

LEGISLATIVE MATTERS

The Pacific Fishery Management Council's (Council's) Legislative Committee (Committee) is scheduled to meet Friday, April 9th at 1:00 p.m. to review a variety of legislative matters of interest to the Council. Council staff has provided a summary of legislation introduced in the 111th U.S. Congress of potential interest to the Council and on the Committee's April agenda (Agenda Item K.1.a, Attachment 1).

Among the bills to be discussed is H.R. 4363, the *National Sustainable Offshore Aquaculture Act of 2009* introduced in the U.S. House to establish a regulatory system and research program for sustainable offshore aquaculture in the United States Exclusive Economic Zone, and for other purposes. The Council and the Committee comments on previous bills pertaining to offshore aquaculture have focused on ensuring the ability of the coastal States to "opt-out" of offshore aquaculture activities off their coastlines and in assuring that appropriate environmental reviews are conducted and research and monitoring plans developed prior to the permitting of any proposed aquaculture activities. The Committee is scheduled to focus a considerable portion of their meeting time to this issue and make recommendations to the Council.

The Committee is also anticipated to review S. 2870, the *International Fisheries Stewardship and Enforcement Act* introduced in the U.S. Senate to establish uniform administrative and enforcement procedures and penalties for the enforcement of the High Seas Driftnet Fishing Moratorium Protection Act and similar statutes. Of particular interest to the Council, S.2870 would ratify the Antigua Convention. The Inter-American Tropical Tuna Commission (IATTC) adopted and the U.S. is signatory to the Antigua Convention, but it cannot be fully implemented without U.S. ratification and implementing Federal legislation.

In March, the Committee recommended that the Council's Highly Migratory Species (HMS) Advisory Bodies review this legislation. Central to the previous concerns of the Committee and the Highly Migratory Species (HMS) Advisory Bodies is the membership of the U.S. Delegation and Advisory Bodies to the IATTC and the funding and legal status of such representatives when travelling on IATTC business. S. 2870 includes amendatory language to Title V of the Magnuson-Stevens Fishery Conservation and Management Reauthorization Act of 2006 concerning U.S. representation to the Western and Central Pacific Fisheries Commission and similar language is included in the bill under the implementation the Antigua Convention.

As time allows, the Committee may discuss other Federal legislation of interest to the Council.

Council Action:

Consider the recommendations of the Legislative Committee.

Reference Materials:

1. Agenda Item K.1.a, Attachment 1: Staff Summary of Federal Legislation in the 111th U.S. Congress on the Legislative Committee Agenda.
2. Agenda Item K.1.a, Attachment 2: H.R. 4363, the *National Sustainable Offshore Aquaculture Act of 2009*.
3. Agenda Item K.1.a, Attachment 3: S. 2870, the *International Fisheries Stewardship and Enforcement Act* (**only in electronic format on the April Briefing Book CD and on the Council web page.**)
4. Agenda Item K.1.b, Supplemental Legislative Committee Report.

Agenda Order:

- a. Agenda Item Overview
- b. Legislative Committee Report
- c. Reports and Comments of Management Entities and Advisory Bodies
- d. Public Comment
- e. **Council Action:** Consider Legislative Committee Recommendations

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PFMC
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