

## LEGISLATIVE MATTERS

The Legislative Committee will meet Monday, September 13 to review federal legislative issues.

Several congressional bills related to national ocean policy and fishery management were introduced since the June 2004 Pacific Fishery Management Council (Council) Meeting. Much of this legislation responds to recommendations made by the U.S. Commission on Ocean Policy in their preliminary report. HR 4706, which pertains specifically to Regional Fishery Management Councils (RFMC), is included in the Briefing Book (Agendum B.5.a, Attachment 1). Other bills are briefly summarized below and copies of these bills are available from Council staff.

NOAA and fishery management-related legislation includes:

### House Bills

HR 4706 – *Fisheries Management Reform Act of 2004*. The stated purpose of this bill is to “provide for stewardship of fishery resources for the American public.” The bill would modify the RFMC appointment process by giving appointment authority to the National Oceanic and Atmospheric Administration (NOAA) Administrator, and adds specific requirements for allocation of appointments to “representatives of the public interest in marine conservation.” The bill would also modify disclosure of financial interest and recusal requirements. It would also establish Regional Science and Technical Teams (RSTT) who would be charged with recommending acceptable biological catch (ABC) limits, bycatch levels, measures to protect essential fish habitat, and measures to protect Endangered Species Act-listed species. Under this bill, based on RSTT recommendations, the U.S. Secretary of Commerce shall provide to RFMCs conservation and management measures that establish catch and bycatch limits that do not exceed ABCs.

HR 4546 – *NOAA Act*. This bill outlines the roles and responsibilities of NOAA and authorizes appropriations. RFMCs are not a subject of this legislation.

HR 4607 – *NOAA Organic Act of 2004*. “Organic Act” to “establish” NOAA and modify the organization and functions of the NOAA Advisory Committee on Oceans and Atmosphere. RFMCs are not a subject of this legislation.

HR 4900 – *Oceans Conservation, Education, and National Strategy for the 21<sup>st</sup> Century Act (Oceans 21)*. This bill would establish a national ocean policy. It would establish National Standards for ocean policy that include, among other things, explicit ecosystem protection and maintenance provisions. It would establish a central National Oceans Council (comprised of Executive branch cabinet officers and state governor representatives) and Council of Advisors on Ocean Policy (comprised of member appointed by the President, representatives from state government, academia, fishing communities, non-fishing marine activities, agricultural interests, watershed organizations, and non-governmental organizations).

HR 4900 would also establish Regional Ocean Councils (ROC) authorized to “develop and implement a regional ocean ecosystem plan.” ROCs are comprised of similar representatives and cover the same regions as the RFMC system (with the addition of a Great Lakes Council). ROCs are to “build on other efforts within the region.” RFMCs are not mentioned in, or the subject of, this legislation.

#### Senate Bills

S 2647 – *National Ocean Policy and Leadership Act*. This bill would establish a national ocean policy and “missions” for NOAA. RFMCs are not a subject of this legislation.

The Legislative Committee will provide a summary report to the Council.

#### **Council Action:**

##### **1. Consider recommendations of the Legislative Committee.**

#### Reference Materials:

1. Agendum B.5.a, Attachment 1: HR 4706.

#### Agenda Order:

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

Dan Waldeck  
Dave Hanson

PFMC  
08/25/04