I

118TH CONGRESS
2D SESSION

H. R. 8788

To amend the Magnuson-Stevens Fishery Conservation and Management Act to establish the Fisheries and Ecological Resilience Program and to direct the Comptroller General of the United States to submit to Congress a report on the competitiveness of domestic seafood producers in domestic and global seafood trade.

IN THE HOUSE OF REPRESENTATIVES

JUNE 18, 2024

Mrs. PELTOLA introduced the following bill; which was referred to the Committee on Natural Resources, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

---

A BILL

To amend the Magnuson-Stevens Fishery Conservation and Management Act to establish the Fisheries and Ecological Resilience Program and to direct the Comptroller General of the United States to submit to Congress a report on the competitiveness of domestic seafood producers in domestic and global seafood trade.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Fisheries Improvement and Seafood Health Act of 2024''.

SEC. 2. RESILIENT FISHERIES.

(a) FISHERIES AND ECOLOGICAL RESILIENCE PROGRAM.—Section 305 of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1855) is amended by adding at the end the following:

''(l) FISHERIES AND ECOLOGICAL RESILIENCE PROGRAM.—

''(1) IN GENERAL.—The Secretary, acting through the Director of the National Marine Fisheries Service, shall establish a program in the National Marine Fisheries Service to be known as the 'Fisheries and Ecological Resilience Program' (referred to in this subsection as the 'Program').

''(2) DIRECTOR.—The Secretary, acting through the Director of the National Marine Fisheries Service, shall appoint a senior official of the National Marine Fisheries Service to serve as the director of the Program (referred to in this subsection as the 'Program Director').

''(3) MISSION.—The mission of the Program shall be to—

"(A) advance ocean and ecosystem understanding and modeling to project future ocean conditions and to inform fishery management;

"(B) assess the current and anticipated impacts from, and vulnerability of, stocks of fish to changing environmental and ecological conditions;

"(C) assess the anticipated impacts to coastal communities, economies, and traditional ways of life due to changing fishing and marine ecosystem conditions;

"(D) develop innovative, science-based tools, processes, and decision support systems for meeting conservation and management standards under this Act in response to changing environmental and ecological conditions;

"(E) engage with and educate fishers, fishing communities, State, local, Tribal, and community leaders, and others on future ocean conditions and the impacts of changing environmental and ecological conditions on fisheries;

"(F) create and provide tools, training, and support to Councils for management of and adaptation to changing ecosystems and fisheries; and

''(G) coordinate across the National Oceanic and Atmospheric Administration and other relevant agencies to increase synergies and streamline efforts to better understand and model changing ocean ecosystems and increase fishery resilience.

''(4) RESPONSIBILITIES.—The Program Director shall be responsible for carrying out activities to implement the mission in paragraph (3), including by—

''(A) conducting cooperative research with fishers, communities, academic institutions, nongovernmental organizations, and other interest parties on changing ecological and environmental conditions and impacts to stocks of fish and other marine resources;

''(B) coordinating across the National Oceanic and Atmospheric Administration to produce and collate information about ocean and ecosystem modeling, forecasts, and projections for fishery management purposes;

''(C) communicating to fishers, fishing communities, and the public about the risks posed by changing ecological and environmental

conditions to the conservation and management of stocks of fish and other marine resources;

''(D) conducting assessments to determine the vulnerability of stocks of fish to impacts from changing ecological and environmental conditions;

''(E) identifying and improving existing processes and structures to incorporate ecological and environmental information into management of stocks of fish;

''(F) identifying gaps where innovative management processes can be developed to facilitate incorporation of rapidly changing ecological and environmental information;

''(G) piloting innovative tools and approaches to increase the adaptive capacity of fisheries managers to the impacts of changing ecological and environmental conditions on stocks of fish;

''(H) providing the Councils with assessments and guidance on management actions and structured processes to increase the resilience of stocks of fish identified as vulnerable to impacts from changing ecological and environmental conditions;

"(I) incorporating qualitative data, lived experiences, and priorities of fishers, communities, and other interested parties in initiatives to increase the resilience of stocks of fish and the communities that rely on them to changing ecological and environmental conditions;

"(J) communicating frequently with and creating opportunities for cross-regional collaboration and learning among Councils and regional offices and regional science centers of the National Marine Fisheries Service;

"(K) collaborating with the National Ocean Service, the Office of Oceanic and Atmospheric Research, National Oceanic and Atmospheric Administration Cooperative Institutes, the Integrated Ocean Observing System Regional Associations, and others to maintain a comprehensive digital database of ecological and environmental information relevant to fisheries and marine ecosystems, including regional ocean model outputs, ecosystem projections, and other data and information;

"(L) conducting a cross-agency assessment to avoid redundancies and consolidate fishery

resilience efforts and ecosystem modeling under the Program; and

''(M) compiling information and analyzing progress made to implement management measures to increase resilience to changing ecological and environmental conditions and respond to shifting populations of stocks of fish and changing productivity.

''(5) COORDINATION.—The mission of the Program and the activities of the Program Director shall be carried out in coordination with other offices of the National Marine Fisheries Service and the National Oceanic and Atmospheric Administration, the Councils and respective advisory panels, fishers, academic institutions, nongovernmental organizations, and other interested parties.

''(6) STAFF.—In carrying out the requirements of this subsection, the Program Director shall—

''(A) appoint full- and part-time employees;

''(B) establish a regional ocean modeling and prediction coordination team to fund partnerships with relevant experts across the National Oceanic and Atmospheric Administration, regional science centers, National Oceanic and Atmospheric Administration Cooperative Insti-

tutes, Integrated Ocean Observing System Regional Associations, and others to produce and deliver coordinated regional forecasts, projections, and other resources to improve regional understand and forecasting of ecosystem changes as needed to inform fishery management decisions; and

''(C) establish management and decision support teams that will support the Councils by utilizing the information produced by the teams authorized in subparagraph (B) for developing assessments and guidance on management actions to increase the resilience of stocks of fish vulnerable to impacts from changing ecological and environmental conditions.

''(7) REPORT TO CONGRESS.—Not later than 2 years after the date of the enactment of the Fisheries Improvement and Seafood Health Act of 2024, and every 2 years thereafter during the period in which appropriations are authorized for the Program under paragraph (8), the Program Director shall submit to Congress a report on actions taken to fulfill the requirements of this subsection.

''(8) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Sec-

retary to carry out this subsection $30,000,000 for each of the fiscal years 2025 through 2030.''.

(b) COUNCIL TRAINING PROGRAM.—Section 302(k)(1) of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1852(k)(1)) is amended—

(1) by redesignating subparagraphs (C) through (H) as subparagraphs (D) through (I), respectively;

(2) by redesignating subparagraph (I) as subparagraph (K);

(3) by inserting after subparagraph (B) the following:

''(C) relevant impacts from changing environmental and ecological conditions on fisheries health, range, and other factors that would affect the conservation and management of a stock of fish;'';

(4) by striking ''and'' after the semicolon at the end of subparagraph (I), as so redesignated; and

(5) by inserting after subparagraph (I), as so redesignated, the following:

''(J) ecosystem-based fishery management; and''.

(c) FISHERIES RESEARCH.—Section 404 of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1881c) is amended—

(1) in subsection (a), by inserting ", on changes in geographic range, spatial distribution, and productivity of a fishery or interrelated fisheries," after "management"; and

(2) in subsection (c)(1), by inserting "changes in geographic range, spatial distribution, and productivity of a fishery or interrelated fisheries,"after "degradation,".

SEC. 3. REPORT ON THE COMPETITIVENESS OF DOMESTIC SEAFOOD PRODUCERS IN DOMESTIC AND GLOBAL SEAFOOD TRADE.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this section, the Comptroller General of the United States shall submit to the Congress a report on the competitiveness of domestic seafood producers in domestic and global seafood trade.

(b) CONTENTS.—The report required by subsection (a) shall—

(1) identify Federal laws, regulations, and policies that directly affect the costs of domestic seafood production and seafood industry investment in the United States, compared to the costs of seafood pro-

duction and investment in other seafood-producing countries;

(2) analyze the competitive position of United States seafood in domestic and global markets, given differences in tariffs and nontariff barriers among countries and changes in trade flows and market share over the last 5 years, highlighting the relative position of the United States compared to other seafood-producing countries;

(3) include an inventory and assessment of Federal domestic programs to help manage costs, facilitate and incentivize domestic capacity and modernization, and facilitate domestic and overseas market access for United States seafood producers, including—

(A) identification of programs available and unavailable to wild and farmed domestic seafood producers;

(B) recommendations to improve the utility of these programs for domestic seafood producers; and

(C) the financial health and stability of the Seafood Inspection Program as provider of seafood health and catch certificates and other

services to domestic seafood producers and exporters;

(4) provide recommendations for a new National Seafood Trade Policy to improve the competitiveness of United States seafood producers, including—

(A) ways to facilitate interagency coordination under existing authorities and consultation with domestic seafood producers around common goals for seafood tariffs, nontariff barriers, and market access policy;

(B) domestic seafood cost control and investment programs; and

(C) domestic seafood producers' access to financial support programs;

(5) identify trade barriers to United States seafood production that are vulnerable to dispute settlement through the World Trade Organization or otherwise under trade agreements;

(6) include a strategy for enforcing violations of trade agreements related to such trade barriers; and

(7) identify like-minded trading partners for specific trade barriers that could act as co-complainants or primary complainants on disputes that are

systemically or economically important to the United States.

(c) QUARTERLY REPORTS.—Following the submission of the report required by subsection (a), the Comptroller General of the United States shall submit to the Congress quarterly reports on progress towards resolving cases or filing disputes to resolve trade barriers described in subsection (b)(5).

SEC. 4. ECOLOGICAL AND ENVIRONMENTAL CONSIDERATIONS.

Section 303(a) of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1853(a)) is amended—

(1) in paragraph (14), by striking ''and;'' and inserting a semicolon;

(2) in paragraph (15), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(16) consider and account for the effects of changing ecological and environmental conditions on the fishery and describe how the management measures contained in the plan or plan amendment address such changing conditions.''.

○