bill in Section 2 that any proposed marine national monument be presented to the appropriate Regional Fishery Management Council in a manner to allow for a recommendation from the Council subsequent to its normal public process.

The LC purposely chose to focus on the MSA-related elements of this proposed legislation without commenting on the bill's proposed requirement for state legislatures to specifically approve any monument within 100 nautical miles of their state. The LC noted the Council is already on record as supporting that portion of HR 4742 calling for the primacy of the MSA over the Antiquities Act in terms of managing marine fisheries.