

**GULF STATES MARINE FISHERIES  
COMMISSION**

**70<sup>th</sup> ANNUAL MEETING**

**OCTOBER 14-17, 2019**

**BRIEFING BOOK**



**GOLDEN NUGGET BILOXI HOTEL & CASINO  
BILOXI, MISSISSIPPI**

Gulf States Marine Fisheries Commission  
Commission Business Session

**Draft Agenda**

Biloxi, Mississippi  
Thursday, October 17, 2019  
10:30 a.m. – 5:00 p.m.

1. Call to Order, Introductions, Opening Comments – J. Spraggins, Chairman  
- Brief Overview of Commission Voting Procedures – D. Donaldson
2. Adoption of Agenda – J. Spraggins
3. Approval of Minutes (March 21, 2019) – J. Spraggins A
4. GSMFC Standing Committee Reports
  - a. Law Enforcement Committee – P. Carron
  - b. Technical Coordinating Committee – D. Topping
    1. Data Management Subcommittee
    2. Crab Subcommittee
    3. SEAMAP Subcommittee
    4. Briefing on Freshwater Impacts General Session
  - c. State-Federal Fisheries Management Committee – S. Bannon
    1. GulfFIN priorities – S. Bannon/G. Bray
    2. SEAMAP priorities –S. Bannon/J. Rester
    3. Menhaden Advisory Committee – R. Mroch
5. Sea Grant Fisheries Extension Meeting Report – J. Lively
6. NOAA Fisheries Southeast Regional Office Comments – R. Crabtree B
7. USFWS Region 4 Office Comments – G. Constant/A. Brown  
[Presentation of Southeast Aquatic Resources Partnership \(SARP\) – J. Graham](#)  
--BREAK--
8. NOAA Fisheries Budget Update – D. Donaldson/R. Crabtree C
9. Discussion of Legislative Issues and Actions – D. Donaldson
  - a. Discussion Draft of AQUAA Act D
  - b. H.R. 2236 Forage Fish Act E
  - c. H.R. 3697 Magnuson-Stevens Fishery Conservation and Management Act Amendment F
  - d. S.2166 Regional Ocean Partnership Act G
10. Discussion of Wind Farms in the Gulf of Mexico – All H

-- LUNCH --

- 11. Status and Overview of Aquaculture Activities – S. VanderKooy I
  - a. Oyster Aquaculture
  - b. Regional Pilot Projects
  - c. Discussion of Gulf Shellfish Initiative – B. Walton

~~12. Presentation of Southeast Aquatic Resources Partnership (SARP) – J. Graham~~

- 13. Update on Great Red Snapper Count – M. Drymon

--BREAK--

- 14. GSMFC Program Reports
  - a. Interjurisdictional Fisheries Program – S. VanderKooy J
  - b. SEAMAP – J. Rester K
  - c. Sportfish Restoration – J. Ballard L
  - d. Aquatic Nuisance Species Programs – J. Ballard M
  - e. Fisheries Information Network – G. Bray N

- 15. Executive Committee Report – J. Spraggins
  - a. Audit
    - 1. GSMFC
    - 2. NOAA Inspector General
  - b. Financial Statement (9/2019)
  - c. FY2020 Budget O
  - d. Staff Compensation

- 16. State Directors' Reports
  - a. Florida – D. Ellinor P
  - b. Alabama – S. Bannon Q
  - c. Mississippi – J. Spraggins R
  - d. Louisiana – J. Froeba S
  - e. Texas – L. Robinson T

- 17. Future Meetings – N. Marcellus
  - a. March 17-19, 2020 – Alabama
  - b. October 13-15, 2020 – Florida

- 18. Publications List and Web Statistics
  - a. Publications – D. Donaldson U
  - b. GSMFC web site – D. Donaldson V

19. Election of Officers

W

- a. Chair – Florida Rotation
- b. 1<sup>st</sup> Vice Chair – Texas Rotation
- c. 2<sup>nd</sup> Vice Chair – Alabama Rotation

20. Other Business

ADJOURN

Commission Business Session  
Thursday, March 21, 2019  
New Orleans, LA

Chairman Joe Spraggins was unable to attend the meeting. **Vice Chairman Dan Ellinor called the meeting to order at 10:33.**

**The following Commissioners and/or Proxies were present:**

Dan Ellinor, FWC, Tallahassee, FL (*Proxy for Eric Sutton*)  
Paul Mickle, MSDMR, Biloxi, MS (*Proxy for Joe Spraggins*)  
Read Hendon, USM/GCRL, Ocean Springs, MS  
Scott Bannon, ADCNR/MRD, Gulf Shores, AL (*Proxy for Chris Blankenship*)  
Chris Nelson, Bon Secour Fisheries, Bon Secour, AL  
Jerry Mambretti, TPWD, Austin, TX (*Proxy for Carter Smith*)  
Troy Williamson, Corpus Christi, TX  
Jason Froeba, LDWF, Baton Rouge, Louisiana (*Proxy for Jack Montoucet*)  
Senator Brett Allain, Jeanerette, LA  
John Roussel, Zachary, LA

**Staff**

Dave Donaldson, *Executive Director*, Ocean Springs, MS  
Nancy Marcellus, *Administrative Officer*, Ocean Springs, MS  
Chery Noble, *Administrative Assistant*, Ocean Springs, MS  
Steve VanderKooy, *IJF Program Coordinator*, Ocean Springs, MS  
Jeff Rester, *SEAMAP/Habitat Coordinator*, Ocean Springs, MS  
Gregg Bray, *FIN Program Manager*, Ocean Springs, MS  
Joe Ferrer, *Systems Administrator*, Ocean Springs, MS  
James Ballard, *Sport Fish Restoration/Aquatic Invasives Coordinator*, Ocean Springs, MS  
Donna Bellais, *ComFIN Programmer*, Ocean Springs, MS  
Debbie McIntyre, *Staff Assistant*, Ocean Springs, MS

**Others**

Roy Crabtree, NOAA Fisheries, St. Petersburg, FL  
Glen Constant, UFWS, Baton Rouge, LA  
Jessica Stephens, NOAA Fisheries, St. Petersburg, FL  
Darin Topping, TPWD, Rockport, TX  
Cisco Werner, NOAA Fisheries, Miami, FL  
Mandy Karnauskas, NOAA Fisheries, Miami, FL  
Laura Picariello, Texas Sea Grant, Corpus Christi, TX  
John Fallon, Audubon Nature Institute, New Orleans, LA  
Laura Deighan, Audubon Nature Institute, New Orleans, LA  
Jamie Reinhardt, NOAA Restoration Center, Silver Spring, MD  
Lori Rounds, NOAA Restoration Center, Silver Spring, MD  
Ed Swindell, Marine Process Services, Hammond, LA

**Brief Overview of Commission Voting Procedures**

**D. Donaldson** gave a brief overview of the Commission's voting procedures and stated there is a quorum.

### **Adoption of Agenda**

**D. Donaldson** asked to include watching the video, *The Biologist and the Boy*, under Other Business if time allows. **S. Bannon** moved to adopt the Commission Business Session Agenda with the addition under Other Business. **T. Williamson** seconded and the motion passed.

### **Approval of Minutes**

**T. Williamson** moved to approve the October 18, 2018 minutes as submitted. **S. Bannon** seconded the motion and the minutes were approved as submitted.

### **Public Comments**

There was no public comments.

### **GSMFC Standing Committee Reports**

#### **Law Enforcement Committee (LEC)**

**S. VanderKooy** reported the LEC met jointly with the Council's LETC and stated the majority of the agenda was council items. He said they discussed JEA funding and Scott Pearce will be the LEC representative for the Red Drum Profile. This is Doug Boyd's last year as a GMFMC member and he expressed his appreciation of having worked with this group for so many years. The Commission publications, *License and Fees* and the *Law Summary*, will be completed over the summer and will be available through the GSMFC website.

**S. Bannon** moved to accept the LEC Report. **B. Allain** seconded and the motion passed.

#### **Technical Coordinating Committee (TCC)**

**D. Topping** gave the TCC report. He reviewed the presentations that were given in each Subcommittee meeting. There were no motions/action items presented that needed approval from the TCC Subcommittees. He stated Ken Brennan was elected Chairman of the GulfFIN Committee and Beverly Sauls was elected Vice Chairman.

**D. Topping** stated that after the Subcommittee Reports, the TCC discussed different options for future TCC meetings such as meeting once a year, having the General Session during the meeting, agenda items, etc. He said the Committee asks the Commissioners for guidance on agenda items for the Committee and Subcommittees for future meetings. He said the Committee also discussed developing an Oyster Subcommittee. The Committee approved two motions:

*To ask staff to develop multiple options for the future of TCC meetings and present them at the October meeting.*

*To recommend to the Commission the establishment of an Oyster Subcommittee under the TCC.*

The Commissioners discussed both motions.

**C. Nelson** moved to ask staff to develop multiple options for the future of TCC meetings and present them at the October meeting. Staff should research when and why each Subcommittee was established, the SOPs of each Subcommittee, and how agendas were originally developed. **R. Hendon** seconded and the motion passed.

*C. Nelson moved to establish an Oyster Subcommittee. The Commissioners discussed the motion further. C. Nelson withdrew the motion.*

*J. Roussel moved the TCC develop a formal charge/purpose and any other pertinent direction as well as the membership for an Oyster Subcommittee, and then bring that to be approved by the Commission. J. Mambretti seconded the motion and it passed.*

*S. Bannon moved to accept the Technical Coordinating Committee Report. J. Roussel seconded the motion and it passed.*

### **State-Federal Fisheries Management Committee**

#### **Menhaden Advisory Committee**

S. VanderKooy reviewed the presentations made in the MAC. There were no motions for the Commission to approve.

*P. Mickle moved to accept the MAC Report. S. Bannon seconded and the motion passed.*

#### **Sea Grant Fisheries Extension Meeting Report**

L. Picarrelli reported the main topic of their meeting was the various Seafood Rating Systems and how they are creating conflicting opinions in the Gulf. They discussed the need for more dialog on this topic amongst the different Sea Grant Programs and how it can be communicated across the Gulf. They will discuss this issue again at the next meeting. Each state gave a report on the current issues they are involved in except Mississippi/Alabama who did not have a representative in attendance. The Audubon Nature Institute provided an update on the status of their shrimp fishery improvement projects which are going very well and are highly rated. The Audubon Nature Institute is also working on a plastics campaign with other aquariums across the country to reduce plastic straw use and a NFWF Project with the tuna industry.

#### **NOAA Fisheries Southeast Regional Office Comments**

R. Crabtree stated the detailed NOAA Fisheries SERO report is in the Briefing Book under Tab B. He reported NOAA Fisheries has not yet decided if they are going to appeal the U.S. District Court for the Eastern District of Louisiana's ruling stating NOAA Fisheries does not have the authority to regulate aquaculture as fishing under the Magnuson/Stevens Act vacating the rule implementing the Gulf Council's Aquaculture Plan. He said the ruling only applies to the Gulf aquaculture program and does not prohibit marine aquaculture from occurring either nationally or in the Gulf of Mexico. He said NOAA Fisheries continues to help coordinate with other federal agencies in the permitting process for aquaculture operations in the Gulf. He said they are currently working on the Velella Epsilon pilot project which proposes to culture almaco jack in submerged cages about 45 miles southwest of Sarasota, and a commercial project which is in the preliminary stages of applying for federal permits to culture several finfish species in the northern Gulf of Mexico.

In December of last year NOAA Fisheries issued updated Terms and Conditions to the exempted fishing permits enabling the five Gulf States to manage private recreational anglers targeting red snapper in state and federal waters during the 2018-2019 fishing seasons. He said they issued the updated quota amounts to each of the states. There was an overrun of the quota in 2017 and there are payback provisions in the plan. All information on this is available on the website.

**R. Crabtree** reported the Council is working on Reef Fish Amendment 50 that would create a state management strategy for red snapper. They expect final action will be taken at the April meeting. The Council has selected a preferred alternative for state by state allocations. There was a final rule published recently that increased the red snapper catch limit for this year. The Council is also working on an amendment to allow carryover on unharvested quota in one year and carry it over to the next year and add it into the catch levels for that year. He said they are scheduled to take action on that at the April meeting as well. The Council is also working on an amendment that would modify the shrimp effort threshold so more shrimp effort can be accommodated. He said the red snapper for-hire season for the coming year will be for 62 days, from June 1 to October 2. This is the longest season for-hire operators have had in years. The quota for Greater amberjack was caught in the fall season so that fishery will remain closed until August 1.

**B. Allain** asked if the payback for overruns on the exempted fishing permit quotas would be by a state by state basis and **R. Crabtree** said yes.

#### **USFWS Region 4 Office Comments**

**G. Constant** reported A. Brown could not attend but he wanted the Commission to know he appreciates the administration of the USFWS Aquatic Nuisance Program. **G. Constant** stated that Leo Miranda is the new Region 4 Regional Director. **G. Constant** reported on the reorganization of the DOI. He stated the administration is undergoing changes and there are now 12 new regional boundaries. Detailed information on the reorganization is on the USFWS website.

#### **Update on GSMFC Aquaculture Activities**

##### **Briefing on Oyster Symposium**

**S. VanderKooy** briefed the Commission on the Oyster Symposium General Session. He said presentations were given by the recipients of the 2018 Off Bottom Aquaculture Grants. He stated the symposium was very well attended and it generated quite a bit of discussion. The afternoon session was hosted by the Gulf of Mexico Alliance and each state gave an overview on their Onbottom oyster programs. Proceedings of the general session are available at <http://www.gsmfc.org/publications/GSMFC%20Number%20286.pdf>.

#### **Status and Overview of Aquaculture RFPs**

**S. VanderKooy** reported they are in the third year of the NOAA Small Grants Program and all three Commissions have sent out RFPs requesting partnership project proposals for oyster aquaculture. The project could last three to five years. The new award was issued February 1 and closed March 15. The review process is ongoing and they hope to start the new projects August 1, 2019. He said they also have a second round of Pilot Projects for offshore non-oyster projects. The RFP went out the first of March and closes April 15. They expect these projects to start July 1, 2019.

#### **NOAA Fisheries and Fish and Wildlife Service Budge Update**

**D. Donaldson** reported the FY2019 Omnibus Budget is in Tab D of the Briefing Book. He said the President's budget came out last week but the Briefing Book had already been distributed so it is not in the Briefing Book. He said there are large cuts but not as bad as it has been in previous years. He stated once again, the President eliminated Sea Grant and Enforcement and made minor cuts to data collection. He said he is not too concerned with the data collection cuts because the House and Senate supports these programs. **D. Donaldson** said that in the Omnibus Budget for the NOAA Fisheries Budget, data collection and aquaculture were funded at reasonable levels and there is actually a \$4M increase in the regional Councils and Commissions line items. He thinks the \$4M will be divided equally between the Commissions and Councils. He expects to know the



final allocation for IJF shortly. He said he feels the annual trip with the Gulf State Directors to DC was a success. They thanked staffers for their support and for maintaining or increasing the programs. He said he is working with Allan Brown and Glenn Constant, USFWS, to receive additional funding for the SFRP and Invasive Species Program. **D. Donaldson** stated he will keep the Commission informed of any changes.

### **Discussion of Legislative Issues and Actions**

**D. Donaldson** reported the Modernizing Recreational Fisheries Management Act passed and became law December 31, 2018. The legislation is in Tab E of the Briefing Book. The Commission is obviously focused on the data collection aspects of the law and is in the unique position of implementing the objectives of the legislation and continue the longstanding coordination of data collection efforts in the Gulf of Mexico. **D. Donaldson** also discussed Senate 1514 and House 6660 establishing a National Fish Habitat Board. He said it is proposed through the legislation that the board will have 25 members including the 3 interstate Commissions. He said this is still in the beginning stages but he will keep the Commission informed.

### **Review and Approval of Changes to GSMFC Administrative Manual.**

**D. Donaldson** stated that at the last Executive Committee meeting, they directed staff to pursue changing the travel policy to a daily per diem rate in an effort to simplify the travel expense reimbursement process. **D. Donaldson** explained the new guidelines for the daily per diem rate and reviewed the new language for the Administrative Manual in Tab F of the briefing book.

*S. Bannon moved to approve changing to a daily per diem rate and to change the Administrative Manual language to what was presented in the briefing book. J. Froeba seconded and the motion passed.*

### **Discussion of Southeast For-Hire Integrated Electronic Reporting (SEFHIER) Program**

**Jessica Stephen** gave a presentation on the Southeast For-Hire Integrated Electronic Reporting Program (SEFHIER). She stated the Gulf Council put forth an amendment that all federal Gulf of Mexico for-hire permit holders will be required to submit electronic logbooks. In addition to submitting electronic logbooks, they are also required to provide hail-out notification as well as having a permanently affixed location device on the vessel. She said the anticipated benefits are census based reporting, increased accuracy of data, reduction in recall bias and near real time access to preliminary data. She reviewed the requirements of the amendment and the process of implementing the mandatory electronic logbooks. She stated relevant stakeholders have been involved in the process including representatives from the Councils, FINs, Commissions and NMFS. She said the proposed rule has already went out and they are expecting the Final Rule to go out in June or July. They expect implementation of the logbooks and hail-out requirement to start around August 15 and adding the location technology by October 1. A copy of the full presentation can be obtained upon request to the GSMFC office.

**P. Mickle** stated he had concerns on the mandatory reporting requirement to NOAA and asked if the data reported to NOAA will be made available to the states immediately. He said Mississippi has a mandatory reporting requirement and was concerned with burdening the captains with multiple reporting requirements. He asked that the appropriate NOAA personnel contact him to discuss this before the requirement is implemented. **R. Crabtree** asked J. Stephen to ensure P. Mickle is contacted before implementation.

### **Presentation of NOAA Fisheries Stock Assessment Improvement Plan (SAIP)**

**Cisco Werner** gave a presentation on the Next Generation Stock Assessment Improvement Plan. He reviewed background information, discussed the next generation SAIP, science innovations, balancing the four T's of assessment (Throughput, Timeliness, Thoroughness and Transparency), and stock assessment prioritization. The presentation can be obtained upon request to the GSMFC office.

### **Presentation of NOAA Fisheries Ecosystem-Based Fisheries Management Road Map**

**Mandy Karnauskas** gave a presentation on the Gulf of Mexico Ecosystem-Based Fishery Management (EBFM) Road Map Implementation Plan. She said there has to be collaboration between state and federal partners if advances are to be made in EBFM. She said EBFM can be considered within a spectrum of approaches: EBM, Ecosystem Based Management; EBFM, Ecosystem Based Fisheries Management; EAFM, Ecosystem Approach to Fisheries Management; and SS, single species management. She said in practice there is not a one size fits all approach to EBFM as it is region specific. She then reviewed NOAA Fisheries EBFM Road Map Policy and Purpose. The presentation can be obtained upon request to the GSMFC office.

### **Deepwater Horizon NRDA Open Ocean Update**

**Lori Rounds** and **Jamie Reinhardt** gave an update on the Deepwater Horizon NRDA Open Ocean Restoration Plan. **L. Rounds** gave background information on the BP NRDA Settlement, and reviewed the partners in the Open Ocean TIG and their responsibilities. **J. Reinhardt** gave an update on the fish restoration planning. The presentation can be obtained upon request to the GSMFC office. All information on DWH NRDA is also available at [www.gulfspillrestoration.noaa.gov](http://www.gulfspillrestoration.noaa.gov).

### **Lyles-Simpson Award Recipient Selection for 2019**

Nominations were opened for the *Lyles-Simpson Award* recipient for 2019.

**C. Nelson** *moved* to nominate **Borden Wallace** for the *Lyles-Simpson Award* recipient for 2019. **R. Hendon** *seconded the motion. There were no other nominations and the motion passed.*

### **GSMFC Program Reports**

#### **Interjurisdictional Fisheries Program**

**S. VanderKooy** stated the detailed report is under Tab H of the Briefing Book. He reported the Management Profile for Cobia in the Gulf of Mexico was completed and approved by the TCC. The next species profile is for Red Drum and they have asked the states and other agencies to designate a member for the Task Force. Work is continuing with the Atlantic States on the Otolith Manual Revision and they are hoping for a final draft this summer. The IJF program has entered into a contract with Dr. Eric Saillant to begin analyzing the tissue samples collected for Tripletail. He said staff has begun working on the Gulf Fishery-Independent Database (GFID) which is an effort to centralize all of the five Gulf States' databases for potential use in future stock assessments.

**S. VanderKooy** reported that he has been reviewing revisions of various species profiles for the Monterey Bay Seafood Watch Program. He stated he spends substantial time providing input but it is not incorporated into their profiles. It seems that groups such as this have a predetermined narrative and do not use information that is provided. **D. Donaldson** stated he and S. VanderKooy have discussed not participating in any further requests for information and asked the Commission

if this is acceptable. **The Commissioners agreed it would be acceptable to not comment on future requests.**

### **SEAMAP**

**J. Rester** stated the detailed SEAMAP report is under Tab I of the Briefing Book. He reported SEAMAP will begin its 38<sup>th</sup> year of sampling in 2019. SEAMAP is holding a trawl work shop in Pascagoula to review trawling protocols, discuss gear specifications, review data entry and QA/QC procedures, and review species identification. The group will also discuss recent taxonomic changes and how to handle historical species identifications when taxonomists have determined what was believed to be one species could actually be two to three species that look similar. SEAMAP partners have been riding with other partners for the past few years to make sure trawling operations are being conducted consistently amongst all partners. FY2019 SEAMAP appropriations were \$5.125M which is level funding. The Gulf component will receive \$1,950,274 M. He stated in order to save money, state SEAMAP funds that would have been used for vessel time will now go to the Commission. The Commission will pay for vessel time for the states and will not charge overhead on these funds. This will allow another three to four days of vessel time during the trawl surveys. The 2017 SEAMAP Environmental and Biological Atlas of the Gulf of Mexico was completed and is available on the website. Various SEAMAP databases have been downloaded 43 times since the October 2018 meeting.

**J. Rester** reported the Commission will receive \$500K in NMFS funding to optimize fishery independent sampling in the Gulf of Mexico. NMFS would like the Commission to develop optimal fishery independent surveys that would collect data for stock assessments and ecosystem management. The Commission will hire a statistician and possibly a stock assessment person to help in designing these surveys. A steering committee will be established and a series of workshops will be held to develop the types of data needed and how to go about collecting those data in the most economical way.

### **Sportfish Restoration Program**

**J. Ballard** stated the SPRP detailed report is under Tab J of the Briefing Book. The final draft of the third edition of the ASMFC's and GSMFC's *Guidelines for Marine Artificial Reef Materials* has been distributed to the Joint Committee. The deadline for review is April 1. If it is decided to finalize the document, it will be distributed to the TCC for approval and then to the Commission for approval. When the document is approved, it will be made available electronically through the GSMFC's website. The document will be dedicated to Jimmy Sanders and Jim Francesconi who were committee members that passed away during the revision of this document. He said the Gulf Committee discussed doing a tribute to Jimmy Sanders and one of the contractors that attends the meetings, Eternal Reefs, offered to donate one of their eternal reefs in Jimmy's honor. The proceedings from the *Marine Artificial Reef Research and Development: Integrating Fisheries Management Objectives* symposium at the American Fisheries Society's 147<sup>th</sup> Annual Meeting and the *11<sup>th</sup> Conference on Artificial Reefs and Related Habitats* are available from the AFS website. **J. Ballard** said he is still working on establishing a Gulf-wide Lionfish Removal Program and they are supporting the second year of the Jimmy Sanders Lionfish memorial Challenge in Mississippi. He gave a summary of the *America's Wildlife Values Study* and the report is available at [www.wildlifevalues.org](http://www.wildlifevalues.org).

### **Fisheries Information Network (FIN)**

**G. Bray** stated the FIN report is in Tab K of the Briefing Book then gave a presentation on the FIN Activities for 2018. He stated there are 5 FIN programs throughout the country and this is a cooperative state/federal fishery dependent data collection and dissemination program. He said

they work in both the commercial and recreational sectors. He reviewed the recreational catch/effort, the commercial Trip Ticket Programs, the FIN Data Management System, and biological sampling for 2018. He said for 2019 the Gulf FIN is level funded and are in the 5<sup>th</sup> year of the 5 year cooperative agreement. He said they have a small amount of unallocated funding that will go towards the 2019 cooperative agreement. The presentation may be obtained by request to the GSMFC office.

### **Aquatic Nuisance Species Program (ANS)**

**J. Ballard** stated the ANS report is under Tab L in the Briefing Book then gave a presentation on the ANS Program. He said the GSARP meeting was in San Antonio, Texas on October 30-31. The Aquatic Nuisance Species Task Force met on December 12-13 in Falls Church, VA. The meeting focused on Goal Team breakout sessions that continued to develop strategies and outputs to meet the objectives in the ANSTF's new 2018-2022 Strategic Plan. They are continuing their partnership with USFWS to administer their AIS small grants program. The Traveling Trunk was utilized for over 70 days since the fall 2018 meeting. He then reviewed the new GSARP Website and recent Invasive Species Legislation. The presentation may be obtained by request to the GSMFC office.

### **State Directors' Reports**

Given the time constraints, the State Directors did not give reports. ***S. Bannon moved to accept the State Reports as submitted in the Briefing Book. J. Froeba seconded and the motion passed.***

### **Future Meetings**

**N. Marcellus** stated the fall meeting will be in Mississippi. She anticipates it will be in the Gulfport/Biloxi area and asked if the Mississippi Commissioners have input on where they would like to hold the meeting, to contact her.

### **Review of Committee Listings**

**D. Donaldson** stated each state Committee Listing is in the briefing book and asked the Commissioners to review their information and to send any updates to C. Noble.

### **Publications List and Web Statistics**

**D. Donaldson** stated the available publications list is in the Briefing Book. He said if anyone is interested in obtaining any publication to contact D. McIntyre and all publications are available on the website. He said J. Ferrer was going to give a brief presentation on the website but due to the time he will not give the presentation. The information is in the Briefing Book and if anyone has questions they can contact J. Ferrer.

### **Other Business**

**D. Donaldson** said there was not enough time to show the video but a link to the video will be emailed to each Commissioner.

***There being no further business, the meeting was adjourned at 4:55.***

# State Reports

# **Alabama State Report to the Gulf States Marine Fisheries Commission Spring 2019**

## **Fisheries Section**

The Alabama Marine Resources Division (AMRD) completed the fourth year and started the final year of fisheries monitoring projects funded by the National Fish and Wildlife Foundation's Gulf Environmental Benefit Fund (NFWF). Phase two of the artificial reef and habitat enhancement work was implemented and will add additional structures to the offshore environment with increased monitoring of the evolution of the reef sites.

AMRD biologists continue to monitor oyster densities on Alabama's public oyster reefs. From June 22, 2018 through October 3, 2018, a total of 450 SCUBA quadrat samples were collected and processed. Samples were collected from reefs that were planted with cultch between 2009 through 2016 and from non-planted reefs for comparison. Very low oyster densities were observed on all reefs surveyed along with oyster drills and evidence of drill predation. After data analysis, it was determined that the oyster density on the public reefs was too low to open reefs up for harvest in the fall of 2018.

AMRD biologists participated in 8 observer trips on 2 commercial blue crab vessels working Portersville Bay and the Wolf Bay/Perdido System between July 11 and December 5, 2018. A total of 500 of 516 crab traps fished were sampled and 2,534 individual blue crabs were sexed and measured. External parasites and abnormalities found on sampled crabs were documented and bycatch was recorded. A total of 161 crabs were randomly selected and retained during the 8 trips. Selected crabs were kept on ice after each trip until they were measured, weighed, and examined to verify sexual maturity, the presence of internal/external parasites, and for other abnormalities.

The AMRD continued to create reef fish habitats within the nearshore area of Alabama (Gulf of Mexico beach to 9 miles offshore). A \$1,200,000 contract using NFWF funds was executed to construct new reef habitat in the nearshore waters of the Gulf of Mexico. The project was completed and 600 concrete reef modules were deployed. Additionally, a \$1,600,000 project was completed to create new juvenile reef fish habitat within the newly permitted artificial reef zones between 6 and 9nm offshore. A total of 15,000 tons of 6"-10" limestone aggregate was deployed at 20 reef sites to create low profile, complex reefs.

The AMRD continues its at-sea sampling program funded by NFWF. The program consists of one sampler riding on a volunteer federally permitted for-hire vessel operating out of Mobile or Baldwin counties, to monitor fishing activities and collect biological data on targeted reef fish. The program, temporarily suspended during winter months due to low activity and participation, is expected to resume during the spring for its final year.

The AMRD continued mapping historical oyster reef locations in Mobile Bay using side scan sonar to determine possible locations of live oyster reefs. Several areas of potentially hard substrate have been identified and ground-truthing has been conducted to verify if live oysters exist in these areas or if the area is just a remnant of a past reef.

AMRD's Claude Peteet Mariculture Center (CPMC) continued stock enhancement efforts of red drum, Florida pompano, and southern flounder. Over 168,000 1-2-inch red drum fingerlings were released at 9 different sites throughout coastal Alabama. These releases occurred over two spawning periods. More than 55,000 1-2-inch Florida pompano fingerlings were released at locations along Baldwin County beaches over one spawning period. Modifications to existing larval rearing systems are being conducted to accommodate flounder hatchery activities. Funding for these modifications has been provided, in part, by the Alabama chapter of the Coastal Conservation Association. Flounder spawning activities are anticipated during early 2020.

The AMRD obtained funding for the construction of an Eastern oyster hatchery and remote larval setting facilities. Plans are currently in development with construction anticipated to begin in 2019.

Fall 2018 SEAMAP activities were completed for bottom long line, vertical line, ichthyoplankton and trawl surveys. Red snapper remain most abundant species in the vertical line catch. Atlantic sharpnose and black tip sharks were the most abundant from the bottom long line gear. Annual report was submitted to NOAA with results.

A joint three-year research project with Auburn University and Clemson University continues through 2020. This study focuses on southern flounder growth rate and sex ratio based on specific estuarine habitats. Thirty-six flounder were collected in 2018, but samples were not sufficient to investigate how habitat specific conditions affected sex ratios of juveniles.

The AMRD continued the collection of dockside Access Point Angler Intercept Survey interviews and validation of charter. From September through January, AMRD APAIS samplers completed a total of 227 assignments and interviewed 853 anglers. Training and fish tests were provided to APAIS staff in January and will be held again in August.

The AMRD and Gulf States Marine Fisheries Commission have collaborated to re-instate the Biological Sampling Program for the collection of otoliths from recreationally harvested marine finfish. The program was re-implemented on September 1, 2018 and will continue for 18 months. Through January 2019, a total of 63 pairs of otoliths with 123 additional measurements representing 9 out of the 13 primary targeted species were collected by AMRD's staff.

The reporting requirement for captains of recreational vessels landing red snapper in Alabama continued for the fifth year. During the 2018 red snapper season, 8,935 landings reports were submitted by representatives from charter boats, headboats, and private fishing vessels through the Snapper Check Program. Approximately, 1.80 million pounds of red snapper were estimated to have been landed in Alabama during 2018. In 2018, the Snapper Check Program was certified by NOAA Fisheries as a statistically valid method to estimate Alabama red snapper landings. Alabama is using Snapper Check to monitor red snapper landings in near real-time to stay within a state quota issued through a NOAA Fisheries' Exempted Fishing Permit (EFP). The EFP will continue through 2019.

The AMRD continues to register anglers through Alabama's Angler Registry Program. Anglers who are not required to purchase a license must register annually with AMRD if they intend to fish in Alabama's waters or transit through Alabama's waters in possession of fish. Exempted individuals such as lifetime license holders and residents over the age of 64 receive the angler registry at no cost. These data are provided to NOAA Fisheries monthly.

The AMRD continues to operate its Adopt-a-Reef program. Currently, 50 scuba divers have registered to become Adopt-a-Reef members and 57 reef reports have been submitted to the online database. Reports include information about offshore artificial reefs such as the subsidence of the reef, the structural integrity of the reef, lionfish abundance and removals, and the degree of anthropogenic fouling.

The AMRD developed and bid plans to replace the existing finger piers at two coastal boat ramps in Baldwin County. Construct activities are expected to begin in March 2019 and be completed prior to June 2019 at Boggy Point Boat Launch in Orange Beach and Bay Watch Boat Launch located at Weeks Bay.

The AMRD is working with Alabama Department of Conservation and Natural Resources engineering staff, the Alabama Historical Commission, and Volkert, Inc. to develop construction plans to replace the existing fishing pier located at the site of historical Ft Morgan in Baldwin County. The existing pier, constructed in the late 1960's, was closed several years ago due public safety concerns relating to the condition of the structure. The new pier will be constructed in the footprint of the existing pier and is expected to be publicly bid in the spring of 2019 with construction commencing shortly thereafter.

The AMRD participated in several outreach events by providing educational opportunities to learn about the marine environment through interactive exhibits. These events included the Alabama Coastal Birdfest and the multiday Mobile Boat Show.

The Alabama Seafood Marketing Program continued under the direction of the Alabama Seafood Marketing Commission. The Alabama Seafood Marketing Program consists of public relations, television commercials, print ads and articles, radio ads, billboards, speaking appearances, distribution of marketing materials, sponsorships of events and participation at community festivals and chef events to promote the benefits of seafood consumption. The marketing program's website is [www.eatalabamaseafood.com](http://www.eatalabamaseafood.com). The program to date has been very successful.

## **Enforcement Section**

From September 2018 through January 2019, AMRD enforcement officers conducted 998 commercial fishermen intercepts, 4,464 recreational fishermen intercepts, 731 seafood dealer and processor inspections, 5,632 hours of patrol (combined vessel patrol and shore patrol), and 1,385 vessel boardings.



Between September 1<sup>st</sup> and January 31<sup>st</sup>, the Enforcement Section participated in many outreach events including multiple boat shows and National Night Out programs, as well as, visiting area schools and fishing tournaments to provide education opportunities.

AMRD officers continue to partner with Bryant High School in Bayou La Batre and Baker High School in Mobile to support their Career Academy programs. This upcoming summer intern opportunities will provide up to four students the ability to gain valuable, paid, part-time work experience in the diverse career fields that are conducted by the AMRD.

In August 2018, the Enforcement Section was awarded a Port Security Grant totaling more than \$313,000 to be used towards updating and expanding the capabilities of the current Coastal Remote Monitoring system, a network of video cameras throughout Coastal Alabama. AMRD Enforcement is continuing the construction updates and expansion provided by the grant.

**Mississippi Department of Marine Resources (MDMR)**  
**Activity Report: July 1, 2018 – December 31, 2018**  
**Gulf States Marine Fisheries Commission (GSMFC)**  
**70<sup>th</sup> Annual Spring Meeting – New Orleans, LA**  
**March 18 – March 21, 2019**

**Artificial Reef Bureau**

The Artificial Reef Bureau (ARB) continued monthly monitoring of fish assemblages and physiochemical parameters at selected inshore reef sites. Personnel inspected 28 and replaced five inshore reef marker signs to assist boaters in locating the low-profile reefs. Juvenile reef fish sampling was performed in July. A total of 22 juvenile reef fish were captured, tagged, and released. ARB staff collaborated with the Mississippi Gulf Fishing Banks to monitor artificial reefs via roving SCUBA diver surveys. From July through December, a total of 24 dives were performed by the club's members and data was collected regarding species assemblages and physiochemical parameters. ARB staff also assisted the Shellfish Bureau in square meter sampling. In conjunction with the Gulf States Marine Fisheries Commission, the first annual Jimmy Sanders' Memorial Lionfish Challenge took place from May through September. Participants harvested 26 lionfish during the 2018 challenge. Biological data as well as harvest location was collected for each fish.

In addition to monitoring artificial reefs, the ARB worked on securing more structure to be deployed off the coast of Mississippi. The ARB secured approximately 47 deliveries, totaling 1,282 pieces of clean concrete material. This material is stockpiled at the Gulfport staging site for future offshore deployments.

The ARB staff represented the MDMR by contributing to outreach events and educational meetings. In July, staff represented the agency at the annual Mississippi Deep Sea Fishing Rodeo as well as the Croaker Classic in Biloxi. In August, staff represented the agency at the Mississippi Wildlife Extravaganza in Jackson MS.

ARB staff worked on renewing permits for all nearshore artificial reefs, keys, and the Cat Island artificial reef zone, and applied for two new artificial reef zone permits. This process includes: permit application, Section 7 Endangered Species checklist, and environmental assessments. Likewise, staff continued the process of obtaining permits for two new artificial reef zones in the vicinity of three other existing reef zones. These new zones will be known as Mississippi Reef Zone 1 and Mississippi Reef Zone 2 (MRZ 1 and MRZ 2).

Lastly, the ARB is currently preparing for and working on future deployments of artificial reef material. MDMR continues to work with several companies as they contribute to artificial reef development by donating clean concrete material. The material is being stockpiled at a five-acre staging site in Gulfport, MS. This material will be deployed at a later date.

**Finfish Bureau**

The Finfish Bureau (FB) continued to oversee the Marine Recreational Information Program (MRIP) in Mississippi. Assignments from July to December were obtained, reviewed, and processed before being sent to the GSMFC office. A total of 237 assignments and 1,230 surveys were completed July 1, 2018 through December 31, 2018 in Jackson, Harrison, and Hancock Counties. Survey site validations were conducted at all active sites to update the site registry for 2018 as state-wide site effort estimates continue to be refined to improve the accuracy of the survey design. The for-hire vessel frame was evaluated and edited to better reflect our most recent and updated state license file. This will allow FB staff to develop a more comprehensive and accurate active vessel frame to estimate for-hire effort more precisely.

Long term fishery independent sampling continued in conjunction with the NOAA Project “Monitoring and Assessment of Mississippi’s Interjurisdictional Marine Resources.” With cooperation from the Gulf Coast Research Laboratory (GCRL) a total of 323 otoliths were collected July 1, 2018 through December 31, 2018. Samples were collected from ten different species: Atlantic Croaker, Black Drum, Red Drum, Sheepshead, Southern Flounder, Spanish Mackerel, Spotted Seatrout, Southern Kingfish, Sand Seatrout and Striped Mullet. Additionally, 388 samples were collected and processed as part of the MDMR biological sampling program from 15 species: Black Drum, Sheepshead, Florida Pompano, Southern Flounder, Red Snapper, Spotted Seatrout, Southern Kingfish, Striped Mullet, Sand Seatrout, Gray Snapper, Atlantic Croaker, King Mackerel, Cobia, and Vermillion Snapper. The data collected through these programs will aid in management decisions for our state and are submitted to the Gulf States Marine Fisheries Commission (GSMFC).

The otolith reference sets for Sheepshead and Gray Triggerfish have been read by MDMR staff. No other reference sets are currently in-house at MDMR.

Commercial landings data was collected from fishermen and dealers utilizing Mississippi Trip Ticket program to monitor the quota on Red Drum, Southern Flounder, and Spotted Seatrout. FB staff continued working with commercial fishermen and dealers on trip ticket concerns. From July 1, 2018 through December 31, 2018 there was 1,987 paper trip tickets scanned and 2,297 tickets that were submitted electronically. All commercial landings data for 2018 has been verified and sent to GSMFC. Mississippi currently has 226 active commercial fishermen and 127 dealers participating in our trip ticket program.

FB staff continued to tag Red Drum in Mississippi coastal waters as part of an ongoing research project aimed at filling in age and size information gaps of Red Drum in Mississippi waters. The Red Drum project began in February 2014 and targeted fish of sizes of 20-30 inches, however Red Drum collected from past and current monitoring projects have not captured this size range. In addition, fishery dependent samples have been collected on a voluntary basis from recreational fishermen and for-hire captains who relinquish the carcasses to MDMR staff. These samples will be used to enhance existing data sets to complete a Red Drum stock assessment currently underway. With all Red Drum processed, additional samples are collected in relation to stomach contents (Trophic analyses), gonad samples (histology), and otoliths (ages).

FB added a new component to capturing information from Red Drum last year by tracking their movements through acoustic telemetry. The study is focused on the Biloxi Bay area and tagging

began in May of 2017. The acoustic array consists of 34 acoustic receivers placed at strategic locations throughout the project area. Staff successfully tagged 50 Red Drum from July 1, 2017 through December 31, 2018. Three additional Red Drum were recaptured between July 1, 2018 through December 31, 2018 and reported by anglers for a total of 13 fish recaptured since the project began in May of 2017.

Mississippi’s recreational Red Snapper electronic reporting system, Tails n’ Scales, completed another successful landings program for the 2018 season. This year, the National Marine Fisheries Service (NMFS) encouraged each of the five Gulf States to submit Exempted Fishing Permit (EFP) applications to test state-based recreational red snapper management programs, and in response, each gulf state developed a proposal for a pilot study. On April 16<sup>th</sup>, NMFS issued the permits, allowing Mississippi and the other four gulf states to set their own seasons for private recreational anglers and state charter for-hire vessels. Mississippi’s private recreational season lasted for 76 days with a few closures and openings during that period. The season length for state charter for-hire vessels was 17 days and the federal for-hire season was 51 days, although vessels with federal reef fish permits were not included in the EFP. Mississippi’s quota was 137,949 lbs., which was split proportionally between the private recreational and state for-hire sectors. The state for-hire quota was 2,800 lbs. Along with Mississippi’s EFP being accepted for the 2018 and 2019 seasons, Tails n’ Scales completed the certification process and became the second program to have its survey design accepted by NOAA Fisheries in June, after Louisiana. The Red Snapper reporting system “Tails n’ Scales” was certified by NOAA in June of 2018.

MDMR in conjunction with GCRL completed Year 3 sampling for the offshore reef fish National Fish and Wildlife Foundation project. From July 1 through December 31, 2018, a total of 90 sites (DMR 34, GCRL 56) were sampled with fish and water quality samples currently being processed.

MDMR in conjunction with GCRL started discussing a Southern Flounder stock assessment and sampling protocol in February of 2018. Sampling by fyke nets began in May of 2018 and is still ongoing. A total of thirty net sets over three stations (Deer Island, Belle Fontaine Beach, and Davis Bayou) were performed from July 1 through December 31, 2018. Thirty-Two Southern Flounder have been collected during this time.

Eight recreational fishing records were approved by the CMR as state records between July 1, 2018 through December 31, 2018.

<b>Angler</b>	<b>Catch Month</b>	<b>Common Name</b>	<b>Scientific Name</b>	<b>Weight</b>
Matt Glen	July	Graysby	<i>Cephalopsholis cruentata</i>	9.93 oz
(Y) Kyson Blocker	August	Striped Burrfish	<i>Chilomycterus schoepfii</i>	1 lbs. 5.62 oz
(Y) Margaret Schindler	August	Red Drum	<i>Sciaenops ocellatus</i>	26 lbs. 8 oz
Michael Garrett	August	Tiger Shark	<i>Galeocerdo cuvier</i>	675 lbs.
(Y) Reagan McGarvey	September	Gulf Kingfish	<i>Menticirrhus americanus</i>	1 lbs. 8.72 oz
Brennan Sanders	September	Inshore Lizardfish	<i>Synodus foetens</i>	5.50 oz
Junie Creel	October	Lowfin Pomfret	<i>Brama dussumieri</i>	4.37 oz
Kevin Sikes	October	Gulf Flounder	<i>Paralichthys albigutta</i>	1 lb. 7.68 oz

(Y) = Youth Record

### **Seafood Technology Bureau**

The Seafood Technology Bureau (STB) conducted 179 inspections including pre-operational, follow-up, certification, standardization, and routine inspections. The required bi-annual water quality sampling for seafood processing facilities for September was completed with a total of 49 samples taken.

In June, the Food and Drug Administration (FDA) conducted a Program Element Evaluation of the Plant and Shipping Element of the Mississippi Shellfish Sanitation Program. During the evaluation, 11 processors were inspected. The result of the evaluation was a “conformance” rating. This is the highest rating a program can receive. Since 2001, the Mississippi Shellfish Sanitation Program has been evaluated by the FDA 10 times. The program has received a conformance rating nine times out of 10.

In accordance with the Interstate Shellfish Sanitation Conference’s National Shellfish Sanitation Program, the STB conducted several illness investigations. None of the illnesses were epidemiologically linked to the consumption of Mississippi harvested oysters.

The STB in collaboration with the FDA conducted four workshops - two Basic Seafood Hazard Analysis Critical Control Point (HACCP) and two Sanitation Control Procedures (SCP) workshops. The workshops were held free of charge for Mississippi residents. They were made possible through a grant from the Mississippi Tidelands Trust Fund Program FY 2016/FY 2018 which is administered by the Mississippi Secretary of State’s Office and the Mississippi Department of Marine Resources. A total of 39 students attended the HACCP workshops and 28 attended the SCP workshops.

In July, staff from the STB participated in a tabletop exercise simulating a water contamination event with the Mississippi Department of Health, The Centers for Disease Control & Prevention, the FDA, and the Center for Food Safety and Applied Nutrition, in Jackson. The exercise enabled discussions on how all agencies involved would react in a real-world water contamination event. Several staff members completed ServSafe training. ServSafe is a five-year certification for food handlers on safe practices. Scholarship funds that were secured from the Association of Food and Drug Officials (AFDO) also allowed one staff member to attend the AFDO Southern States Conference in Gatlinburg, Tennessee in September.

Two staff members are currently participating in the Certified Public Manager (CPM) program taught by the Mississippi State Personnel Board. The program is a nationally recognized leadership development program for public managers and supervisors.

In August, staff participated in an oyster dissection class at Harrison Central High School. Students were instructed on the link between oyster anatomy and seafood safety. The STB also participated in the annual Jackson County Fair in October, educating thousands of residents

about the importance of seafood safety in their everyday lives. In November, staff from the STB participated in a Smithsonian public outreach event at the Ocean Springs Library.

### **Shellfish Bureau**

The 2018-2019 Oyster Season opened to the harvest of oysters on November 10, 2018. The season has opened for a total of seven days from November 10 to December 8, 2018. There was a total of 3,852 sacks harvested and a total of 247 trips taken during this time. The only areas open for harvest at this time was Area 1 and Area 2. These areas are in the westernmost portion of the Mississippi Sound.

During Spring and Fall 2018, Shellfish Bureau deployed cultch materials for oyster restoration over approximately 290 acres of public oyster reefs. Since June 2018, the Shellfish Bureau deployed approximately 145 acres of cultch material over the public reefs throughout the Western MS Sound and Biloxi Bay. In the Western MS Sound, 137 acres of limestone (#4 size) and oyster shell were deployed over St. Joe, Pass Marianne, Pass Christian, Henderson Point, and St. Stanislaus reefs. In Biloxi Bay, a variety of cultch types including oyster shell, limestone, crushed concrete, and spat-on-shell were deployed over eight approximately one-acre sites. MDMR plans to monitor and study the effectiveness of different cultch materials for restoration of oyster reefs using the one-acre sites in Biloxi Bay.

From June through December 2018, the Shellfish Bureau collected 722 fecal coliform water samples. These samples are used to manage the opening and closing of oyster reefs. The samples are collected by boat, in sterile bottles, one-half meter below the surface on the windward side. The samples are placed on ice and transported to an FDA certified microbiology laboratory. The samples are analyzed using the 5-tube, 3 dilution, modified A-1 method.

Oyster License Sales for the 2018-2019 fiscal year include: eight recreational Licenses, 50 commercial tonging licenses, 135 commercial dredging licenses, nine commercial out of state tonging licenses, and nine commercial out of state dredging licenses.

In August 2018, two members of the HAB task force attended the US Harmful Algal Bloom Taxonomy Course held at Bigelow Laboratory in East Boothbay Maine. The course is designed to educate state and federal workers that respond to HAB events in the interest of public safety. MDMR staff learned how to distinguish various species of dinoflagellates, diatoms, and other flagellates that are considered harmful in blooms due to morphological characteristics. Staff had extensive training of; algal classification through lectures and examination of over 100 species of live and preserved samples, use of light and electron scanning microscopes, use of a FlowCam®, and net sampling.

The Shellfish Bureau held a Harmful Algal Bloom Identification Training Workshop October 11-12, 2018. There were 15 participants from the MDMR, GBNERR and ALDH. Jennifer Maucher Fuquay with NOAA's Phytoplankton Monitoring Network in Charleston, South Carolina, traveled to Biloxi, MS to present a training session on how to identify harmful algae. The first day of the training focused on marine phytoplankton identification. The second

day of training focused on freshwater phytoplankton identification with a presentation followed by preserved and live sample identification.

The Pascagoula oyster relay began on December 10, 2018 and concluded on December 17, 2018. On Friday, December 14<sup>th</sup>, the relay was closed at 1:00 p.m. due to adverse weather conditions. It reopened on Sunday morning at legal sunrise, December 16<sup>th</sup>.

Pre-Registration for the Pascagoula relay took place on December 4<sup>th</sup> through 7<sup>th</sup> at the Bolton Building in Biloxi. There was a total of 146 harvesters qualified to participate and there were 80 harvesters that registered to participate. Two MS Dealers participated in the relay: Joe Jenkins with Crystal Seas Seafood and Jeremy Forte with Jerry Forte Seafood.

During the relay, a total of five barges were deployed onto the restoration site located in Biloxi Bay utilizing contractor barges to spray the oysters off the deck with high powered water monitors. Method of deployment was slightly different than traditional methods, whereby the barge dropped a spud into the substrate and rotated around its axis while spraying oysters from the barge. This method of deployment should have resulted in a more concentrated distribution of oysters in a circular pattern. JE Borries, Inc was the bidder for the barge contract. The dates for this contract are: December 10 – 14 and 16 – 18.

**Total Sacks Harvested and Total Boats Working by Day**

<b>Date</b>	<b>Total Sacks Harvested</b>	<b>Total Boats</b>
12/10/18	1,509	?*
12/11/18	2,228	31
12/12/18	2,598	32
12/13/18	1,524	28
12/14/18	2,010	?*
12/16/18	5,085	42
12/17/18	3,624	43
<b>Total Relay Harvest</b>	<b>18,578</b>	

\*Still working to gather this data

Between May 23, 2018 and August 9, 2018, the Shellfish Bureau conducted an annual oyster stock assessment of 14 reef complexes located in the Mississippi Sound between the mouth of the Pearl River and the Pascagoula River. Reef assessments help to determining a sustainable harvest, monitor predation and disease, calculate mortalities and recruitment, record environmental conditions including hydrology and bottom type, and determine where and how to focus future restoration efforts. Square meter dive samples are employed to provide a quantitative assessment of each reef across the entire spectrum of oysters’ sizes to achieve the assessment goals. Random points were selected for each reef based on reef size and reef density variations. A total of 200 sampling locations were created with 2 replicate dives performed at each location for a total of 400 square meter samples across the 14 reefs. Below are the results of the 2018 oyster reef assessment.

**2018 Mississippi Oyster Stock Assessment**

<b>Reef</b>	<b>2018 Est. Sack Total</b>	<b>Sacks @30% Harvest</b>	<b>Status</b>
Pass Tonging	652	196	Near depletion
Pass Dredging	0	0	Near depletion
Henderson Point	2,064	619	Near depletion
Pass Marianne	1,309	393	Near depletion
Telegraph	0	0	No resource
St. Joe	21,230	6,369	Fished heavily
St. Stanislaus	1,427	428	Fished heavily
Waveland	29	9	Recovering (limited resource)
Between the Bridges	550	165	Resource recovering
<b>Western Reefs</b>	<b>27,261</b>	<b>8,178</b>	
<b>Biloxi Bay Cultch Plant</b>	<b>675</b>	<b>203</b>	
<b>TOTALS</b>	<b>27,936</b>	<b>8,381</b>	

<sup>1</sup>Includes additional acreage identified in 2017 side-scan image

**2018 Mississippi Oyster Stock Assessment (Eastern Reefs)**

<b>Reef</b>	<b>2017 Est. Sack Total</b>	<b>2018 Est. Sack Total</b>	<b>Comments</b>
<b>Biloxi Bay Cultch Plant</b>	<b>1,651</b>	<b>675</b>	<b>Recovering (limited resource)</b>
<b>Shearwater</b>	<b>1,674</b>	<b>651</b>	<b>Restricted waters</b>
<b>Graveline</b>	<b>830</b>	<b>904</b>	<b>Restricted waters</b>
<b>Pascagoula West</b>	<b>10,013</b>	<b>5,245</b>	<b>Restricted waters</b>
<b>Pascagoula Causeway</b>	<b>26,745</b>	<b>21,601</b>	<b>Restricted waters</b>
<b>TOTALS</b>	<b>40,913</b>	<b>29,076</b>	<b>Recommend No Harvest</b>

**Shrimp and Crab Bureau Mississippi Department of Marine Resources (MDMR)**

Mississippi territorial waters opened to shrimping at 6:00 a.m. on June 6, 2018. An aerial survey counted 254 boats trawling in the Mississippi Sound on opening day as fishermen reported catching moderate numbers of 40/50 count brown shrimp. Preliminary landings for July through December 2018 show 5.88 million lbs. of shrimp (all species head-on) landed in Mississippi with a dockside value of \$11.5 million. Shrimp landings increased from the same period (July-December) of the 2017 season (5.75 million lbs.).

Preliminary Blue Crab landings for July through December 2018 were 556,291 lbs. with a dockside value of \$800 thousand, an increase for the same period of the 2017 season (464,283 lbs. with a value of \$600 thousand). A public derelict crab trap clean-up is planned in



Mississippi from February 14-16, 2019. MDMR staff continues to remove derelict traps reported to the agency by the public, and also continues to retrieve submerged derelict traps using side scan sonar technology. Utilizing NOAA Disaster Recovery funds from the 2011 opening of the Bonnet Carré spillway, the MDMR has been able to provide 60,934 crab trap escape rings and 6,740 terrapin excluder devices to resident crab fishermen at no cost.

The third annual Mississippi Crab Newsletter, *The Blue Crab Beacon*, was distributed to resident commercial crab fishermen. The newsletter contained information Mississippi Blue Crab landings, the Mississippi Derelict Crab Trap Removal Program, Mississippi's Trip Ticket Program, Gulf Coast Research Laboratory's (GCRL) Crab Tagging Program, TEDs/Escape Rings, Crab Processing and other informative topics. The 11th annual edition of *Shrimping the Sound* was also distributed to resident commercial shrimpers. The newsletter included information on TED Enforcement, Audubon's G.U.L.F. Initiative, USGS Hydrological Monitoring Program, Marine Mammal Authorization, American Shrimp Processors Annual meeting, Mississippi Shrimp Landings, as well as environmental conditions influencing shrimp abundance this year. Both newsletters are available on the MDMR website at [www.dmr.ms.gov](http://www.dmr.ms.gov).

Long term fishery independent trawl sampling continued in conjunction with the NOAA Project "Monitoring and Assessment of Mississippi's Interjurisdictional Marine Resources." Cooperation with GCRL on the commercial and recreational Blue Crab Catch per Unit Effort projects is also ongoing. Bureau personnel coordinated and administered six U.S. Fish and Wildlife Service Sport Fish Restoration Projects, issued 34 Scientific Research Permits per Title 22 Part 18, and inspected and licensed 16 Live Bait Camps and ten vessels per Title 22 Part 6.

**Gulf States Marine Fisheries Commission  
69<sup>th</sup> Annual Spring Meeting  
Technical Coordinating Committee  
March 21, 2019**

## **LOUISIANA STATE REPORT**

### **Resource Management:**

#### **LA Creel**

Through the La Creel program, 3,179 recreational fishing trips, comprised of 7,527 individual anglers, were surveyed during 2018 Sample Weeks 40 - 52 (October 1, 2018 through December 30, 2018) and 2019 Sample Weeks 1 – 3 (December 31, 2018 – January 20, 2019) (the sample period). Forty-eight different interviewers completed 487 assignments during the sample period.

Fish kept by anglers and allowed to be viewed by interviewers are referred to as observation Type 1 fish. Fish in possession of the angler at the time of survey, but not seen by the interviewer are classified as observation Type 2 fish. For the reporting period, there were 21,769 Type 1's and 5,756 Type 2's, which means that 79 percent of all fish in possession of the angler at the time of survey were identified and counted by staff.

On January 21, 2019, La Creel began capturing the time spent onsite. The purpose is to determine if variations in the time on site have any unforeseen impacts on the data, particularly with PM assignments, which are often shorter than AM assignments due to sunset. This was also a suggestion made by the NMFS contracted La Creel review committee.

Also in January 2019, a new SAS assignment draw program was developed to make the process more efficient. The new program was used to generate the February 2019 assignment list.

The iPad application used for data entry for dockside surveys will undergo a rebuild in the spring of 2019. The rebuild entails moving the app from one platform to another so that future maintenance and changes to the app can be done in-house by state IT staff.

### **Stock Assessments:**

An updated stock assessment of striped mullet was completed in November 2018 and presented to the Louisiana Wildlife and Fisheries Commission (LWFC) for transmittal to the Louisiana Legislature in February 2019. This assessment uses a statistical catch-at-age model to estimate annual time-series of spawning stock biomass and fishing mortality rates. Time-series of fishery catches-at-age along with a fishery-independent relative abundance index are the primary model inputs. Current status of the stock is determined with estimates of reproductive potential. Based

on results of this assessment update, the stock is currently not overfished and not experiencing overfishing.

### **Age and Growth:**

BIOFIN funding returned this year, starting on September 1, 2018. Since the new BIOFIN agreement covers recreational species only, we rely on NOAA's TIP sampling for our commercial otoliths. All otolith collection and ageing data has been transferred to GSMFC through the month of October. Staff are currently working on November and December otolith processing. The lab is also starting to receive reference sets for group reading for the upcoming Otolith Processors Meeting in May 2019.

From the beginning of September 2018 to the end of January 2019, the Age and Growth laboratory in Baton Rouge has received 3,791 Marine Fisheries otoliths. From that otolith total, 2,930 have been aged. During this same time period, 1,323 Inland Fisheries otoliths have been collected and transferred to the lab. All of these Inland otoliths are Largemouth Bass, Channel Catfish, Black and White Crappie. The Fisheries Research Lab processes Blackfin Tuna, Tripletail, Wahoo, and Yellowfin Tuna. The numbers for those species are not included in the Age & Growth lab's total for this time period. However, their individual totals are listed. The totals received for each species are: Black Crappie-511; Black Drum-646; Channel Catfish-15; Cobia-0; Gray Snapper-3; Greater Amberjack-0; Gray Triggerfish-0; King Mackerel-6; Largemouth Bass-605; Red Drum-968; Red Snapper-104; Sheepshead-345; Southern Flounder-267; Spotted Seatrout-1,214; Striped Mullet-111; Tripletail-26; Vermilion Snapper-0; Wahoo-0; White Crappie-192; Blackfin Tuna-0; Yellowfin Tuna-101.

### **Fisheries Research Lab:**

The Grand Isle Fisheries Research Lab (GI-FRL) is the base for offshore fisheries independent monitoring and research projects conducted by the Fisheries Research and Assessment Section. GI-FRL also performs a significant outreach capacity, as the Lab serves as a point of contact for the public, visiting researchers, and educational programs.

### **Southeast Area Monitoring and Assessment Program (SEAMAP)**

SEAMAP is a cooperative state, federal and university program designed for the collection, management and dissemination of fishery-independent biological and environmental data of the coastal waters (state and EEZ) off the southeastern United States, Caribbean and northern Gulf of Mexico. Since 1981, SEAMAP has collected data on fish stocks that are managed by either state or federal governments. Louisiana takes part in four components of the SEAMAP program: shrimp/groundfish, ichthyoplankton, vertical line and bottom longline. These surveys are conducted by teams of three to nine fisheries biologists who collect, process and enter data. In addition, all surveys collect environmental parameters including a water column profile and water samples from bottom, middle and surface depths for chlorophyll measurements. These surveys are

conducted from April through October with data management and reporting conducted during the winter. During the reporting period, final reports and data packets were submitted to the Gulf States Marine Fisheries Commission (GSMFC) for all four surveys. The LDWF TCC-SEAMAP representative participated in the Fall GSMFC meeting. SEAMAP final grant reports were submitted to the National Oceanic and Atmospheric Administration (NOAA).

### **Spotted Sea Trout Life History Study**

Previous assessment analyses (Assessment of spotted seatrout in Louisiana waters: 2011 Report by Joe West, Jason Adriance, Melissa Monk and Joseph Powers) provided estimates of female spawning potential ratio and spawning stock biomass based on limited data sets. New information has allowed for greater data resolution, which allows for more accurate estimates within the assessment model. Production estimates of the spawning stock are important inputs into the stock assessment model. During the reporting period, reproductive histological analysis was completed with 11 batch fecundity completed thus far. Female ovary tissue samples have been processed. By supplementing collections with charter catches, we have increased the total number of older individuals in our sample population, which will aid in providing a better estimate of age-specific fecundity. The calculation of annual fecundity within age will allow for a more accurate representation of the spawning stock as a production input into the model and will more accurately assess the status of the Louisiana spotted seatrout spawning potential ratio. Future collections will focus on older spotted seatrout (ages 3+), obtaining females in spawning condition, and expanding the study from its current Barataria Basin focus to a statewide project that incorporates monthly samples from throughout the spawning season from each Coastal Study Area.

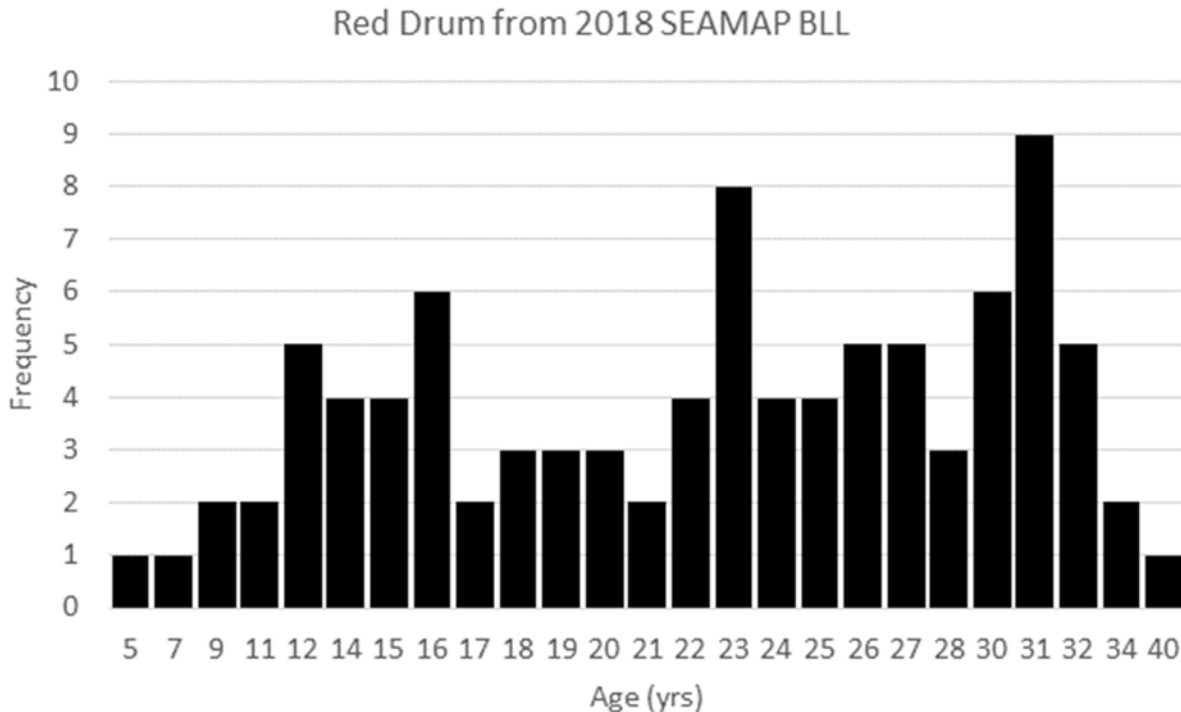
### **Offshore Red Drum Age Structure**

The red drum (*Sciaenops ocellatus*) is one of the most harvested marine recreational fishes, both across the northern Gulf of Mexico and specifically in Louisiana (National Marine Fisheries Service (NMFS) 2017). However, before 1988, red drum were overfished and undergoing overfishing. According to a red drum stock assessment conducted by the Southeast Fisheries Science Center in 1987, the chance of juvenile escapement to the spawning stock was less than 2 percent (Goodyear 1987). The Gulf of Mexico Fisheries Management Council (GMFMC) implemented regulations that prohibited the retention of red drum from the Exclusive Economic Zone (EEZ; Red Drum Fishery of the Gulf of Mexico 1988). While the moratorium on EEZ harvest, which is still in effect, has increased spawning stock biomass in the Atlantic, the status of the Gulf of Mexico stock is unclear (SEDAR 2015, Porch 2000). Trammel net data from LDWF indicates an upward trend in mean size through sampling years, but it is difficult to determine whether this is the result of estuaries becoming more open water habitat or a recovering drum population. Additionally, the collapse of the offshore commercial purse seine fishery has impaired biological sampling of older or larger red drum for otolith or gonad sampling to determine age composition or fecundity. The 2000 red drum stock assessment lists

age composition of the adult population as a research priority for the Gulf of Mexico while both the 2000 Gulf of Mexico and 2015 Atlantic stock assessments are still using fecundity estimates from 1994 (Wilson and Nieland 1994, Porch 2000, SEDAR 2015). There is a clear need for biological samples from the offshore red drum stock to inform future assessment attempts.

The portion of the Southeast Monitoring and Assessment Program (SEAMAP) bottom longline (BLL) survey conducted by LDWF could provide a solution to red drum stock assessment needs. The SEAMAP BLL survey redesign was effective for the 2015 sampling season and resulted in greater sampling effort along the entire Louisiana coast inside the 10m contour. This survey has caught at least 100 red drum per year from 2015 through 2017 in offshore coastal waters adjacent to the Louisiana coast, with over 20% of the 90 stations recording of red drum catches. The lack of a consistent biological sampling source for offshore red drum has hindered stock assessment, but the LDWF portion of the SEAMAP bottom longline survey could provide a fishery independent source of otolith and gonad samples. Otoliths would provide abundance of age or year classes within the population while gonad samples would deliver spawning frequency and fecundity estimates. The abundance indices from standardized sampling coupled with age and reproductive analysis from the otolith and gonad samples would more accurately assess the adult population of Red Drum off Louisiana.

In 2018 LDWF collected otoliths from 160 red drum during offshore randomized BLL sampling. Though the majority of those landings occurred outside of the spawning season during spring sampling, 29 gonads were collected from female red drum closer to the spawning season during summer and Fall BLL sampling. Ages for red drum collected offshore ranged from 5 to 40 years (Figure 1). We expect that these data will be critical in characterizing the offshore spawning stock of red drum off the Louisiana coast in future stock assessments.



**Figure 1. Age distribution of red drum collected offshore during 2018 SEAMAP bottom long-line surveys. Red drum sampled ranged from 5 to 40 years old.**

### **Southern Flounder Tag Retention**

In an effort to assess perceived declines in southern flounder stocks, LDWF began to explore a pilot field tagging study in Barataria estuary where a large number of southern flounder could be captured using fishery-independent survey methods, tagged, and released. Fishery recaptures could then be monitored through time and space to provide information on mortality rates, population size, and movement. Gear tests for this potential survey were completed during the reporting period.

A tank-study was conducted to determine the optimal tag-type (T-bar or dart) and tag-location (dorsal fin or caudal peduncle region) for the southern flounder field experiment. Biologists at the GI-FRL collected 44 southern flounder using drop rings at night. Following a quarantine procedure, these flounder were alternately double-tagged with t-bar and dart tags and separated in equal numbers into 4 tanks where they were kept for up to 6 months. The tank trial was completed in December 2018 and data analysis is underway.

### **Offshore Artificial Reef Monitoring**

The Artificial Reef (AR) Monitoring Grant has three main goals: 1) analysis of GoPro video from previous (2015-17) and current vertical line (2018; VL) surveys, 2) conduct VL surveys on LDWF AR structures to enhance SEAMAP survey coverage of these structures, and 3) develop

and conduct roving diver surveys on LDWF AR reef structures. While these surveys are all ongoing, progress can be reported toward the objectives of each.

Previously, 430 unique GoPro videos were compiled from SEAMAP VL surveys (2015-2017). These videos were filtered for visibility and pre-read to define video read time bounds, with 43 of 247 videos readable from 2015, 37 of 97 videos readable from 2016, and 18 of 86 videos readable from 2017. Of the total collected, 98 videos were determined to be readable and these were read by two independent readers for finfish species identification on a 'min count' basis. Concurrently, GoPro videos were collected (SEAMAP funding for field work) from 2018 VL survey sites. 2018 videos were processed and read during the reporting period. Data management is underway and final results are expected in 2019.

LDWF also sought to enhance the monitoring of LDWF AR sites using the established SEAMAP VLL survey protocol. Ten percent of the AR structures in the LDWF Offshore AR Program were randomly selected and added to the 2018 survey. The 2018 survey was completed in fall of 2018, with 46 AR sites sampled following the SEAMAP VL protocol.

Additionally, LDWF sought to include a roving diver survey component to the LDWF AR Monitoring effort. While LDWF has previously conducted dive surveys at standing platforms, no dive surveys had been conducted at AR sites until this year when roving diver surveys were completed in the VR and ST block areas. Biologists surveyed finfish species at the AR site and the nearest standing platform. Diver observations and video counts were completed during the reporting period.

### **Offshore Invasive Species Monitoring**

LDWF conducted roving diver surveys at offshore structures to document the presence, abundance, and habitat preferences of the invasive lionfish (*Pterois sp.*). Survey zones were the areas east of the Mississippi River Delta (Delta East), the area west of the Mississippi River Delta to Port Fourchon (Delta), Fourchon to Marsh Island (Central LA), and Marsh Island to the western LA state line (West LA). LDWF biologists conducted seven survey dives in 2018, five of which were in the Delta West and two in the West LA zones. Lionfish were observed at all three platforms in the ST-131 lease block but not at ST-152 or the ST-130 reef. Video, counts, and habitat descriptions were recorded. Lionfish were present at both sites, with video, counts, and habitat description recorded. Twenty-four lionfish were collected on the West LA surveys and tissue, otoliths, and stomachs were retained for species identification, age analysis, and stomach content identification, respectively. Video counts, ageing, and analysis of gut contents were completed during the reporting period with similar surveys and expanded biological collection planned for 2019.

### **Life History and Population Structure of Snowy and Warsaw Grouper in US Waters**

Snowy and Warsaw groupers are both valuable and vulnerable components of the deep-water grouper assemblage in the northern Gulf of Mexico. LDWF participated in a NOAA-MARFIN funded research grant with Texas A&M Galveston, Texas A&M Corpus Christi, and the

University of Florida to use tissue, hard parts, and reproductive samples to address existing data gaps for these commercial and recreationally important species that are both either overfished (Snowy) or experiencing overfishing (Warsaw), according to the National Marine Fisheries Service (SEDAR 4 and 36). By using both archived samples and active collection, the participants in this study were able to amass one of the largest sample sizes ever collected for these two deep-water species, which are often difficult to sample. Final 2018 collections of otoliths tissue, and gonads were distributed during the reporting period with final analysis underway.

### **Michael C. Voisin Oyster Hatchery**

The Michael C. Voisin Oyster Hatchery located on Grand Isle, Louisiana is operated through a collaborative effort between the Louisiana Department of Wildlife and Fisheries (LDWF) and Louisiana Sea Grant (LSG). LSG is contracted to assist with facility operations and to provide recommendations to LDWF for hatchery operations. Hatchery staff work together to produce oyster larvae and algae feed. Furthermore, LDWF and LSG produce diploid, triploid, and tetraploid oyster larvae and seed for industry orders, restoration projects, breeding program, and research projects.

The focus for fall 2018 larval production was to produce diploid pediveligers for setting on whole oyster shell and deploying hatchery-produced spat-on-shell on restoration test plots designated by the LDWF Oyster Program Manager. The fall production had low pediveliger larval production and only produced a small amount of diploid seed of approximately 35,637 seed. Diploid seed was provided to LSG for research and broodstock purposes. Large spawns occurred in the hatchery during the fall; however, the larvae did not survive or grow well. LDWF and LSG hatchery staff conducted a series of feed experiments and water quality sampling to determine if feed and/or bacteria was the cause of mortalities. Feed experiment results suggested that bacteria in the hatchery-produced algae and larval tanks might be a primary cause of mortality. LDWF and LSG staff collaborated with a professor and honors student from Nicholls State University (Thibodaux, Louisiana) in the fall and winter to analyze hatchery seawater and hatchery-produced algae samples to determine if bacteria (specifically *Vibrio* species) was present during the time of larval mortalities. Results are pending. The 2018 hatchery season finished in late November. Refer to Table 1 for total 2018 hatchery production.



## 2018 Total Hatchery Products\* Summary

	Diploid	Triploid	
Total D-stage	n/a	n/a	
Total Veligers <sup>(a)</sup>	522,666	662,666	
Total Pediveligers & Veligers <sup>(b)</sup>	n/a	2,570,333	
Total Pediveligers	17,845,163	5,309,199	
Total Pediveligers Set on Shell (Shellbags)	n/a	63,570,745	
Total Pediveligers Restoration	16,196,666	25,102,732	
Total Pediveligers Sales	n/a	97,000,334	
Total Seed Restoration <sup>(c)</sup>	n/a	3,371	
Total Seed Restoration	602,545	512,287	
Total Seed Research	35,637	n/a	
Total Seed Sales	354,000	259,667	
Total Spat-on-Macroculch	56,775	128,059	
Total Spat-on-Shell	n/a	3,799	<i>Grand Total</i>
<b>Total larvae by ploidy</b>	<b>34,564,495</b>	<b>194,216,009</b>	<b>228,780,504</b>
<b>Total seed by ploidy</b>	<b>956,545</b>	<b>775,325</b>	<b>1,731,870</b>
<b>Total spat by ploidy</b>	<b>56,775</b>	<b>131,858</b>	<b>188,633</b>

\*Products here do not include LSG research brood data or tetraploid brood data

<sup>a</sup>Veligers were terminated because of poor quality, typically resulted at end of brood life

<sup>b</sup>Includes PV,V set on aragonite test cultch

<sup>c</sup>Ploidy either diploid or triploid, seed from floor screen from bottle nursery

**Table 1. LDWF 2018 total hatchery products summary. These are the end-products delivered or used for sales, restoration, or research. Products are characterized by ploidy (diploid or triploid), life cycle stage (larvae, spat, or seed), and purpose.**

From December 2018 through January 2019, hatchery staff completed off-season maintenance and prepared for the 2019 hatchery season. The Algal Stock Room started back up mid-

December with new stock cultures and the Algal Production Room began algal bag production at the end of January. Staff expect the 2019 larval production to begin in mid to late March.

### **Marine Mammal and Sea Turtle Monitoring:**

LDWF continues to maintain a stranding and rescue response program for the state, working closely with our federal counterparts at the NOAA/NMFS and the United States Fish and Wildlife Service (USFWS). LDWF Staff receive and investigate reports of live and dead marine mammals and sea turtles. These reports are received from members of the public, various law enforcement agencies, local government officials, property managers, and other entities including barrier island restoration construction crews working on remote islands and beaches along the Louisiana coast. Where logistically possible and appropriate, depending on state of decomposition, marine mammal and sea turtle carcasses are field-sampled if very decomposed, necropsied in the field on-site, or are recovered for necropsy to be performed by a veterinarian and trained staff in a laboratory based setting to investigate the cause of strandings and mortality following established protocols.

LDWF continues to monitor beaches, where appropriate and as schedules allow, conducting active surveillance for any stranded marine mammals or sea turtles. Beach surveys are conducted where staff can access beaches with state equipment (4x4 trucks or UTVs), and in remote locations where reports may go undetected by the public. During this reporting period, LDWF conducted 16 beach surveys.

In December of 2018, an oil spill occurred in eastern Barataria Bay near Port Sulphur, LA. LDWF Staff worked through the Wildlife Branch and coordinated marine mammal and sea turtle response surveys. These surveys covered open waters and areas of shoreline within and along the Bay assessing animals in the impact area. Additionally, areas identified as potential sea turtle habitat were assessed including rock jetties and breakers within the impact area. Dolphins observed within the impact area were photographed and environmental oiling conditions were documented during sightings for each group of dolphins observed. Upon conclusion of surveys, staff examined photographs taken during the surveys to sort by individuals based on dorsal fin photographs to document numbers of animals. Daily summary reports were then completed for submission to Unified Command. Further, staff assessed oil spill impacted area maps and overflight images and associated information to determine targeted search areas, and monitored weather and sea state conditions to determine days of response surveys. Communications with LDWF staff, National Marine Mammal Foundation, and NOAA regarding response surveys, target areas, debrief calls, known animals in the area from previous captures and tagging work, and observations occurred during the response.

### **Marine Mammals**

LDWF covered 7 marine mammal strandings during this period. Staff conducted 3 external marine mammal exams and collected minimal samples, due to decomposition level of the

carcasses. Additionally, two carcasses including one fetus were collected and frozen pending necropsy.

### Sea Turtles

LDWF responded to stranding reports and documented a total of 3 green sea turtles from October 2018-present. Of those, one green sea turtle carcass was frozen for future necropsy. Two of these green sea turtles reflect two lethal takes for consumption by members of the public and are associated with an ongoing LDWF Enforcement investigation.

LDWF accepted a frozen green sea turtle carcass that was a lethal take from a shrimp trawl vessel that was retained by an observer onboard. The carcass was retained frozen at LDWF and shipped to Dr. Brian Stacy, NOAA for a necropsy to be performed.

All carcasses that were retained frozen over the past year were necropsied during a batch sea turtle necropsy session. The session was held on November 27 and 28, 2018 at the Louisiana State University (LSU) School of Veterinary Medicine (SVM), Louisiana Animal Disease Diagnostics Laboratory (LADDL), BSL-3 Lab. LDWF and NOAA personnel coordinated along with participation from Anatomic Pathology Resident Students from the Department of Pathobiological Sciences LSU, SVM, and representatives from Audubon Nature Institute. NOAA personnel went through one carcass/case and the corresponding paperwork, photographing, and sampling procedures. All attendees then broke out into two three person teams to perform necropsies on the remaining cases. A total of 31 sea turtle carcasses were necropsied during the batch sea turtle necropsy session.

Table 2. Total number of sea turtles necropsied by species at a batch sea turtle necropsy session held on November 27<sup>th</sup> and 28<sup>th</sup>, 2018 at Louisiana State University School of Veterinary medicine in baton Rouge, LA.

<i>Species</i>	<i>Number Necropsied</i>
<i>Kemp's ridley</i>	23
<i>Green</i>	6
<i>Loggerhead</i>	2
<b><i>TOTAL</i></b>	<b><i>31</i></b>

As part of a Sea Turtle Early Restoration Gear Management Team/Turtle Exclusion Device (TED) Coordination Project, LDWF's TED outreach coordinator met with the NOAA Gear Monitoring Team (GMT) at an outreach event in Lafayette. LDWF's TED outreach coordinator also attended a Louisiana Shrimp Task Force Meeting. The TED outreach coordinator has also been working on organizing a 2019 schedule for outreach events.

<b>Type of event</b>	<b>Location</b>	<b>Date</b>
LFF outreach event	Lafayette	12/13/18

LDWF's TED outreach coordinator is providing background information on the reasons for TED requirements at outreach events, including interpretation of technical reports from NOAA.

In December of 2018, LDWF and collaborating researchers from the United States Geological Survey (USGS) completed another live sea turtle capture/mark/recapture survey near Fourchon, Louisiana. A total of 21 green sea turtles were captured, sampled, tagged, and released; four of these were released with satellite tags during the December survey. These efforts, initiated in December 2014, take place annually in May and December, and are part of a long-term study to document juvenile sea turtle presence and habitat utilization in the northern Gulf of Mexico. Sea turtles are captured (NMFS Permit Number 17304-03) and are temporarily held for biological sample collection, including: skin biopsies, a carapace biopsy and blood. Additionally, all turtles captured are scanned to determine if they were previously tagged. If no tags exist, all individuals receive external flipper tags (small metal tags on both front flippers) and an internal Passive Integrated Transponder (PIT) tag. In particular, these surveys document juvenile sea turtle recruitment to nearshore habitats in southeast Louisiana and allow comparisons between the Louisiana site and other northern Gulf of Mexico study sites. Biologists also collect growth data and other life history parameters of sea turtles captured in Louisiana to compared to those from other Gulf of Mexico study sites.

### **Shrimp Program:**

The 2018 spring shrimp season closed in shrimp management Zone 2 and portions of shrimp management Zone 1 at 6:00 p.m. on June 27, 2018. This closure included the portions of state inside waters from the western shore of Freshwater Bayou Canal eastward to the Louisiana/Mississippi state line, except for Lake Pontchartrain, Chef Menteur and Rigolets Passes, Lake Borgne, the Louisiana portion of Mississippi Sound, and the open waters of Breton and Chandeleur Sounds. The remaining portions of state inshore waters closed at 6:00 p.m. on July 2, 2018. The open waters of Breton and Chandeleur Sounds outside of the double-rig line remained open.

The 2018 fall shrimp season opened in portions of state inside waters on August 13, 2018, at 6:00 p.m. as follows: from the Louisiana/Mississippi state line westward to the Atchafalaya River Ship Channel at Eugene Island. Due to the prohibition of shrimping at night, the following state inside waters were opened at 6:00 a.m. on August 13, 2018: from the Atchafalaya River Ship Channel at Eugene Island westward to the western shore of Freshwater Bayou Canal. The portion of shrimp management Zone 3, from the western shore of Freshwater Bayou westward to the Louisiana/Texas state line, opened at 6:00 a.m. on August 27, 2018.

The 2018 fall shrimp season closed in all state inside waters at official sunset on December 17, 2018 except for Chef Menteur and Rigolets Passes, Lake Borgne, Mississippi Sound, Mississippi River Gulf Outlet (MRGO), a section of the Gulf Intracoastal Waterway (GIWW) in Orleans parish from the GIWW East Closure Sector Gate westward to the GIWW intersection with the

Inner Harbor Navigation Canal, and the open waters of Breton and Chandeleur Sounds as bounded by the double-rig line described in R.S. 56:495.1(A)2.

Portions of Louisiana territorial seas closed on December 24, 2018, at official sunset between Calliou Boca and Freshwater Bayou Canal

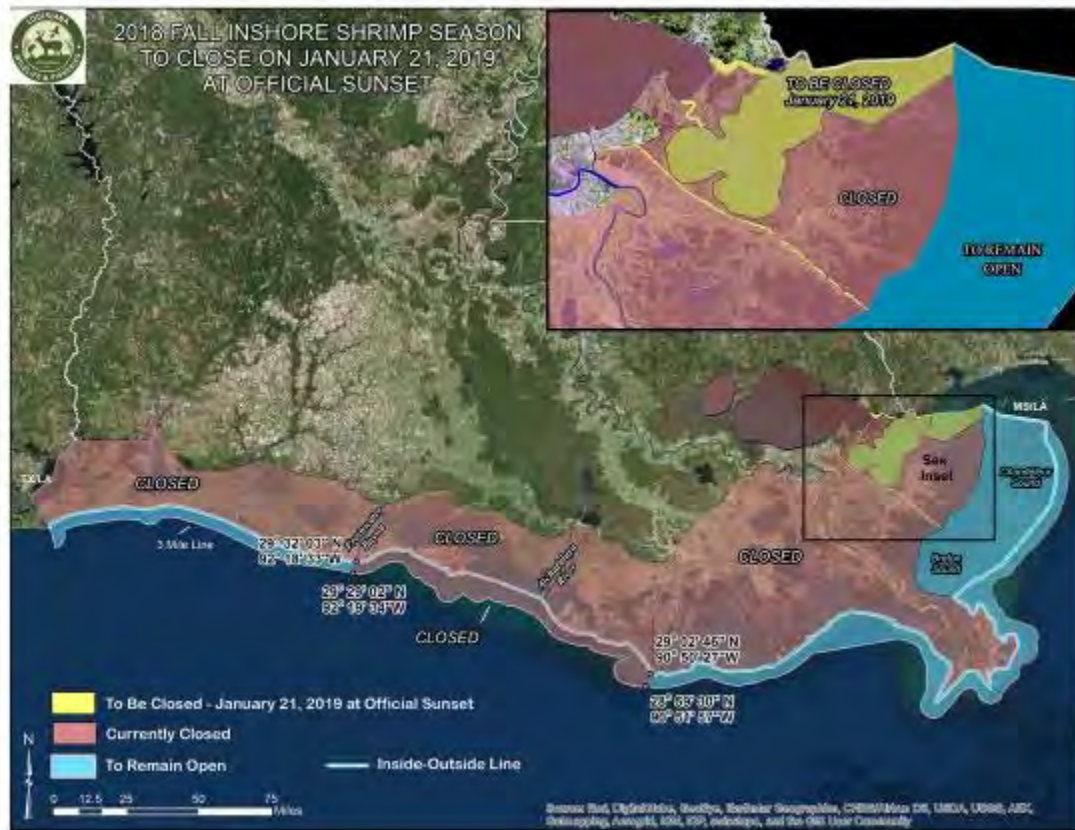


Figure 2. 2018 Fall inshore shrimp season closures

### Shrimp Landings

All 2018 shrimp landings (heads on unless specified otherwise) and dockside values are preliminary and subject to change after a thorough review of trip ticket data. Preliminary statewide annual shrimp landings (all species combined/heads on weight) totaled approximately 96.8 million pounds with a dockside value of \$119.4 million (Source: LDWF Trip Ticket Data). Annual shrimp landings in 2018 indicated a gain of 3% when compared to annual landings in 2017 with a loss of nearly 5% compared to the five-year average. The 2018 dockside value was lower than the dockside values in 2017 and the five-year average by approximately \$14 million and \$43.5 million, respectively.

Brown shrimp annual landings in 2018 resulted in 41.9 million pounds with a dockside value of \$34.5million. Total annual brown shrimp landings in 2018 were well above 2017 and the five-year average; 2018 brown shrimp landings were 41% higher than 2017 and 22% higher than the five-year average. Dockside value in 2018 was approximately \$12.9 million greater than 2017,

but was \$7.4 million less than the five-year average. While brown shrimp landings increased in 2018, the same cannot be said for white shrimp landings. White shrimp annual landings in 2018 totaled 54.2 million pounds with a dockside value of \$84.4 million. White shrimp landings decreased by 22% when compared to 2017 (69 million) and by 19% compared to the five-year average (67 million). With lower white shrimp landings in 2018 comes a lower dockside value. The dockside value in 2017 was \$111.4 million and the five-year average was \$120 million, which indicates the 2018 dockside value was lower by approximately \$27 and \$35 million. White shrimp average price per pound in 2018 totaled \$1.56, which is \$0.06 and \$0.23 less than the average price per pound in 2017 and the five-year average.

All shrimp data in this section will represent a time period for each respective year or multiyear average from July through December. All shrimp species combined totaled 49.8 million pounds with a dockside value of \$73.5 million in 2018. This is a decrease when compared to 2017 landings and dockside value (51.3 million pounds, \$77.9 million) and the five-year average (61 million pounds, \$107.2 million). Brown shrimp landings in 2018 (6.7 million pounds) were slightly higher than those in 2017 (5.6 million pounds), but were below the five-year average (9.4 million pounds). The largest difference between these three time periods can be viewed in the dockside values (2018 = \$10 million, 2017 = \$7.8 million, 5yr average = \$16.8 million). The average price for pound for brown shrimp in 2018 was \$1.49, which was \$0.09 higher than 2017; the five-year average price per pound for brown shrimp was approximately \$0.29 higher than in 2018. White shrimp landings in 2018 totaled 42.9 million pounds and had a dockside value of \$63.3 million. This represents a decrease in landings of 6% compared to 2017 and 15% compared to the five-year average. White shrimp dockside value in 2017 was approximately \$6.6 million higher than 2018, while the five-year average was \$26.5 million higher than 2018.

### **Crab Program:**

In 2016, the LWFC approved a rule that would impose a three-year regulation on the commercial blue crab industry in order to improve the declining blue crab biomass. The original rule banned the commercial harvest of immature female blue crab and consisted of a 30-day closure for the commercial harvest of blue crab. After the 30-day closure, and subsequent negative feedback received from the industry, this rule was altered for the 2018 blue crab season by eliminating the 30-day closure and implementing a 60-day ban on the commercial harvest of mature female blue crab beginning March 1, 2018.

After the 60-day female restriction, negative input from the crab industry was again received by LDWF. The majority of feedback received was that the female restriction took place during the months that blue crab prices are at their highest. This loss in income greatly affected the full time commercial crab fishermen. LDWF presented the Louisiana Crab Task Force (LCTF) and crab industry with three alternative regulations at the March task force meeting. After a two-month public comment period, the LCTF voted in favor (8-1) on a 35-day female restriction that would take place beginning the second Monday of September for the 2019 harvest season. This management option was estimated to reduce total harvest by approximately 1.6 million pounds,

similar to the two previous alternative actions. The LWFC promulgated the Notice of Intent for the rule change at their September 2018 meeting and this rule was published in the January register, following the APA process. The LWFC requested that LDWF complete an updated blue crab stock assessment in early 2019 and present this data in order to verify that the current blue crab stocks required the 35-day mature female restriction.

### **Louisiana Blue Crab Landings**

All 2018 blue crab landings and dockside values are preliminary and subject to change due to incomplete trip ticket data. Preliminary annual crab landings in 2018 totaled 43.6 million pounds with a dockside value of \$61.8 million. Landings in 2018 decreased by less than 500,000 pounds compared to 2017, but increased by approximately 1.9 million pounds compared to the five-year average. Dockside value in 2018 showed an increase of 11% compared to 2017 and nearly 9% compared to the five-year average. The average blue crab price per pound in 2018 totaled \$1.42, which was \$0.18 and \$0.07 higher than the 2017 and five-year average blue crab price per pound. Two factors that likely affected blue crab landings in 2018 was the freezing early year temperatures and the 60-day mature female prohibition that took place in March and April, which reduced commercial landings by approximately 1.9 million pounds. Reports from the industry state that many commercial crab fishermen were unable to, or chose not to, fish during these two events.

All blue crab data in this section will represent a time period for each respective year or multiyear average from July through December. Blue crab landings in 2018 (26.2 million pounds) increased by approximately 1.6 and 1.1 million pounds compared to 2017 and the five-year average, respectively. Dockside value in 2018 (\$30.7) was very similar to 2017 (\$30.1) and the five-year average (\$30.2). As it is typical to see the average price per pound of blue crab decrease in summer and fall, the average blue crab price per pound in 2018 was \$1.17, which was slightly lower than 2017 and the five-year average. As it was stated in the previous Gulf States report, the largest decline in blue crab landings in 2018 was seen in January-April.

### **Derelict Crab Trap Removal Program**

At the October 2018 Commission meeting, the LWFC adopted a Notice of Intent (NOI) allowing the removal of derelict crab traps from five different areas along Louisiana's coast in 2019. These five defined derelict crab trap closure areas were in the following basins: Barataria Basin (1), Pontchartrain Basin (2), Sabine Basin (1), and Terrebonne Basin (1). These closure areas ranged from 10-14 days and were distributed throughout February and March. In order to reduce negative economic impact of the blue crab commercial industry, four out of the five closures will be in February, allowing the fishery to be completely active during Mardi Gras holiday and Lenten season.

Two volunteer days are planned to take place during the 2019 derelict crab trap closures. The first event (Barataria) will be held on February 2, 2019, at the Plaquemines Parish public boat

ramp located behind the Port Sulphur School on Civic Drive. The second event (Terrebonne) will be held on February 16, 2019, at a privately owned dock in Dularge. These events host multiple volunteer organizations and members of the public. Lunch will be provided for the first event by LA 23 BBQ and by CCA for the second event.

Table 3. Derelict crab trap results by year

Year	Area(s)	Traps	Boat-days
2004	2	6,894	90+
2005	4	4,623	50+
2006	1	2,935	31+
2007	2	1,495	15
2008	1	1,234	3
2009	1	788	NA
2010	1	477	NA
2011	1	1,100	NA
2012	2	2,798	66
2013	2	969	32
2014	1	1,051	24
2015	1	422	9
2016	3	2,580	50+
2017	6	5,674	68
2018	5	4,061	68
<b>Total</b>	<b>33</b>	<b>37,101</b>	<b>506+</b>

## Oyster Program:

### Oyster Stock Assessment

Sampling for the 2018 oyster stock assessment for the Public Oyster Seed Ground (POSG) areas in Louisiana was completed in July 2018. Sampling consisted of 116 sample sites, totaling 580 meter-squared samples collected in the POSG areas. The LDWF 2018 oyster stock assessment indicated that Louisiana is experiencing the lowest stock size ever recorded on the POSG areas. This stock assessment of approximately 277,723 barrels of oysters represents a 6% decrease from already depleted 2017 levels and an overall decrease of 91% from the long-term average (compared to prior stock assessments without Sabine Lake public oyster area). This resulted primarily from a combination of degradation of habitat in POSG areas, extreme weather events,



harvest pressure, and hydrologic and environmental changes. No stock assessment was conducted in Sabine Lake public oyster area for 2018 season due to Act 159 (2018) that instituted a moratorium on oyster fishing in Sabine Lake: meter-square sampling will only occur every other year, skipping July 2018 and starting with July 2019. Additional sampling may occur as needed to monitor for possible mortality events associated with significant freshwater input events.

Additional stock assessment (meter-square) sampling was conducted in the Lake Pontchartrain and Barataria basins in April/May and Sept/October 2018 as part of an agreement with the Coastal Protection and Restoration Authority (CPRA). In the Barataria basin, additional sampling was also conducted on private lease areas per the CPRA agreement to further characterize oyster resources in that basin.

LDWF also conducts year-round dredge sampling on oyster seed grounds state wide—sampling events conducted on 80 sampling stations (2 replicates per station) to monitor size frequency, presence and/or absence, and mortality. In September 2018, sampling frequency changed to once a month from January - June and August - December, eliminating the second rounds in the months of September and October for a total of 13 events in 2018. For the entirety of 2018, a total of 2080 dredge samples were taken.

### **Oyster Season**

The table below contains a summary of the 2018-2019 oyster seasons for the major public oyster areas of Louisiana. This year, the goal was to delay the season to maximize potential oyster reproduction, avoid concentration of the fleet through uniform opening/closure dates, and close areas as recommended by the shell budget model thresholds; all of which should help minimize reef degradation.

The 2018-2019 Oyster Season opened October 29, 2018, with some areas still open through the start of 2019. Below shows the 2018-2019 season summary to date. Note: closed areas during 2018-2019 oyster season include all public seed grounds east of Mississippi river and south of MRGO (CSA1), Barataria Bay (CSA3), Deep Lake, Lake Chien, Lake Felicity, Lake Tambour, Sister Lake (CSA5).

**Table 4. The 2018-2019 oyster season summary.**

Area	Season Opening	Season Closure	Season/type	CSA
<b>N of MRGO</b>	Oct- 29	Oct- 29	1-day Seed harvest	<b>1</b>
	Oct- 29	TBD	Market Oyster Harvest *LDH Area 3, Drum Day and 3-mile cultch plant CLOSED as of Jan 20, 2019	
<b>Hackberry Little Lake</b>	Oct- 29	Oct- 29	1-day Seed harvest	<b>3</b>
	Oct- 29	Nov-3	Market Oyster Harvest	
<b>Lake Mechant</b>	Oct- 29	Oct- 29	1-day Seed harvest	<b>5</b>
	Oct- 29	TBD	Market Oyster Harvest	
<b>Bay Junop</b>	Oct- 29	Oct- 29	1-day Seed harvest	<b>6</b>
	Oct- 29	TBD	Market Oyster Harvest	
<b>Vermilion Atchafalaya Bays</b>	Oct- 29	Oct- 29	1-day Seed harvest	<b>6</b>
	Oct- 29	TBD	Market Oyster Harvest	
<b>Calcasieu Lake</b>	Oct- 29	TBD	<i>East Cove:</i> Market Oyster Harvest ** closed between Dec 31, 2018 and Jan 20, 2019	<b>7</b>
	Oct- 29	TBD	<i>West Cove:</i> Market Oyster Harvest	

### Transplants

As mentioned in previous reports, on November 15, 2017, a 3.65-acre area was planted with remotely-set hatchery-produced oyster spat on what was determined to be water bottom suitable for oyster production in Lake Fortuna (Lake Machias). During the May 2018 evaluation of the spat plant site, survival of spat was calculated at just around 1.7%. Growth rates for surviving spat were estimated at near 1.02 mm/week. The 12-month evaluation was conducted in November 2018. There was a calculated 0.8% survival rate of the hatchery spat, and a growth rate of 1.68mm/week. As a result of the minimal rate of survival observed at the 12-month evaluation, it was decided that the 18-month analysis would not be needed.

In the fall of 2018, LDWF conducted a small transplant study in Barataria POSG to see if oysters can survive and grow as part of a larger spat on shell project also planned for the area. The basic design used modified crab traps containing 20 oysters, transplanted from Hackberry Bay, per trap. Oysters were numbered and measured, and spat plates attached to a trap to account for natural spat set. Six traps were deployed in October to be measured and recorded every month for growth and mortality. Unfortunately, the project was terminated in December 2018 due to continued loss of samples and replacement of traps. Future attempts may involve lighted buoys or some other marker to help protect the study site from high fishing and trawling activity.

### Finfish Program:

LDWF conducts biological monitoring for finfish statewide in the coastal, nearshore, and offshore areas of Louisiana. During FY 2017-2018, the fishery-independent finfish sampling program collected 933 (100 percent) gill net samples, 1,234 (100 percent) seine samples, and 269

(100 percent) trammel net samples for a 100 percent overall completion rate statewide. Electro-fishing samples are being conducted within some Louisiana estuarine environments to provide fisheries data to CPRA.

Louisiana waters closed the commercial season for the harvest of king mackerel on October 5, 2018, at 12:00 p.m. (noon) concurrent with a closure in federal waters.

Louisiana waters closed the commercial season for the harvest of gray triggerfish on October 10, 2018, concurrent with a closure in federal waters.

Louisiana waters opened to the commercial harvest of striped mullet with strike nets on October 15, 2018.

Louisiana waters re-opened for the commercial harvest of king mackerel on November 12, 2018, concurrent with a re-opening in federal waters.

Louisiana issued a special permit for the recreational harvest of red snapper from November 13, 2018, through December 31, 2018, for wounded or disabled military veterans. A special Secretarial permit was issued to the Wounded War Heroes organization, which coordinated fishing trips under the permit. Mandatory electronic reporting of all red snapper caught under this permit was required through the ROLP application.

Louisiana waters closed to the commercial harvest of king mackerel on December 5, 2018.

Louisiana waters closed to the commercial harvest of small coastal sharks on December 31, 2018, concurrent with a closure in federal waters.

Louisiana waters closed to the commercial harvest of spotted seatrout on December 31, 2018.

Louisiana waters closed to the recreational harvest of gag on December 31, 2018, concurrent with a closure in federal waters.

Louisiana waters closed to the recreational harvest of gray triggerfish on January 1, 2019, concurrent with a federal closure.

Louisiana waters opened to the commercial harvest of small and large coastal sharks on January 1, 2019, concurrent with an opening in federal waters.

Louisiana waters opened to the commercial harvest of gray triggerfish on January 1, 2019, concurrent with an opening in federal waters.

Louisiana waters opened to the commercial harvest of greater amberjack on January 1, 2019, concurrent with an opening in federal waters.

Louisiana waters opened to the commercial harvest of spotted seatrout on January 2, 2019.

Louisiana waters closed to the commercial harvest of striped mullet with strike nets on January 21, 2019.

Louisiana waters closed to the recreational harvest of red grouper, black grouper, yellowmouth grouper, scamp, and yellowfin grouper from February 1, 2019, through March 31, 2019, seaward of the 20 fathom line concurrent with a closure in federal waters.

The 2019 annual stock assessment report for striped mullet was presented to the LWFC at its February 2019 meeting and was accepted for transmittal to the Louisiana Legislature.

### **Finfish Task Force**

The Louisiana Finfish Task Force did not meet between October of 2018 and March of 2019. Finfish task force meeting minutes, agendas, and membership can viewed at <http://www.wlf.louisiana.gov/fishing/finfish-task-force>.

## **Fishing Access and Opportunity:**

### **Artificial Reef Program**

The Artificial Reef Program continues to assess and permit reef deployments related to offshore oil and gas structures. The program has accepted four new structures. There are 32 structures permitted for deployment as permanent artificial reefs, and two new reef sites have been recently proposed. Permitting of an additional 22 structures is currently underway. Multi-beam surveying of the program's offshore reefs is ongoing (annually) and is made available on the program's website. The program has completed two pilot projects using remotely-operated vehicle (ROV) surveys to sample offshore reefs and is developing plans to create a comprehensive biological monitoring program for these reefs.

The Program holds two permits to enhance existing nearshore reefs. The Pickets and Grand Isle 9 are nearshore reefs that have been approved for Recreational Use Restoration funding. The Program holds four permits to create new nearshore reefs. The Ship Shoal 94, Ship Shoal 108, and South Marsh Island 233 West and East reefs are being funded by the Artificial Reef Fund. The work to deploy SS-94 & SS-108 has been awarded and should be completed by end of the calendar year; the work for SM-233 W & E will be awarded shortly. Two additional permits have been applied for—Vermilion-119 & Vermilion-119-124.

All 29 inshore artificial reef sites have been surveyed using multibeam-sonar to ensure proper clearance and monitor bottom-type. The program has initiated the permitting process for 4 new inshore reefs in the Lake Borgne and Mississippi Sound area.

The program continues to hold nine permits to enhance existing inshore artificial reefs using NRDA Recreational Use Funds: East Calcasieu, Cypremort Point II, Rabbit Island, Point Mast, Independence Island, California Point, Lake Front, and West End. All sites have been approved for Recreational Use Restoration Funding. East Calcasieu and California Point will be enhanced through a cooperative endeavor agreement, while the remaining reefs are currently out on bid.

### **Boating and Non-Boating Access Projects**

- Port Sulphur Civic Drive Fishing Pier – design phase
- Burns Point Recreational Area Fishing Pier – construction phase
- St. Tammany Fishing Pier – design phase
- West End – Breakwater Drive Boat Launch – construction phase
- New Iberia Boat Slips Boating Infrastructure Grant Program - grant compliance phase
- City of New Iberia CVA Sanitation Facility

Additional boating and fishing access projects were recently approved by the Louisiana Trustee Implementation Group for funding from the Deepwater Horizon oil spill.

## **Commercial Seafood Programs:**

### **Professionalism**

LDWF's intention is to give our seafood industry access and training to the latest trends, requirements, and technology in their profession. The seafood industry should have as much opportunity for training as any other industry in our state. LDWF believes expert training will yield higher quality products and give our seafood community a competitive advantage in the marketplace. Since the launch of *Louisiana Fisheries Forward: Advancing Our Seafood Industry*, this one-of-a-kind professionalism program for Louisiana's commercial fishing industry has received inquiry, acknowledgement, and recognition throughout many facets of local, regional, national and world fishing industries.

Year 3 of the current Louisiana Fisheries Forward contract is currently underway. Within phase III, two mini videos will be produced with corresponding flyers, several hands-on workshops will be offered to include new and trending topics, and the Louisiana Fisheries Forward Refrigeration Demo Unit will travel the state - a 6,500 lb. unit that consists of a brine freezer, plate freezer and chilled water system. Additionally, within phase III, leadership training workshops will continue to be launched for the LDWF taskforces.

In addition, work continues on the production of educational materials (referred to as fast fact sheets), the offering of in-person training sessions (referred to as dock days), a refrigeration demonstration project, and the Louisiana Fisheries Forward Summit.

(<https://www.lafisheriesforward.org/summit/>).

### **Aquatic Plant Control:**

Invasive aquatic weeds continue to threaten access and recreational activities throughout Louisiana. Fall surveys conducted from July - September 2018 revealed an estimated 245,367 acres of nuisance aquatic plant coverage. That total was mostly composed of water hyacinth (56,116 acres) and giant salvinia (47,527 acres). The fall surveys are conducted at the end of the growing season, and usually yield higher acreage of coverage than the spring estimates conducted at the beginning of the growing season. From October 1, 2018 through December 31, 2018, LDWF applied EPA-approved herbicides to 8,189 acres of nuisance vegetation across the state. The majority of plant control efforts focused on giant salvinia and water hyacinth, with 2,862 and 3,898 acres being treated, respectively. A major area of focus was the Intracoastal Waterway, which acts as a major stocking source for adjacent waterbodies. A total of 1,200 acres of nuisance aquatic vegetation were treated on the Intracoastal Waterway. Approximately 642 acres of giant salvinia in Black Bayou Lake were treated by LDWF.

**Gulf States Marine Fisheries Commission**  
**69<sup>th</sup> Annual Spring Meeting**  
**Technical Coordinating Committee**  
**Thursday, 21<sup>th</sup> March, 2019**  
**New Orleans, LA**

**TEXAS REPORT**

**PROPOSED REGULATORY CHANGES**

Statewide Recreational and Commercial Fishing

1. Reduction in daily bag limit for spotted seatrout from 10 to 5 fish per day in Galveston Bay and Sabine Lake;
2. Require the use of non-offset, non-stainless-steel circle hooks when fishing for sharks in state waters (except when fishing with artificial lures);
3. Increase the minimum size limit for cobia from 37 inches to 40 inches (TL); and

Statewide Oyster Fishery Proclamation

4. Temporary closure of oyster reefs that have recently undergone restoration (Pasadena and Pepper Grove Reef in Galveston Bay; Noble Point Reef, Lavaca/Matagorda Bay; and a reef in Copano Bay).

**COASTAL FISHERIES PROGRAMS & PROJECTS**

**Oyster Updates**

Oyster Shell Recovery

HB51 (85th Legislative Session, 2017) included a requirement that dealers purchasing oysters harvested from Texas bay systems return 30%, by volume, of the total quantity of oysters harvested during the previous license year. In lieu of returning this cultch back to public oyster reefs, dealers can pay the department a sack fee that will allow the department to return an equivalent amount to public reefs. The current amount of this fee per sack is \$1.32, which can be adjusted by the Parks and Wildlife Commission depending on the most current cultch planting costs. Based on 2017-18 landings reported to the Texas Commercial Landings Program (LY18 Sep-Aug), 564,787 sacks of oysters were landed from TX bays. That total amounts to 9,805 cubic yards of cultch or \$745,519 due from oyster dealers. Dealers worked with TPWD to place a total of 6,591 cubic yards of cultch back into TX bays, while remaining dealers paid \$201,433 into the Shell Recovery Fund. Funds will be used to for further cultch planting. So far in LY19, 256,431 sacks have been landed through December 2018. Some dealers have paid their fees (\$45,684), while others are planning on cultch plants to cover their requirements.

Legislative Oyster Related Bills Filed

1. HB 1098 (Rep. Guillen) – relating to the importation of Pacific oysters for sale for consumption;
2. HB 1300 (Rep. Hunter) – relating to oyster mariculture, authorizing fees, creating a criminal offense;
3. SB 682 (Sen. Kolkhorst) – relating to oyster mariculture, authorizing fees, and creating a criminal offense (companion bill to HB 1300); and

4. SB 761 (Sen. Hinojosa) – relating to the regulation of oyster harvesting and increasing a criminal penalty.

### **Texas Marine Sport-Harvest Monitoring Program**

During the Texas Parks and Wildlife Department’s 2017-18 creel survey year (15 May 2017 through 14 May 2018), 1,080 surveys were conducted at boat-access sites along the coast. One survey was cancelled due to Tropical Storm Cindy and 41 surveys were cancelled due to Hurricane Harvey. Fishing activity was depressed in fall 2017 in the aftermath of Hurricane Harvey.

For private-boat bay-pass anglers, an estimated 4,805,200 man-hours were expended to harvest an estimated 1,212,800 fishes. Staff conducted 10,796 target interviews involving 26,843 anglers. Of the 52 species encountered, Spotted Seatrout, Red Drum, Black Drum, and Southern Flounder were most frequently landed. Mean party size was 2.5 people and mean trip length was 5.5 hours. Staff observed 36,396 fishes and measured the length for 27,238 of them.

For private-boat Texas Territorial Sea anglers, an estimated 117,600 man-hours were expended to harvest an estimated 40,300 fishes. Staff conducted 389 target interviews involving 1,170 anglers. Of the 49 species encountered, Red Snapper, Spotted Seatrout, King Mackerel, and Spanish Mackerel were most frequently landed. Mean party size was 3.0 people and mean trip length was 5.8 hours. Staff observed 2,124 fishes and measured the length for 1,431 of them.

For private-boat Exclusive Economic Zone anglers, an estimated 135,000 man-hours were expended to harvest an estimated 42,800 fishes. Staff conducted 359 target interviews involving 1,286 anglers. Of the 52 species encountered, Red Snapper, King Mackerel, Spanish Mackerel, and Atlantic Spadefish were most frequently landed. Mean party size was 3.6 people and mean trip length was 7.5 hours. Staff observed 3,097 fishes and measured the length for 2,021 of them.

### **Fisheries Enhancement Program (Hatcheries)**

#### 2018 Fish Stocking Totals (complete)

16,401,534	Red Drum fingerlings
5,297,765	Spotted Seatrout fingerlings
<u>107,123</u>	Southern Flounder fingerlings
21,802,422	Total fingerlings stocked

The Flounder stocking season runs in the fall and winter so these numbers includes 90,325 winter 2018 and 16,798 Fall 2018. One calendar year includes two production seasons.

### **Artificial Reef Program**

This annual report highlights reefing operations and activities conducted by the Texas Artificial Reef Program (Program) during calendar year 2018. The Program was formally established in 1990 and is self-funded through donations to the Rigs-to-Reefs program, private donations and grants. To date, there are 92 permitted reef sites with 1 additional site pending approval, enhancing over 7,300 acres of marine habitat. Reef sites range in size from 31 acres to 1,650 acres. The majority of reefs are part of the Rigs-to-Reefs program and are located in Federal waters (typically 40 acre sites).



<b>Artificial Reef Sites in Texas Waters of the Gulf of Mexico</b>		
Reef Type	Number Permitted	Number Pending Approval
Nearshore	11	1
Ships-to-Reefs	6	0
Rigs-to-Reefs	72	0
Other	3	0
<b>TOTAL</b>	<b>92</b>	<b>1</b>

### Rigs-to-Reefs

The Reef Program received the following donations to the program in 2018:

Platform	Location	Size	Removal	Date	Donation
HI-A-309A	High Island	8-pile	Towed	7/13/2018	\$230,000
HI-A-385C	High Island	3-pile	Partial	8/4/2018	\$250,000
HI-A-385D	High Island	4-pile	Towed	8/10/2018	\$375,000
HI-A-389A	High Island	8-pile	Partial	7/27/2018	\$1,400,000
HI-A-510B	High Island	3-pile	Towed	7/28/2018	\$75,000
MI-668A	Matagorda Island	8-pile	Towed	11/17/2018	\$150,000
MI-669A	Matagorda Island	8-pile	Towed	10/29/2018	\$150,000
MI-686A	Matagorda Island	8-pile	Towed	6/8/2018	\$72,011.88
MU-A-121B	Mustang Island	8-pile	Towed	7/4/2018	\$250,000
PN-A-42	North Padre Island	8-pile	Partial	8/5/2018	\$675,000
<b>TOTAL = 10</b>					<b>\$3,627,012</b>

Current Status to date:

- Total Petroleum Platforms reefed: 165
- Other Components reefed (e.g. net guards, decks, Mobile Offshore Drilling Unit legs, etc.): 11
- Total funds deposited into R2R account since program inception: \$34.8m
- Material Donation Agreements signed but not reefed: 3
- Donations in various stages of completion (e.g. inquiries, donation amounts calculated, waiting on contract signatures, etc.): 7

### Ships-to-Reefs

No new large ships were reefed in 2018. So far, 16 large ships have been reefed, not including smaller vessels (e.g. barges, tugboats, shrimp boats).

### Nearshore Reefs

No new reef sites were permitted in 2018. However, TPWD is still in process of getting a new 160ac reef site (Kate's Reef) permitted in the offshore region of Galveston. The archeological survey was completed 26 November 2018. We hope to have all permits needed for reefing in summer 2019.

Sabine Nearshore Reef HI-20 (Sabine County): Reefing was completed for a contract with Eldridge Construction to reef over 100 quarry blocks and a barge at the Sabine Nearshore Reef site. Materials were deployed at the Sabine Reef Site at the end of October 2018.

## Research Contracts

Biological monitoring and research was conducted with four universities and the U.S. Geological Survey. Periods of contracts are in parentheses.

Texas A&M University – Galveston: Biomass and community structure of reef fishes on TPWD artificial reefs in north Texas (2011-2018\*).

Texas A&M University – Corpus Christi: South Texas artificial reef research (STARR) program: fish community assessment and reef site evaluations (2011-2018\*)

University of Texas – Rio Grande Valley: 1.) Artificial reef biological monitoring and research program: FY 2015 – 2018\* (continuation of 2007-2015). 2.) Rio Grande Valley reefing site pre- and post- deployment monitoring FY 2016-2018 (continuation of 2015 research).

U.S. Geological Survey: Water quality monitoring of offshore (Texas) artificial reefs (2013-2018).

\*all university contracts are now expired due to budget restrictions; future plans for more university contracts are currently on hold.

## **Perry R. Bass Marine Fisheries Research Station**

### Otolith collection

Otolith collections from gill net samples continued, as was processing and ageing of otoliths collected in previous years. All otolith age files have now been compiled into a single database to promote efficient use of the data. Although physical samples go back to 1995, preliminary analysis of Spotted Seatrout otolith data has resulted in fishes back-aged to the 1990 cohort. Significant trends in growth among years and among Texas estuaries have been observed, and these trends are being statistically correlated with water quality data as well as long-term climatological and freshwater inflow data. Currently work has begun on a publication dealing with Spotted Seatrout age and growth over a near 30-year span.

### Red Drum otolith shape study

In addition to age/growth work on otoliths, we have initiated a “proof of concept” study to determine whether otolith shape morphology can be used to indicate stock structure in Red Drum. This study takes advantage of already sampled Red Drum otoliths in our lab. The initial stage of this work will involve imaging and capturing shape data from otoliths sampled in various Texas bay systems. Shape characteristics will be captured using Fourier or wavelet analysis.

### Black Drum high-resolution population genomics

Preliminary analysis has begun on Black Drum population genomics in the Upper Laguna Madre. Previously noted life history differences between Black Drum from Baffin Bay as compared to other Texas inshore areas suggests the possibility of genetic divergence on a relatively small geographic scale. We have used microsatellite data and discriminant analysis of principle components (DAPC) to demonstrate weak but significant genetic divergence between Baffin Bay and other Texas bays. We are in the process of selecting samples for a high-resolution genomic library in order to attempt to parse out patterns that are driven purely by geographic isolation (“neutral” genetic divergence) versus potential signatures of natural selection.

### Atlantic Croaker life history and genetics

Results from our high-resolution single-nucleotide-polymorphism (SNP) genetic data set have now been published at the journal Marine and Coastal Fisheries. CITATION: Anderson, J. D., S. J. O'Leary, and P. T. Cooper. 2019. Population Structure of Atlantic Croakers (*Micropogonias undulatus*) from the Gulf of Mexico: Evaluating a Single Stock Hypothesis Using a Genomic Approach. Marine and Coastal Fisheries 11:3-16.

### Gulf-wide Blue Crab population genomics study

Sampling of Blue Crab for our Gulf-wide genomics study has completed. Upon hearing of the advanced status of similar work going on at Texas A&M in the lab of Luis Hurtado, we have reached out to Dr. Hurtado to provide our samples as well as logistical support to answer this important management question. We are currently engaged in forming a collaboration with Dr. Hurtado to that end.

### Sheepshead

We continue to support Pearce Cooper (Ph.D. candidate, Dauphin Island Sea Lab, Dr. Sean Powers, advisor) in his range-wide genomics study on sheepshead. To date all requested samples have been received and transported to Pearce.

### Detection of white spot syndrome virus (WSSV) in wild Gulf shrimp

We have initiated a new study on the presence and prevalence of white spot syndrome virus (WSSV) in brown and white shrimp from Texas. We have been in collaboration with Dr. Arun Dhar of the aquaculture pathology laboratory, University of Arizona, in obtaining an infection-positive control sample of *Litopenaeus vannamei* (Pacific White Shrimp). Additionally, we have identified an appropriate PCR-based laboratory assay for detecting white shrimp. Sampling will begin in spring 2019 in select Texas bay systems in an effort to detect underlying presence of WSSV and evaluate the risks of imported exotic bait shrimp to wild populations. The presence of other shrimp pathogens may also be evaluated with this data collection.

### Range-wide population genetic structure of Alligator Gar

In collaboration with Dr. Brian Kreiser, (University of southern Mississippi), we are analyzing mitochondrial DNA (mtDNA) sequence data already on hand in our lab, in an effort to examine the range-wide population structure of the species. Dr. Kreiser is analyzing a microsatellite DNA data set, and together we will attempt to compare and contrast historical versus contemporary patterns of movement and demographic exchange among drainages in the Gulf basin. Sampling has been completed, and almost all genetic data has been generated. Analysis of both data sets is ongoing (mtDNA, Texas Parks and Wildlife; genomic microsatellites, University of Mississippi) and we are moving towards writing a manuscript detailing this effort and its findings.

## **License Buyback Program**

### Shrimp

#### Buyback Round 37

- Application period closed January 31, 2018 (opened approximately 60+ days)
- 16 individual bids were received

### Finfish

#### Buyback Round 25

- Application period closed January 31, 2018 (Open approximately 60+ days)
- 4 applications received

## Crab

### Buyback Round 22

- Application period closed January 31, 2018 (Open approximately 60+ days)
- 1 application received

## Oyster

- 4 application received in Round 1, but we did not purchase any oyster licenses

## SPECIAL EFFORTS, STUDIES, AND TOPICS

### *iSnapper* Project

The *iSnapper* project received funding for an additional two years which will cover the 2019 and 2020 Red Snapper seasons. Creel samples will be used to validate *iSnapper* landing reports. Sampling will be conducted using the same methods as 2018, with sites identified as having Red Snapper effort being randomly selected based on the angling pressure. We will stay at the current level (3x the pre-*iSnapper* level) of gulf-only creel surveys in order to encounter (i.e. validations) and remind anglers about the importance of self-reporting their data.

### SEAMAP

Vertical line (VL) SEAMAP sampling for 2018 is completed, with Texas vessels completing 60 stations from July to October 2018. Sites were only sampled off central and south Texas coastlines, in order to collect samples within all three depth strata (10-20, 20-4, 40+). Sample sites in the 10-20 strata continue to be low as they are weighted by % of habitat in that depth strata. We continue to put a large number of artificial reefs in state waters within the 10-20' depth zone; however, the area of the natural banks reduces the proportion of these inshore samples.

Summary of Red Snapper catches from SEAMAP Vertical Line sampling over the last 4 years from each of the depth strata (completed 2018). We did not sample depth strata >40' in 2015 or 2016.

Year	Depth Strata	# of Stations Completed	# of Hooks Fished	# of Red Snapper	Mean TL (mm)	Mean Weight (kg)	# of Stations with Red Snapper	% Stations with Red Snapper
2015	10-20	27	750	93	291	0.44	20	74.1
	20-40	12	380	57	433	1.65	12	100.0
2016	10-20	18	380	65	362	0.75	11	61.1
	20-40	30	680	255	457	1.58	24	80.0
2017	10-20	9	260	17	273	0.39	7	77.8
	20-40	18	420	140	484	1.71	16	88.9
	40-150	32	960	198	504	1.78	29	90.6
2018	10-20	8	240	10	262	0.27	3	37.5
	20-40	19	570	152	476	1.69	13	68.4
	40-150	33	990	167	497	1.82	28	84.8

FLORIDA FISH & WILDLIFE CONSERVATION COMMISSION  
Eric Sutton, Executive Director



DIVISION OF MARINE FISHERIES MANAGEMENT  
Director: Jessica McCawley

The major responsibilities of the Division of Marine Fisheries Management include: (1) development and implementation of marine fisheries management and policies; (2) angler outreach and marine aquatic resource education; (3) commercial fisheries assistance; (4) the state artificial reef program; (5) monitoring compliance with the marine fisheries trip ticket reporting requirements through audits of applicable fish house records; (6) administrative penalty assessments for violations of specified fisheries regulations, and retrieval of lost and abandoned spiny lobster, stone crab and blue crab traps; and (7) issuance of Special Activity Permits. Highlights of staff efforts in 2018.

### **ANALYSIS AND RULEMAKING SECTION**

The Marine Fisheries Management and Policy Development program develops regulatory and management recommendations for consideration by FWC Commissioners designed to ensure the long-term conservation of Florida's valuable marine fisheries resources.

### **FWC marine fisheries director Jessica McCawley named South Atlantic Fishery Management Council chair.**

The South Atlantic Fishery Management Council is responsible for the conservation and management of fish stocks within federal waters of the Atlantic off the coasts of North Carolina, South Carolina, Georgia and east Florida to Key West. The Council includes representatives in the fishing industry as well as state and federal leadership.

Florida Fish and Wildlife Conservation Commission (FWC) approved several changes to recreational and commercial trap fisheries rules. These changes are part of a long-term project to evaluate and improve the management of Florida's saltwater trap fisheries.

Approved changes include:

- Creating mandatory, no-cost annual recreational blue crab and stone crab trap registrations for trap fishers age 16 and older, and requiring FWC-designated trap identification numbers to be placed on recreational traps (trap registration and marking requirements for recreational stone crab effective Oct. 1, 2019, and similar blue crab requirements effective Jan. 1, 2020).
- Requiring commercial stone crab fishers to maintain an active saltwater products license, restricted species endorsement, and stone crab endorsement to retain their stone crab trap allotment.
- Starting the commercial spiny lobster trap soak period each year on the Saturday following the recreational mini-season.
- Increasing the time allowed for commercial lobster fishers to remove spiny lobster traps from the water after the season ends from five days to 10 days.

Florida Fish and Wildlife Conservation Commission (FWC) approved changes to commercial shrimp fishery management that will eliminate barriers to participation in the expanding live seafood market. These changes are part of a long-term project to evaluate and improve the management of Florida's shrimp fisheries.

Approved changes include:

- Clarifying that icing requirements for shrimp do not apply to food shrimp kept alive prior to sale.
- Establishing live-well requirements for vessels and vehicles transporting live food shrimp.

Florida's shrimp fishery is one of the oldest and most valuable commercial.

### **FLORIDA CONSERVATION ORGANIZATIONS PARTNER TO SUPPORT THE RECOVERY OF WEST COAST SNOOK POPULATIONS FOLLOWING RED TIDE EVENT**

Coastal Conservation Association Florida, the Florida Fish and Wildlife Conservation Commission and Mote Marine Laboratory launch initiative to enhance the snook fishery on Florida's southwest coast by stocking 10,000 juvenile snook during a two-year project.

The two-year initiative includes raising and releasing 10,000 hatchery-reared juvenile snook along Florida's southwest coast and will launch in April 2019 following the Florida red tide bloom and when waters are determined to be safe. Fundraising for the program, a cost of over \$440,000, will include outreach to the community through an Adopt-A-Snook program and the formation of additional private-nonprofit partnerships.

The FWC is gathering input on management of the recreational spotted seatrout fishery. The status of the seatrout populations within each zone is assessed using a measure of population health known as the Spawning Potential Ratio. Research indicates seatrout populations should be kept to at least 20 percent SPR to maintain a sustainable population. The FWC manages spotted seatrout at a higher management goal of 35 percent SPR to provide a better fishery.

Florida Fish and Wildlife Conservation Commission (FWC) approved draft changes to shark fishing regulations, including management changes for the shore-based shark fishery. These changes will increase survival of released sharks, improve information gathering of the fishery and address some of the public safety concerns related to the fishery.

- Creating a mandatory, no-cost, annual shore-based shark fishing permit.
- Prohibiting chumming when fishing for any species from the beach.
- Prohibiting delaying the release of prohibited shark species when fishing from the shore.
- Requiring that prohibited shark species remain in the water (when fishing from shore and from a vessel).
- Requiring the use of non-offset, non-stainless-steel circle hooks with live or dead natural bait (when fishing from shore and from a vessel).
- Requiring the possession/use of a device capable of quickly cutting the leader or hook (when fishing from shore or a vessel).

- Cleaning up and updating the current rule language.

## Lionfish Statewide Program

### Overview

- Statewide program
- Recreational and commercial participant categories
- Checkpoints located statewide for harvest submission
- Tiered prize system to encourage continued harvest
- Cash prizes for largest and smallest lionfish

### How to Qualify

- All participants required to register prior to participation.

### Recreational Category

- Harvest 25 or more lionfish
- Submit photo of harvest
  - Photo requirement: Include harvester name, date of harvest, and signature. *Lionfish must be displayed clearly for staff to obtain an accurate individual count.*
  - **Note: FWC reserves the right to deny submission if participant fails to fulfill the requirements for verification as described above.**
- Submit tails (after first 25) to checkpoint (listed below and online)
  - Place tails in a plastic sandwich bag(s): include harvester name, phone number, date of harvest, and number of tails.
  - Complete the *2019 FWC Lionfish Challenge Submission Form*. Checkpoints will retain bags for verification by FWC staff.
  - Send a copy of the Submission Form to [Lionfish@MyFWC.com](mailto:Lionfish@MyFWC.com) and keep an additional copy with tails.

### Commercial Category

- Participants with active Saltwater Products License **and** lionfish sales within the last year will automatically be included in this category.
- Submit photo of electronic trip tickets
  - Trip ticket requirement: Harvester name, date of harvest, amount harvested (lbs.), and signature

### Rewards

- All qualified participants (submission of 25 lionfish/lbs.) receive:
  - Commemorative coin
    - *Resource-based incentive: 2019 coin is valid for 1 spiny lobster per person per day in addition to the daily bag limit during the 2019 sport season (July 24-25)*

- 2019 Lionfish Challenge performance fishing shirt
- Entry in raffle
- Feature in FWC Lionfish Hall of Fame
- Tiered Prizes
  - 75 lionfish (or 150 lbs.) – customized neck gaiter and reusable heat pack for stings
  - 150 lionfish (or 300 lbs.) – customized beach towel, Engel Coolers silipint cup, and fillet knife
  - 250 lionfish (or 600 lbs.) – Costa sunglasses, Neritic Diving polespear, and TurtleSkin puncture-resistant gloves
  - 400 lionfish (or 1,200 lbs.) – customized 85 quart Engel Cooler
- Raffle Drawings
  - Every 2 weeks for all qualified participants
    - Dates: June 5, June 19, July 3, July 17, July 31, August 14, August 28
  - Prizes include: HP 100 SCUBA cylinder, ZooKeeper Lionfish Containment Unit, \$50 for SCUBA air fills, Lion Lift kits from Toothless Life, Lionator Polespears, and other items donated by sponsors
- Cash Prizes
  - Donated by sponsors: American Sportfishing Association, Yamaha Motors, Marine Industries of Palm Beach County, National Marine Manufacturers Association
  - Smallest lionfish
    - 1<sup>st</sup> place – \$2,000
    - 2<sup>nd</sup> place – \$1,000
    - 3<sup>rd</sup> place – \$500
  - Largest lionfish
    - 1<sup>st</sup> place – \$2,000
    - 2<sup>nd</sup> place – \$1,000
    - 3<sup>rd</sup> place – \$500

**Lionfish King/Queen:** Most lionfish (by number) submitted by a recreational participant

- Lionfish King/Queen trophy
- Feature article in FWC's January 2020 Saltwater Regulations publication
- Featured prominently in the FWC Lionfish Hall of Fame
- HP 100 SCUBA cylinder
- \$500 for SCUBA air fills

### **2<sup>nd</sup> Place Lionfish King/Queen**

- HP 100 SCUBA cylinder
- \$250 for SCUBA air fills

### **3<sup>rd</sup> Place Lionfish King/Queen**

- HP 100 SCUBA cylinder
- \$100 for SCUBA air fills



**Commercial Champion:** Most lionfish (by weight) submitted by a commercial participant

- Lionfish King/Queen trophy
- Feature article in FWC's January 2020 Saltwater Regulations publication
- Featured prominently in the FWC Lionfish Hall of Fame
- HP 100 SCUBA cylinder
- \$500 for SCUBA air fills

### **2<sup>nd</sup> Place Commercial Champion**

- HP 100 SCUBA cylinder
- \$250 for SCUBA air fills

### **3<sup>rd</sup> Place Commercial Champion**

- HP 100 SCUBA cylinder
- \$100 for SCUBA air fills

## **Florida Saltwater Angler Outreach Programs:**

### *Angler Interactions*

- Direct contact with approximately 100,000 anglers annually.
- Staff visits boat ramps, marinas and tackle shops to interact one-on-one with anglers.
- Staff presents information at fishing tournaments, fishing club meetings and other angler-related events.
- Staff answers marine fisheries questions, distributes literature, promotes marine fisheries conservation messages and discusses the SFR program and its benefits to Florida anglers.
- Staff disseminates saltwater fish information to anglers and provides observation from anglers about marine resources to research and management staff.

### *Public Events*

- Staff attended more than 45 shows in the past 5 years and interacted with more than 500,000 anglers to provide information about the SFR program, showcase SFR-funded projects in Florida and distribute publications funded by the SFR program.

## **Marine Resources Education Programs:**

### *Kids' Fishing Clinics*

- One-day educational events established to create responsible marine resource stewards by teaching children the vulnerability of Florida's marine ecosystems.
- Teach fundamental saltwater fishing skills and provide a positive fishing experience for kids.

- Average of 3,000 children attend events each year.

#### *Aquatic Resource Workshops*

- Certify educators to collect aquatic species and conduct field activities.
- Over 1,200 teachers have participated; approximately 3,000 students have been involved in field activities.

#### *Women's Fishing Clinics*

- One-day, shore based events designed to introduce women to fishing and conservation.
- More than 1000 women have participated in 40 events in the past 5 years.

#### **DMF Outreach and Education Partnerships of Importance:**

- Partner with aquariums to provide technical expertise and fish-on-loan for exhibits, including the Florida Aquarium (Tampa), Secrets of the Sea (Port of St. Petersburg), Guy Harvey Outpost (St. Petersburg), Sea Life (Orlando), Clearwater Marine Aquarium (Clearwater), and Bass Pro Outdoor World (Brandon, Orlando, and Palm Bay).
- Coordinate with multiple Florida State Parks and County Parks to hold Saltwater Women's Fishing Clinics at various locations for no-charge to program participants.
- Collaborate with the Florida Marine Science Educators Association (FMSEA) to provide educators with a special activity license that allows them to conduct educational field exercises and collect aquatic organisms for educational purposes.

#### **DMF Outreach and Education Highlights:**

- A multitude of publications are created and disseminated to anglers, including:
  - ***Fishing Lines - An Angler's Guide to Florida's Marine Resources***: Contains information on SFR-funded projects, saltwater fish identification and marine resource stewardship.
  - **Sea Stats**: Brochures developed for a variety of Florida's marine fishes using information gathered from research conducted by FWC staff using SFR funds.
  - **Fish Identification Posters**: Aid anglers in identifying fish and provide life history and biological information (Jacks, Snappers, Inshore Fish, Baitfish, Groupers and Pelagics).
  - **Boating and Angling Guide pamphlets**: Brochures for more than 25 coastal regions in Florida. Over 2.7 million boating and angling guides have been printed to-date. The guides are available to anglers free-of-charge and are updated periodically.
- Staff make direct contact with nearly 15,000 people each year by attending three annual Florida Sportsman Fishing and Boat Shows (in Tampa, Fort Myers and Fort Pierce).

- The amount of Women’s Fishing Clinics conducted in recent years has increased from 4 events to 14 events per year, and the program is still growing.

### **Artificial Reef Program:**

- Over 3,500 artificial reefs have been deployed to-date.
- Approximately 100 new artificial reefs are constructed annually.
- Artificial reef locations and interactive map available electronically on MyFWC.com.
- Benefits of artificial reefs:
  - Tools for fisheries management and scientific research
  - Generate millions of dollars annually through tourism for fishing and diving
  - Reduce user pressure on natural and hard bottom sites
  - Reduce user conflicts by providing additional recreational fishing and diving destinations off both Florida’s Gulf of Mexico and Atlantic coasts.
- Partnerships:
  - Coordination and cooperation with stakeholders to plan, construct and monitor artificial reefs, includes: local coastal governments (counties and municipalities), universities, recreational anglers, local diving clubs



F/SE: HB

Mr. Dave Donaldson, Executive Director  
Gulf States Marine Fisheries Commission  
2404 Government Street  
Ocean Springs, Mississippi 39564

Dear Mr. Donaldson:

With this letter, I am providing you the Regional Administrator's Report for the October 2019 Gulf States Marine Fisheries Commission (GSMFC) meeting. This report highlights the key activities NOAA Fisheries Southeast Regional Office conducted or engaged in from March through September 2019, and should not be considered inclusive.

### **AQUACULTURE**

NOAA Fisheries continued to support the development of offshore aquaculture in the Gulf of Mexico by collaborating with the U.S. Environmental Protection Agency (EPA) and U.S. Army Corps of Engineers (USACE) on two finfish projects. On August 30, the EPA published a notice requesting comments on the draft National Pollutant Discharge Elimination System Permit and draft Environmental Assessment for the Vellela Epsilon project, which proposes to culture almaco jack in a single cage in federal waters about 45 miles southwest of Sarasota. The 30-day comment period on that project ends September 29, 2019. In addition, Manna Fish Farms is in the preliminary stages of applying for federal permits to establish an 18-cage commercial scale finfish operation about 20 miles off the coast of Pensacola. The applicant is presently working to identify a preferred site within that area, and expects to submit permit applications to the EPA and USACE this fall. In addition, NOAA Fisheries is working with a recipient of Department of Energy ARPA-E macroalgae funding who is interested in culturing macroalgae species (*Euchema* spp.) in the Gulf.

### **SUSTAINABLE FISHERIES**

#### **Exempted Fishing Permits (EFPs)**

The EFPs NOAA Fisheries issued the five Gulf states to manage private anglers targeting red snapper in state and federal waters during the 2018-2019 fishing seasons enabled private anglers markedly longer fishing seasons, compared to recent years. Those EFPs expire December 31, 2019. Landings data for 2018 and 2019 (preliminary) are available online at <https://www.fisheries.noaa.gov/southeast/state-recreational-red-snapper-management-exempted-fishing-permits>.

In July 2019, NOAA Fisheries issued the University of Mississippi an EFP to test fishermen acceptance of a new shrimp trawl bycatch reduction device. That project is expected to be completed at the end of 2020.

In September 2019, NOAA Fisheries amended the EFPwe issued the Florida Fish and Wildlife Conservation Commission in 2018, authorizing researchers to expand the scope of their activities to test the effectiveness of alternative trap designs in harvesting lionfish with minimal environmental impact.

NOAA Fisheries is currently reviewing an application submitted by commercial fishermen and supported by the Gulf of Mexico Fishery Management Council (Gulf Council) for an exempted fishing permit to test the commercial viability of a golden crab fishery in the Gulf.

## **Regulatory Actions**

NOAA Fisheries implemented the following actions approved by the Gulf Council:

### *Reef Fish*

- Amendment 49, which adds three new devices to the list of approved sea turtle release gear; simplifies and clarifies other release gear requirements; and streamlines the process for approving future sea turtle and other protected resources release gear and handling requirements.
- Two framework actions, which increase the red snapper catch limit, reduce the buffer between the red snapper catch limit and catch target for 2019, and decrease the hogfish catch limit.

### *Spiny Lobster*

- Amendment 13, which adjusts federal regulations for spiny lobster bully net and trap gear to be consistent with new Florida regulations and streamlines the process for making similar adjustments in the future without Council action.

NOAA Fisheries is in the process of reviewing or implementing the following actions approved by the Guf Council:

### *Reef Fish and Coastal Migratory Pelagics (CMP)*

- A framework action, which proposes to establish electronic reporting requirements for vessels with federal for-hire reef fish and CMP permits, requiring federally permitted charter vessels and headboats to report fishing trip data electronically for each trip before arriving at the dock and establishing a hail-out and hail-in procedure for each trip taken.

### *Corals*

- Amendment 9 to establish 12 new habitat areas of particular concern (HAPC) with fishing regulations, modify the boundary for fishing regulations in the current Pulley Ridge HAPC, establish 7 new HAPCs without fishing regulations, and prohibit dredge fishing in all HAPCs with fishing regulations.

The Gulf Council approved the following actions for review and implementation by NOAA Fisheries:

#### *Reef Fish*

- Amendment 50 to create a state management strategy for private angler fishing for red snapper.
- Amendment 51 to adjust the gray snapper stock status determination criteria and annual catch limit.
- A framework action to reduce the red grouper annual catch limit.
- A framework action to reduce the greater amberjack commercial trip limit.

#### *Reef Fish and CMP*

- A framework action to allow historical captain permits to be converted to standard for-hire permits.

#### *Shrimp*

- Amendment 18 to modify the shrimp effort threshold put in place to protect juvenile red snapper.

Other actions under development include:

- Reef Fish Amendments 36B and 36C to modify commercial individual fishing quota programs based on a 5-year review of the red snapper program and other input.
- Reef Fish Amendment 48/Red Drum Amendment 5 to develop status determination criteria for reef fish and red drum.
- Reef Fish Amendment 52 to adjust red snapper allocations.
- A framework action to adjust recreational management measures for greater amberjack.
- A framework action to allow the two-day possession limit for reef fish and CMP for-hire trips to be retained at any time during the trip.

### **Fishery Openings and Closings**

#### *Recreational*

- A fixed seasonal closure for gag occurs annually January 1 through May 31.
- A fixed seasonal closure for shallow-water grouper occurs annually February 1 through March 31 seaward of the 20-fathom contour.
- NOAA Fisheries closed gray triggerfish recreational fishing on May 11, 2019.
- A fixed seasonal closure for greater amberjack occurs annually November 1 through April 30 and June 1 through July 31; however, NOAA Fisheries closed the recreational sector on May 1, 2019, until the 2019/2020 fishing year began on August 1, 2019.

#### *Commercial*

- A fixed seasonal closure for greater amberjack occurs annually March 1 through May 31. Fishing resumed on June 1 and closed on June 9, 2019.
- A fixed seasonal closure for gray triggerfish occurs annually June 1 through July 31.
- The Western and Southern Zones king mackerel hook-and-line seasons opened on July 1, 2019.

Information on recreational and commercial landings, catch limits and quotas, fishing seasons, and closures can be tracked on the SERO Web site at:

[http://sero.nmfs.noaa.gov/sustainable\\_fisheries/acl\\_monitoring/index.html](http://sero.nmfs.noaa.gov/sustainable_fisheries/acl_monitoring/index.html).

IFQ landings can be tracked on the SERO Web site at:

<https://portal.southeast.fisheries.noaa.gov/cs>

## **Permits**

The following data represent permits issued or renewed within the last 12 months, which are valid for use in the respective fishery (expired but renewable limited access permits are noted in parentheses). It does not represent activity in the fishery. As of August 29, 2019, these permits included:

- 1,338 (73) moratorium shrimp permits; 311 royal red shrimp endorsements.
- 1,208 (76) for-hire coastal pelagic moratorium permits; 31 (3) historical captain permits.
- 1,327 (99) commercial king mackerel moratorium permits (includes South Atlantic); 16 (1) commercial king mackerel gillnet permits.
- 1,825 commercial Spanish mackerel permits (includes South Atlantic).
- 1,198 (76) for-hire reef fish moratorium permits; 30 (3) historical captain permits.
- 764 (75) commercial reef fish moratorium permits; 62 (0) longline endorsements.
- 178 commercial spiny lobster permits (includes South Atlantic); 202 tailing permits (includes South Atlantic).

## **PROTECTED RESOURCES**

NOAA Fisheries issued biological opinions to:

- The USACE Jacksonville District for construction of a dock and boatlift in Charlotte County, Florida. The opinion analyzes the project's effects on sea turtles (green, Kemp's ridley, and loggerhead), smalltooth sawfish, and smalltooth sawfish critical habitat.
- The USACE Jacksonville District for shoreline stabilization in Charlotte County, Florida. The opinion analyzes the project's effects on sea turtles (green, Kemp's ridley, and loggerhead), smalltooth sawfish, and smalltooth sawfish critical habitat.
- The USACE Jacksonville District for two shoreline stabilization projects in Lee County, Florida. These opinions analyze each project's effects on sea turtles (green, Kemp's ridleys and loggerhead), smalltooth sawfish, and smalltooth sawfish critical habitat.
- The USACE Jacksonville District for a dredge project in Lee County, Florida. The opinion analyzes the project's effects on sea turtles (green, Kemp's ridleys and loggerhead), smalltooth sawfish, and smalltooth sawfish critical habitat.

Also to conserve and recover protected species, NOAA Fisheries:

- Renewed Endangered Species Act Section 6 Cooperative Agreements with the Florida Fish and Wildlife Conservation Commission, Alabama Department of Conservation and Natural Resources, Mississippi Department of Marine Resources, Louisiana Department of Wildlife and Fisheries, and Texas Parks and Wildlife Department.
- Solicited proposals from each Gulf State's Section 6 representatives for FY20 Species Recovery Conservation Funds.

- Continued participating in the Coastal Texas Protection and Restoration Feasibility Study to assist with reviewing marine mammal impact study plans. The USACE selected a final coastal storm reduction project and published a draft environmental impact statement for public comment.
- Coordinated with the National Centers for Coastal Ocean Science, State of Florida Division of Aquaculture, EPA, and federal applicants to help minimize the impacts of proposed aquaculture operations to marine mammals in the Gulf of Mexico.
- Declared an Unusual Mortality Event on June 10, 2019, for elevated strandings of bottlenose dolphins beginning in February 2019 in the northern Gulf of Mexico, including Louisiana, Mississippi, Alabama, and the Florida Panhandle. We are serving as off-site coordinators for the investigative team evaluating the potential causes of the event.

## **HABITAT CONSERVATION**

### **Coastal Wetlands Planning Protection and Restoration Act (CWPPRA) Program Update**

- NOAA Fisheries continued managing and participating in engineering and design activities for the Oyster Lake Marsh Creation and Nourishment, No Name Bayou Marsh Creation, Bayou Decade Ridge and Marsh Creation, Island Road Marsh Creation and Nourishment, West Fourchon Marsh Creation and Nourishment, East Leeville Marsh Creation and Nourishment, Fritchie Marsh Creation and Terracing, Shoreline Protection, Preservation, and Restoration Panel Demonstration, Breton West Landbridge Marsh Creation, and East Delacroix Marsh Creation and Terracing Projects.
  - Engineering and design work continued on the Oyster Lake Marsh Creation and Nourishment Project, located in Cameron Parish. The updated schedule projects completion of 95% design and competing for construction funds at the end of 2020.
  - The Bayou Decade Ridge and Marsh Creation Project, located in Terrebonne Parish, was funded for construction. This project will create 390 acres of marsh habitat and 11,131 feet of ridge habitat, and nourish 90 acres of marsh. Close collaboration with the Louisiana Coastal Protection and Restoration Authority (CPRA) continues to advance the project to 100% design. We expect the construction contract to be advertised in winter 2020.
  - The Island Road Marsh Creation and Nourishment Project, located in Terrebonne Parish, is nearing completion of 30% design. This is the culmination of a six year effort that has developed a constructible design despite challenging site conditions related to deep water and poor soils.
  - West Fourchon will re-compete for construction authorization in December. The 95% design has been reconfirmed and the cost estimate updated.
  - The East Leeville Marsh Creation and Nourishment Project, located in Lafourche Parish, is nearing completion of 30% design. Scopes for additional survey data are nearing award to fill in data gaps and inform completing 95% design and competing for construction funds in 2020.
  - The Shoreline Protection, Preservation, and Restoration Panel Demonstration Project was deauthorized because the cost of the panels is more expensive than rock.
  - The Breton West Landbridge Marsh Creation and East Delacroix Marsh Creation and Terracing Projects, located in Plaquemines and St. Bernard Parishes, were funded for engineering and design. Cooperative agreement grants were awarded to CPRA to design



the projects, and NOAA and CPRA have initiated design and project management activities.

- Two of the 12 projects NOAA Fisheries developed for consideration on Priority Project List 29 were selected for detailed cost-benefit analysis throughout the year to compete for engineering and design funds. Field work, data acquisition, and cost-benefit analyses are nearing completion.
- NOAA Fisheries continued coordinating with the CPRA on operations, maintenance, and monitoring of constructed projects.
- NOAA Fisheries continued coordinating with the CPRA, Louisiana Department of Wildlife and Fisheries, and U.S. Fish and Wildlife Service to prepare for an additional construction event for the Delta-wide Crevasses Project located in the Mississippi River Delta.

#### Other Project Updates:

- Maintenance construction by Patriot Construction and Industrial, LLC on the Black Bayou Hydrologic Restoration Project located in Cameron Parish will be complete in early September. Maintenance included rock dike repairs along the Gulf Intracoastal Waterway, rock scour protection at the Black Bayou Cutoff Canal, Block's Creek, and Burton Sutton Canal, and replacement of the Burton Sutton weir. Construction was temporarily suspended due to high Mississippi River water delaying rock shipments.
- Expansion of the Rockefeller Shoreline Protection Project located in Vermilion Parish was delayed but is nearing completion. Leblanc Marine, LLC was awarded an additional \$8.4 million to expand the project 6,000 feet. Expansion work expected to provide 155 net acres after 20 years was planned to start in the spring but was postponed due to high Mississippi River water delaying rock shipments.
- Construction of the Cole's Bayou Marsh Restoration Project located in Vermilion Parish was completed in August. Three marsh creation cells were filled creating and nourishing 415 acres of brackish marsh from dedicated dredging. Nine water control structures comprised of 22 culverts in total and two earthen plugs were constructed.
- Land rights agreements on the Cameron Meadows Marsh Creation and Terracing Project, located in Cameron Parish, were completed. The draft 100% design is under review. All permitting is complete. The construction contract is expected to be advertised in late 2019.

### **Habitat Conservation and Protection Activities**

#### NOAA Fisheries:

- Secured \$12K in funding, as co-chair of the Southeast Aquatic Resources Partnership Coastal Work Group, for the next priority issue meeting identified by the Gulf state's marine fish chiefs, which will cover oyster mariculture siting and associated marine debris lessons learned.
- Continued participating in the USACE's Coastal Texas Protection and Restoration Feasibility Interagency Workgroup.
- Served on National Estuary Program (NEP) Technical Advisory Committees throughout Florida, including Tampa Bay, Sarasota Bay, and Coastal & Heartland, and on the Tampa Bay NEP Southwest Florida Seagrass Working Group.
- Provided leadership to the Gulf of Mexico Alliance through representation on its Habitat Resources Team, which is working to develop an updated report on the status and trends of

seagrasses in the Gulf, a Gulf Coast Adaptation and Resilience Plan, and an ecosystem services valuations study for various restoration techniques.

- Started early engagement on a proposed USACE permit and draft environmental impact statement by the Port of Corpus Christi Authority to deepen the Corpus Christi Ship Channel from the originally authorized depth of -54 feet to -80 feet.
- Continued early engagement in multiple USACE Jacksonville District Coastal Storm Risk Management projects planned along the Florida Gulf Coast.
- Served on the federal interagency interdisciplinary planning team providing technical guidance designed to minimize Essential Fish Habitat (EFH) impacts resulting from multiple aquaculture projects proposed in the eastern Gulf.
- Continued to work with the Sabine River Authorities and others to install upstream passage for American eels at the Toledo Bend Hydroelectric Project. FERC requires eel passage in its license for the facility.
- Served on the Mississippi Beneficial Use Group steering committee providing guidance on placement of dredged material to restore the state's barrier islands, including the recently completed 2.4-mile gap between east and west Ship Island known as Camille Cut.
- Continued to serve as a member of the Louisiana Coastal Area Beneficial Use of Dredged Material (BUDMAT) Program, which aims to cost effectively increase the beneficial use of material dredged from federally maintained waterways. Worked on the Barataria Bay BUDMAT project, which would restore approximately 75 acres of marsh.
- Provided fishery habitat expertise as a member of the Louisiana Interagency Review Team for mitigation projects. The Team acts as a clearing house for proposed and ongoing mitigation banks in the state, approving credit releases, modifications, and new mitigation banks.
- Participated in federal planning studies to inform the development of environmental impact statements and regional sediment management planning for the USACE's deepening and widening of the Houston Channel, Texas. Continued to support the Federal Energy Regulatory Commission's (FERC) pre-application EFH consultation process for numerous liquefied natural gas (LNG) liquefaction export terminal proposals in the Gulf, including projects in Texas (12), Louisiana (6), and Mississippi (1). Completed EFH consultations for three proposed LNG terminals (Annova, Texas and Rio Grande) on the Brownsville Ship Channel, and Gulf LNG in Pascagoula, Mississippi.
- Completed the EFH consultation on the USACE's Matagorda Ship Channel expansion project in Texas.
- Completed the EFH consultation for the Jefferson County, Texas Ecosystem Restoration Project.
- Completed the EFH consultation for the USACE's Mobile Harbor and Ship Channel Improvement Project.
- Completed an additional 610 consultations across the 5 Gulf States to conserve, protect, and restore EFH across the Gulf, for a total of 850 EFH consultations in FY19 .
- Provided the Gulf Council comments and recommendations on the 5-year review of the EFH information in Council fishery management plans.

Also, NOAA Fisheries is working with the U.S. Maritime Administration and U.S. Coast Guard on EFH consultations for 6 Deepwater Port applications in Texas, and serving as a cooperating

agency to USACE Jacksonville District for the Lake Okeechobee System Operating Manual estimated for completion in 2022.

## **GULF RESTORATION**

NOAA Fisheries continued to engage external partners and stakeholders to maximize the utility of pre-application planning, technical assistance, and ESA, EFH, and Marine Mammal Protection Act reviews of Gulf restoration programs and projects. This included:

- Providing technical and environmental compliance planning and consultation on large-scale restoration activities, including Open Ocean, Regionwide, and State Trustee Implementation Group processes for marine mammals, Gulf sturgeon, monitoring and adaptive management, and fish restoration, and on RESTORE Council projects. Bucket 2 project submission guidelines and planning framework to guide comprehensive ecosystem restoration have been completed. Also, an interagency agreement for RESTORE Council funding was executed to create a dedicated infrastructure to support development of ecosystem restoration projects for the next Funded Priorities List and maximize the efficiency of environmental compliance.
- Supporting the RESTORE Council Monitoring and Assessment Program.
  - The long-term water quality and habitat monitoring, assessment, and mapping program inventory is complete (NOAA Technical Memorandum NOS NCCOS 262).
  - The baseline assessment inventory and program and data gap analysis are in progress.
  - The web-based data accessibility platform is under development, with a beta version to be unveiled later in the fall of 2019.
  - Annual work plans are being developed in coordination with NRDA Cross-TIG Monitoring and Adaptive Management Working Group for future phases of science support for regional restoration program planning and evaluation.
  - Interagency teams are developing implementation plans to ensure coordination across relevant science programs, including but not limited to the NOAA RESTORE Act Science Program, National Academies of Sciences Gulf Research Program, State Centers of Excellence, Gulf of Mexico Research Initiative, and Gulf University Research Collaborative.
  - There is an upcoming Gulf of Mexico Monitoring Community of Practice meeting January 2020 to advance gap analysis of long-term monitoring program inventory.
- Continuing to lead Gulf Coast Interagency Environmental Restoration Working Group activities advancing Louisiana and Florida pilot projects to streamline environmental compliance on RESTORE-funded water quality and habitat restoration activities, and to help Florida refine the Escambia County living shorelines project design to enhance benefits, reduce impacts, and expedite environmental compliance.

Also, NOAA Fisheries provided technical support to the Gulf of Mexico Regional Collaboration Team and to the development of long-term monitoring and adaptive management plans at multiple scales for Gulf restoration programs.

## **COOPERATIVE AGREEMENTS AND GRANTS**

NOAA Fisheries concluded the FY19 grant process for four competitive programs: 1) the Marine Fisheries Initiative Program (MARFIN), 2) Cooperative Research Program, 3) Saltonstall-Kennedy Program, and 4) Bluefin Tuna Research Program.

- MARFIN: \$833,590 was awarded to 6 external projects and \$529,020 was awarded to 5 in-house projects.
- Cooperative Research Program: \$875,526 was awarded to 4 projects.
- Bluefin Tuna Research Program: Four applications totaling \$629,580 were selected for funding.
- Saltonstall-Kennedy: One award for \$299,949 was funded in the Southeast Region for queen conch aquaculture and restoration in Puerto Rico.

In addition, NOAA Fisheries awarded \$69,211,617 in relief funds to Florida, Texas, and the USVI to address fishery-related damages caused by Hurricanes Harvey, Irma, and Maria in 2017, and assisted Puerto Rico in developing an \$11.4M spend plan for a pending award.

Please do not hesitate to contact me at (727) 824-5301 if you have questions about these or other activities.

Sincerely,

Roy E. Crabtree, Ph.D.  
Regional Administrator

116TH CONGRESS } HOUSE OF REPRESENTATIVES { REPORT  
1st Session } 116-101

COMMERCE, JUSTICE, SCIENCE, AND RELATED AGENCIES  
APPROPRIATIONS BILL, 2020

JUNE 3, 2019.—Committed to the Committee of the Whole House on the State of  
the Union and ordered to be printed

Mr. SERRANO, from the Committee on Appropriations,  
submitted the following

R E P O R T

together with

MINORITY VIEWS

[To accompany H.R. 3055]

The Committee on Appropriations submits the following report in  
explanation of the accompanying bill making appropriations for  
Commerce, Justice, Science, and Related Agencies for the fiscal  
year ending September 30, 2020, and for other purposes.

INDEX TO BILL AND REPORT

	<i>Page Number</i>	
	<i>Bill</i>	<i>Report</i>
Title I—Department of Commerce .....	2	7
Title II—Department of Justice .....	24	43
Title III—Science .....	70	82
Office of Science and Technology Policy .....	70	82
National Space Council .....	71	82
National Aeronautics and Space Administration .....	71	83
National Science Foundation .....	79	95
Title IV—Related Agencies .....	83	101
Commission on Civil Rights .....	83	101
Equal Employment Opportunity Commission .....	84	101
International Trade Commission .....	85	102
Legal Services Corporation .....	85	102
Marine Mammal Commission .....	87	103
Office of the United States Trade Representative .....	87	103
State Justice Institute .....	88	104
Title V—General Provisions .....	88	104
House of Representatives Reporting Requirements .....	.....	107
Minority Views .....	.....	153
36-473		

## HIGHLIGHTS OF THE BILL

The Commerce, Justice, Science, and Related Agencies Subcommittee has jurisdiction over a diverse group of agencies responsible for promoting economic development; researching climate change and mitigating its impacts; combating violent crime, cybercrime, financial fraud, terrorism, espionage, and drug trafficking; addressing gun violence; promoting criminal justice reform; ensuring access to justice; enforcing trade laws; conducting periodic censuses; forecasting the weather; managing fisheries; exploring space; and advancing science. The activities of these agencies impact every American and are integral to the operations of our government.

The bill provides a total of \$73,895,000,000 in discretionary budget authority for fiscal year 2020. Within the level of funds provided, the bill prioritizes funding for the Constitutionally-required 2020 Decennial Census as well as for numerous other important public investments.

The bill provides a solid down payment toward the nation's infrastructure improvement needs by investing \$540 million in the Economic Development Administration (EDA), an increase of \$236 million above fiscal year 2019, including strong increases for EDA's Public Works program and other EDA programs. These funds provide the foundation for future growth in jobs and our standard of living.

The bill helps expand economic growth in other ways. The recommendation includes a funding increase of ten percent for the Manufacturing Extension Partnership program, which helps small- and medium-sized U.S. manufacturers create jobs and expand business growth opportunities. A solid 7.1 percent increase in funding is provided for the International Trade Administration, to create jobs by expanding U.S. exports and fighting the unfair trade practices of other countries. A ten percent increase is provided for the Minority Business Development Agency, which helps create jobs and expand business growth opportunities among minority-owned U.S. companies. Furthermore, the full budget request of \$3,450,681,000 is provided for the U.S. Patent and Trademark Office (PTO), to enable PTO to promote innovation in the United States by protecting our Nation's intellectual property rights both at home and abroad.

The bill also ensures responsible investments in the future of our Nation's economy and workforce by providing strong increases for science, technology, engineering, and mathematics (STEM) education at the National Aeronautics and Space Administration (NASA) and the National Science Foundation (NSF), and funding to initiate EDA's newly-authorized STEM Apprenticeship Pilot Program to create and expand STEM apprenticeships and other workforce training models.

The bill prioritizes the Decennial Census by providing a strong funding increase to enable the Census Bureau to conduct a thorough and accurate 2020 Census that counts all persons, as required by the Constitution. Funding is included to enable responsible project management and strong cybersecurity protection for all aspects of the 2020 Census, as the Bureau mounts its largest-ever deployment of information technology resources throughout the coun-

try. The funding will also enable the Bureau to conduct a strong partnership and communications campaign to help maximize the number of persons filling out their census forms and minimize the need for costly follow-up activity by Census enumerators.

The bill provides strong and responsible funding increases for critical efforts to better understand, and prepare for, the Earth's changing climate. Significant funding increases are provided for NASA Earth Science activities as well as for climate research activities of the National Oceanic and Atmospheric Administration (NOAA). Both areas have been targeted by the Administration for large funding cuts. The recommendation also doubles funding for NOAA's Title IX National Oceans and Coastal Security Fund, from \$30 million in fiscal year 2019 to \$60 million in this bill. This competitive grant program funds natural infrastructure solutions to help protect coastal areas threatened by rising sea level and other impacts of climate change. The recommendation also includes solid funding increases for NOAA's Coastal Zone Management grant program, and to enhance the National Weather Service's ability to accurately forecast extreme weather events.

The bill provides substantial resources to address the opioid epidemic. To assist State and local governments, the bill provides \$501,000,000, an increase of \$33,000,000 over fiscal year 2019, for grants authorized by the Comprehensive Addiction and Recovery Act and other opioid-related activities. For Federal law enforcement, the bill provides strong increases for U.S. Attorneys, the Federal Bureau of Investigation (FBI), and other Federal law enforcement entities, including increases for the Drug Enforcement Administration and for Interagency Crime and Drug Enforcement to enhance Federal law enforcement's ability to investigate and prosecute traffickers in opioids and other dangerous drugs.

The bill provides strong increases for State and local law enforcement assistance. For programs funded under the Violence Against Women Act, the bill provides \$582,500,000, an increase of \$85,000,000 above fiscal year 2019. For school safety, the bill provides \$125,000,000, an increase of \$25,000,000 over the current year, to fund the STOP School Violence Act of 2018. In addition, the bill increases funding for other activities that will address school violence such as active shooter training for police, youth mentoring, and violent crime and gang reduction programs. The bill also fully funds the FBI's National Instant Criminal Background Check System (NICS) and provides an increase for grants to help States improve their submissions into the NICS system.

The bill affirms a strong commitment to the civil rights of all Americans by providing strong increases for the Civil Rights Division of the Department of Justice as well as for the Equal Employment Opportunity Commission. Funding is also included in support of the Emmett Till Unsolved Civil Rights Crimes Reauthorization Act of 2016 (Public Law 114-325) to investigate and prosecute previously unresolved civil rights era "cold case" murders suspected of having been racially motivated, through a partnership among the Criminal Section of the Civil Rights Division, the Civil Rights Unit of the FBI, the Community Relations Service, State and local law enforcement officials, and other eligible entities.

The recommendation makes a strong commitment to ensuring access to justice for all Americans by providing \$550,000,000 for the

Legal Services Corporation, an increase of \$135,000,000 above fiscal year 2019.

The recommendation includes \$75,000,000, as authorized under the First Step Act of 2018, to expand and develop opportunities for incarcerated individuals to participate in evidence-based, recidivism-reducing programming and productive activities.

For NASA, the bill includes \$22,315,000,000, which is an increase of \$815,000,000 above fiscal year 2019, including strong funding levels for NASA's science, human exploration, space technology, aeronautics research, and STEM Education programs, many of which were targeted for reduction or elimination in the Administration's budget request.

The recommendation makes other strong investments in science as well, providing \$8,636,141,000 for the National Science Foundation, an increase of more than \$560,000,000 above fiscal year 2019, and \$751,000,000 for scientific and technical research and services of the National Institute of Standards and Technology, an increase of \$26.5 million above fiscal year 2019.

#### OVERSIGHT AND BUDGET REVIEW

In furtherance of the Committee's oversight responsibilities and to protect hard-earned taxpayer dollars, the Committee has included language that:

- Withholds a portion of funds for Department of Commerce, Departmental Management until a Census Bureau information technology investment plan is updated and submitted.
- Caps total life-cycle costs for programs that have a record of poor performance.
- Prohibits funding for the National Technical Information Service to charge customers for a copy of a document generated by the Legislative Branch unless the customer is informed how to receive an electronic copy free online.
- Prohibits the Executive Office for Immigration Review from using case completion quotas in immigration judge performance evaluations.
- Maintains limitations on the Department of Justice's use of non-appropriated funds, including the Working Capital Fund and the Assets Forfeiture Fund.
- Requires quarterly reporting of unobligated balances.
- Requires agencies procuring sensitive information technology systems to conduct supply chain risk assessments.
- Requires contractors and grantees receiving more than \$5,000,000 to certify that they are not delinquent on their Federal taxes.
- Prohibits funds from being used to purchase first class and premium airline travel.
- Limits the number of agency staff who can attend overseas conferences.
- Requires agencies to track undisbursed grant balances.
- Requires agencies to submit spending plans for the Committee's review.
- Requires agencies to notify the Committee of project cost overruns and mitigation plans.
- Requires agency computer networks to block pornography.



*Paper Reduction Efforts.*—The Committee urges the Departments of Commerce and Justice, the National Science Foundation, and NASA to work with the Office of Management and Budget to reduce printing and reproduction costs and directs each agency to report to the Committee within 60 days of enactment of this Act on the steps it has taken to achieve this goal. The report should specifically identify how much funding each agency expects to save by implementing these measures.

*Performance Measures.*—The Committee directs each of the agencies funded by this Act to comply with title 31 of the United States Code, including the development of their organizational priority goals and outcomes such as performance outcome measures, output measures, efficiency measures, and customer service measures. The Committee directs all agencies funded by this Act to report on their implementation plans for these measures within 60 days of enactment of this Act.

*Customer Service.*—The Committee continues to support efforts to improve customer service in accordance with Executive Order 13571—Streamlining Service Delivery and Improving Customer Service. The Committee directs all agencies funded by this Act to develop standards to improve customer service and incorporate the standards into the performance plans required under 31 U.S.C. 1115. The Committee directs all agencies funded by this Act to report on their implementation plans regarding this subject no later than 60 days after enactment of this Act.

*Federal Advertising.*—The Committee understands that, as the largest advertiser in the United States, the Federal Government should work to ensure fair access to its advertising contracts for small disadvantaged businesses and businesses owned by minorities and women. The Committee directs each of the agencies funded by this Act to include the following information in its fiscal year 2021 budget justification: Expenditures for fiscal year 2019 and expected expenditures for fiscal years 2020 and 2021, respectively, for (1) all contracts for advertising services; and (2) contracts for the advertising services of all Small Business Administration-recognized socioeconomic subcategory-certified small businesses, as defined in the Small Business Act, and minority-owned businesses.

*Services for Persons with Limited English Proficiency.*—The Committee notes the importance of ensuring access to Federal services and programs for all persons with limited English proficiency. Therefore, the Committee directs agencies and programs funded in this Act to comply fully with the requirements of Executive Order 13166, “Improving Access to Services for Persons with Limited English Proficiency,” and on an ongoing basis, review and improve their efforts to provide meaningful access to the programs, services, and information they provide.

#### REPROGRAMMING PROCEDURES

Section 505 of the bill contains language concerning the reprogramming of funds between programs, projects, and activities. The Committee reminds the departments and agencies funded in this bill that the reprogramming process is based on comity between the Congress and the Executive Branch. This process is intended to provide departments and agencies enough flexibility to meet changing circumstances and emergent requirements not

known at the time of congressional review of the budget while preserving congressional priorities and intent. In the absence of comity and respect for the prerogatives of the Appropriations Committees and the Congress in general, the Committee may opt to include specific program limitations and details in legislation and remove language providing the flexibility to reallocate funds. Under these circumstances, programs, projects, and activities become absolutes and the Executive Branch shall lose the ability to propose changes in the use of appropriated funds except through legislative action.

Each department and agency funded in this bill shall follow the directions set forth in this bill and the accompanying report and shall not reallocate resources or reorganize activities except as provided herein. Reprogramming procedures shall apply to funds provided in this bill, unobligated balances from previous appropriations Acts that are available for obligation or expenditure in fiscal year 2020, and non-appropriated resources such as fee collections that are used to meet program requirements in fiscal year 2020. As specified in section 505, the Committee expects that the Appropriations Subcommittees on Commerce, Justice, Science, and Related Agencies of the House and Senate will be notified by letter a minimum of 15 days prior to any reprogramming of funds that—

- (1) creates or initiates a new program, project, or activity;
- (2) eliminates a program, project, or activity;
- (3) increases funds or personnel by any means for any project or activity for which funds have been denied or restricted;
- (4) relocates an office or employees;
- (5) reorganizes or renames offices, programs, or activities;
- (6) contracts out or privatizes any functions or activities presently performed by Federal employees;
- (7) augments existing programs, projects, or activities more than \$500,000 or 10 percent, whichever is less, or reduces by 10 percent funding for any program, project, or activity, or numbers of personnel by 10 percent; or
- (8) results from any general savings, including savings from a reduction in personnel, which would result in a change in existing programs, projects, or activities as approved by Congress.

Any reprogramming request shall include any out-year budgetary impacts and a separate accounting of program or mission impacts on estimated carryover funds. The Committee further expects any department or agency funded in this bill that plans a reduction-in-force to notify the Committee by letter at least 30 days in advance of the date of any such planned personnel action.

#### RELATIONSHIP WITH BUDGET AND COMPTROLLER OFFICES

Through the years the Appropriations Committee has channeled most of its inquiries and requests for information and assistance through the budget offices or comptroller organizations of the various departments, agencies, and commissions. Such relationships are necessary to accomplish the work of the Committee. While the Committee reserves the right to call upon all organizations in the departments, agencies and commissions for information and assistance, the primary contact between the Committee and these entities must be through the budget offices and comptroller organizations, or through a legislative affairs unit designated by the Committee to work on appropriations and budget matters.

The workload generated in the budget process is large and growing; therefore, a positive, responsive relationship between the Committee and the budget and/or comptroller offices is essential for the Committee to fulfill the Constitutional appropriations responsibilities of Congress.

## TITLE I

### DEPARTMENT OF COMMERCE

#### INTERNATIONAL TRADE ADMINISTRATION

##### OPERATIONS AND ADMINISTRATION

The Committee recommends \$530,000,000 in total resources for the programs of the International Trade Administration (ITA), which is \$35,000,000 above fiscal year 2019 and \$58,904,000 above the request. This amount is offset by \$11,000,000 in estimated fee collections, resulting in a direct appropriation of \$519,000,000, which is broken out in additional detail below. The recommendation fully supports the staffing requirements requested to help ITA provide critical expertise in both trade promotion and facilitation as well as enforcement. The Committee rejects the proposed \$3,000,000 rescission from ITA's unobligated balances.

*Industry and Analysis.*—The recommendation provides \$62,571,000 for Industry and Analysis, which is \$10,020,000 above fiscal year 2019. The recommendation includes \$3,000,000 for the Survey of International Air Travelers (SIAT).

*Enforcement and Compliance.*—The recommendation funds Enforcement and Compliance at \$94,844,000, which is \$6,344,000 above fiscal year 2019 and \$1,000,000 above the requested amount to support an increase to ITA's proposed Anti-Circumvention and Evasion Unit above the request. Duty circumvention and evasion schemes used by some foreign exporters and U.S. importers directly harm the U.S. manufacturing, agricultural, and aquaculture sectors. U.S. Customs and Border Protection (CBP) reports there are approximately 54,704 unpaid anti-dumping and countervailing duty (AD/CVD) bills covering the period from fiscal year 2011 through 2016, totaling \$2.8 billion in uncollected duties. As this new unit is established, the Committee directs ITA to work with its partner agencies that share a vested interest in combatting trade fraud and evasion to supplement its staffing needs. ITA is directed to provide quarterly briefings on its ongoing enforcement efforts to the Committee, specifically on AD/CVD casework.

*Global Markets.*—The recommendation provides \$338,635,000 for Global Markets, \$60,653,000 above the request and rejects the Administration's proposal to reduce export promotion and trade analysis efforts. The Committee looks forward to receiving the report on the U.S. and Foreign Commercial Service as directed in the explanatory statement accompanying Public Law 116–6. The Committee directs ITA to continue this report for fiscal year 2020 and include additional analysis on the location of, and services provided by, the U.S. Export Assistance Centers in relation to the location of small- and medium-sized enterprises that are exporters or potential exporters of products or services. The updated report shall identify those centers that serve disproportionately large numbers of small-

and medium-sized enterprises. The Committee expects this report no later than 90 days after enactment of this Act.

*Executive Direction and Administration.*—The recommendation provides \$22,950,000 for Executive Direction and Administration.

*Human Rights Violations.*—The Committee is concerned with violence and threats shown towards human rights activists around the world, and notes some of this has occurred in nations with which the United States has trade agreements with enforceable protections. The Committee encourages the ITA to more actively engage with trade partner nations to end these human rights violations.

BUREAU OF INDUSTRY AND SECURITY  
OPERATIONS AND ADMINISTRATION

The Committee recommends \$127,652,000 for the Bureau of Industry and Security (BIS) as requested and \$9,602,000 above fiscal year 2019. Within the amount provided \$6,244,000 is for Management and Policy Coordination; \$69,126,000 is for Export Administration; and, \$52,282,000 is for Export Enforcement, including the full requested amount for the Office of Antiboycott Compliance.

The funds provided directly support BIS' staffing needs in Export Administration to support an increased caseload following the passage of the Foreign Investment Risk Review Modernization Act (FIRRMA) in 2018, which expanded the purview of the Committee on Foreign Investment in the United States (CFIUS) and potentially quadruples the workload as compared to fiscal year 2019. Funding will also enable BIS to undertake increased responsibilities following the passage of the Export Control Reform Act of 2018 (ECRA) and fulfill its role in the identification and control of emerging and foundational technologies.

The Committee has heard concerns about how exclusions under section 232 of the Trade Expansion Act of 1962 have been implemented. The Committee directs the Department to report to the Committee within 60 days of enactment of this Act on the status of imports under the quota exclusions. Further, the Committee directs the Department to continue its quarterly reporting on the Section 232 exclusion process as described in the joint explanatory statement accompanying Public Law 116–6.

ECONOMIC DEVELOPMENT ADMINISTRATION

The Committee rejects the proposal to terminate the Economic Development Administration (EDA) and instead recommends \$540,000,000 for the programs and administrative expenses of the EDA.

ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS

The Committee provides \$498,350,000 for the Economic Development Assistance Programs account for grants to economically distressed areas. The Committee notes with deep concern the increasing levels of inequality in the Nation and sees EDA as a critical tool in ensuring a good job with a living wage for all Americans no matter where they live. As such, the Committee expects EDA to work more closely with communities that are underserved, be they

in rural areas, impoverished neighborhoods of the biggest cities, or the forgotten corners of the Nation’s territories. The Committee is particularly focused on communities that are experiencing economic transitions, including, but not limited to, communities impacted by the decline of the coal and nuclear industries as well as the shrinking manufacturing sector. The Committee also appreciates EDA’s diligence in delivering economic assistance to areas of the Nation that have been impacted by recent disasters and urges continued focused attention on providing this aid.

Funds are to be distributed as follows; any deviation of funds shall be subject to the procedures set forth in section 505 of this Act:

Public Works .....	\$250,000,000
Partnership Planning .....	\$35,000,000
Technical Assistance .....	\$12,750,000
Research and Evaluation .....	\$1,600,000
Trade Adjustment Assistance .....	\$15,000,000
Economic Adjustment Assistance .....	\$97,000,000
Assistance to Coal Communities .....	\$35,000,000
Regional Innovation Program .....	\$30,000,000
Assistance to Nuclear Closure Communities .....	\$17,000,000
STEM Apprenticeship Pilot Program .....	\$5,000,000
Total .....	\$498,350,000

*Assistance to Coal Communities.*—The recommendation includes \$35,000,000 for Assistance to Coal Communities, which represents an increase of \$5,000,000 above the amount provided in fiscal year 2019. The Committee continues to be concerned about the impact of the downturn in the coal industry and directs EDA to continue implementing this program consistent with direction provided in fiscal year 2019. EDA shall continue to report to the Committee on its efforts to assist coal communities. The report shall include detailed information on how EDA and other Federal agencies have assisted coal communities to date and how the Federal Government plans to assist them in the future.

The Committee further recognizes that abandoned coal-fired plants in coal communities must transition to new uses to return the sites to beneficial use. These plants often sit at key infrastructure choke points and could serve a variety of purposes to reinvigorate communities struggling to reinvent these industrial assets. The Committee therefore encourages EDA to prioritize projects to repurpose abandoned coal-fired plants.

*Public Works.*—The Committee provides \$250,000,000 for Public Works, which is \$132,500,000 above the fiscal year 2019 level. The Committee encourages EDA to prioritize projects that are resilient to the changing climate as well as those that incorporate green infrastructure solutions.

*Regional Innovation Program.*—The Committee encourages EDA to support the development of regional innovation clusters that focus on advanced wood products, which are a growing source of jobs in rural America and contribute to rural economic development. An initiative that successfully increased demand for wood products would also address several key land management priorities, including reducing forest treatment costs and wildfire risks. The Committee also urges EDA to invest in university based, high tech business incubators to encourage entrepreneurship and pro-

mote technology commercialization through business startups. Furthermore, this activity should support private-public partnerships for economic growth and job creation in areas of high unemployment.

*Nuclear Power Plant Closures.*—The Committee notes that closures of nuclear power plants throughout the United States have had a significant impact on the economic foundations of surrounding communities through sudden job losses and a dramatic reduction to the local tax base. Additional plant closures are expected throughout the country in the coming years. The Committee appreciates the work EDA has undertaken to assist such communities in prior years and provides \$17,000,000 for competitive economic adjustment assistance to expand these efforts, which shall include, but not be limited to, public works investments and economic diversification initiatives in communities impacted by recent or scheduled nuclear power plant closures. The Committee directs the Department to report to the Committee no later than 90 days after enactment of this Act on the status of these efforts.

*STEM Apprenticeship Pilot Program.*—The Committee notes that over the past decade, the growth in the number of jobs requiring sophisticated science, technology, engineering, and math (STEM) skills was three times faster than growth in non-STEM jobs. Yet, U.S. employers have struggled to fill jobs in these fields. Because more than 50 percent of jobs that require STEM skills do not require a bachelor's degree, nontraditional higher education, such as apprenticeships, will be instrumental in meeting the urgent demand for a STEM-literate workforce. Therefore, the Committee provides \$5,000,000 to establish a STEM Apprenticeship Pilot Program to provide grants to create and expand STEM apprenticeship and other workforce training models, as directed in section 312 of the American Innovation and Competitiveness Act (Public Law 114–329). The Committee further directs EDA to provide an implementation plan to the Committee which details the proposed launch of this pilot program within 90 days of enactment of this Act and prior to effectuating this plan.

*Persistent Poverty.*—The Committee is concerned that pockets of high poverty in urban areas are often overlooked by the Federal Government because, in the aggregate, their need is often masked by their affluent neighbors. For purposes of this Act, the term “high-poverty area” means any census tract with a poverty rate of at least 20 percent as measured by the 2013–2017 5-year data series available from the American Community Survey of the Census Bureau and the term “persistent poverty counties” means any county that has had 20 percent or more of its population living in poverty over the past 30 years, as measured by the 1990 and 2000 decennial censuses and the most recent Small Area Income and Poverty Estimates. When scoring competitive grant applications, EDA is directed to add additional priority, where practicable, to applications from grantees who can demonstrate that the individuals who will benefit from such grants reside in high-poverty areas or persistent poverty counties. In addition, EDA shall provide guidance to such prospective grantees, especially prior to their application submissions, including to help determine whether they qualify for additional priority. The Committee further directs the Department to submit a report to the Committee on the percentage of

funds allocated by each program in fiscal years 2017, 2018, and 2019 and estimates for fiscal year 2020 to serve populations living in persistent poverty counties and high-poverty areas. The Department shall report this information to the Committee within 90 days of such data being available and provide a briefing to the Committee not later than 180 days after the enactment of this Act on how the Department is carrying out this directive.

#### SALARIES AND EXPENSES

The recommendation includes \$41,650,000 for EDA salaries and expenses.

#### MINORITY BUSINESS DEVELOPMENT AGENCY

##### MINORITY BUSINESS DEVELOPMENT

The recommendation includes \$44,000,000 for the Minority Business Development Agency (MBDA), an increase of \$4,000,000 over fiscal year 2019. MBDA is the only Federal agency dedicated to promoting the growth of minority-owned firms and assists small, medium, and large minority business enterprises to expand business opportunities and create jobs. MBDA is directed to allocate most of its total appropriation, including most of its increase above fiscal year 2019, toward cooperative agreements, external awards, and grants, including not less than \$11,500,000 to continue MBDA's traditional Business Center program and Specialty Project Center program. Within the increased funds, the Committee encourages MBDA to expand the number of Business Centers, with priority given to States according to their relative percentage of minority residents. Further, within the overall amount provided, the recommendation includes funding for MBDA to continue to carry out the duties assigned in the Native American Business Development, Trade Promotion, and Tourism Act of 2000 (Public Law 106-464).

#### ECONOMIC AND STATISTICAL ANALYSIS

##### SALARIES AND EXPENSES

The Committee recommends the requested amount of \$107,990,000 for the Economics and Statistics Administration, \$6,990,000 above fiscal year 2019. The recommendation consolidates the industry economic account within the national economic account to support the Bureau of Economic Analysis' (BEA) effort to harmonize the national, State, and industry release of Gross Domestic Product (GDP) data. Further, the Committee directs BEA to report to the Committee, no later than 45 days after enactment of this Act, on the status of BEA's efforts to develop and begin reporting on income growth indicators by 2020, as referenced in the explanatory statement accompanying Public Law 116-6.

The Committee applauds BEA's analysis of the impact of outdoor recreation on the U.S. economy and continues funding at no less than the amount spent in fiscal year 2019 for the Outdoor Recreation Satellite Account (ORSA) and directs the Department to continue working with the outdoor recreation industry, nongovernmental organizations, and other interested stakeholders to refine the national-level statistics and develop regional statistics. Addi-

tional guidance related to the ORSA is provided under Departmental Management.

#### BUREAU OF THE CENSUS

The Committee recommends a total of \$8,450,000,000 for the Bureau of the Census, which is \$4,628,612,000 above fiscal year 2019 and \$2,300,595,000 above the request. The decennial census provides Congress with important information about our nation's growth and changes over the previous decade, and there is only one opportunity to make sure it is done right and that all are equally counted and represented. The recommendation allows the Census Bureau to carry out its constitutional mandate without the added concern of not having the resources it needs during its peak operational year due to the Administration's wholly inadequate budget request.

*Puerto Rico and U.S. territories.*—The Committee directs the Census Bureau to include all citizens of the United States, including those in Puerto Rico and other offshore jurisdictions, in its estimates of U.S. resident population and other national statistics. The Committee looks forward to receiving the Bureau's analysis of the feasibility of including Puerto Rico in additional Census surveys and within Bureau of Justice Statistics data products as directed in House Report 115–704 and recommends the Bureau include cost estimates as part of this study.

*Lesbian, Gay, Bisexual, and Transgender Population Data Collection.*—The Committee applauds the Census Bureau for taking an important step by including the marital status of same-sex couples as part of the 2020 Decennial Census. The Committee recognizes that the Census Bureau began collecting this information in 2013 in the American Community Survey. However, the fact remains that little else is known about the social and economic circumstances of the lesbian, gay, bisexual, and transgender (LGBT) population at large. The Committee believes this information would be useful to policymakers and researchers alike and therefore directs the Census Bureau, within the amounts provided, to study the feasibility of expanding data collection on the LGBT population in its future Federal population surveys and to report to the Committee no later than 180 days after enactment of this Act on its revised data collection plans.

*Language Assistance.*—The Committee remains concerned about the availability of data on small population groups and the availability of language assistance for respondents to the Census surveys, including those who speak Asian languages, Pacific Islander languages, American Indian and Alaska Native languages, African languages, Spanish, and other languages. The Committee directs Census to provide an updated report within 60 days of the enactment of this Act, identifying the languages spoken by respondent populations most in need of language assistance, along with the availability of interviewers and materials for persons speaking these languages, and the steps the Bureau will take to reach these respondents and otherwise ensure the availability and accuracy of data for small population groups. The Bureau is directed to communicate this information on a regular basis to Census Telephone Centers and regional offices to address emerging needs.



## CURRENT SURVEYS AND PROGRAMS

The Committee recommends \$275,000,000 for Current Surveys and Programs, which is \$5,000,000 above fiscal year 2019 and \$10,995,000 above the request.

*Current Economic Statistics.*—The recommendation provides the requested level of \$185,283,000 to support Census programs that provide critical data to both public and private stakeholders about the structure and function of the U.S. economy in areas of business, construction, manufacturing, and general economic statistics including e-commerce that ultimately lead to a more precise measure of the Nation's Gross Domestic Product (GDP).

*Current Demographic Statistics.*—The recommendation provides \$89,717,000 for these programs that local governments rely on to monitor social and economic changes within the population to aid decision making. The recommendation restores funding to continue the level of effort for the Survey of Income and Program Participation (SIPP) at the fiscal year 2018 level to ensure statistically reliable estimates, and fully supports the Census Bureau's efforts to evaluate and improve the supplemental poverty measure.

## PERIODIC CENSUSES AND PROGRAMS

(INCLUDING TRANSFER OF FUNDS)

The Committee recommends a total of \$8,175,000,000 for Periodic Censuses and Programs, which is \$4,623,612,000 above the fiscal year 2019 level and \$2,289,600,000 above the request. Bill language withholding the availability of funds until the delivery of the Census Enterprise Data Collection and Processing (CEDCaP) spend plan is included under Departmental Management to ensure continuity in operations for the Census Bureau during peak operations. The recommendation provides for a transfer of \$3,556,000 to the Department of Commerce Office of Inspector General (OIG) for oversight and auditing of the Census Bureau.

*Demographic Statistics Programs.*—The recommendation includes \$7,801,453,000 to support the 2020 Decennial Census and the American Community Survey.

*2020 Decennial Census.*—The decennial census is a cornerstone of our Constitution and vital tool to not only apportion congressional seats in the U.S. House of Representatives, but also to help Congress make better-informed decisions on how to fairly distribute over \$675 billion in annual Federal funds including, community development block grants, homeland security grants, funding for first responders, special education, rural business enterprise grants, and much more. The 2020 Census is expected to be the largest and most technologically advanced census in its 230-year history as it embraces new technology and data collection methods. For the first time, households will have multiple options to fill out their census form including online, over the phone, or in the traditional paper format. While the Committee embraces the Bureau's efforts to modernize the 2020 Census, it expects the Bureau to continue to focus on serving communities without reliable broadband services and households lacking Internet access or familiarity.

In fiscal year 2018, Congress included approximately \$1.1 billion above the President's fiscal year 2018 request towards 2020 preparation activities to ensure a smooth transition through the fiscal

year into fiscal year 2019. This foresight proved vital during the longest partial government shutdown in U.S. history as the Census Bureau was able to maintain 2020 Census operations uninterrupted throughout the continuing resolution and the funding lapse. While the Committee recognizes there is prior-year funding available, the Administration's assumption that approximately \$1.02 billion of this funding will remain available to offset fiscal year 2020 costs is disingenuous and appears to rely on the assumption that Congress will supplement its budget needs when it becomes evident the President's request is inadequate. The Committee does not intend to put the 2020 Census at risk during the most critical year of its operation.

The Committee includes half of the proposed carryover back into the base budget for 2020 response operations and Information Technology (IT) infrastructure requirements. Further, the Committee provides a total of \$496,265,000 for the program management of the 2020 Census and encourages the Census to expeditiously hire current vacancies highlighted by GAO to ensure proper oversight of the IT systems conducting the 2020 Census. The Committee rejects the Administration's proposed \$30,764,000 reduction to the Census Survey and Engineering activities, which is needed to manage the continued delivery of systems needed to meet 2020 performance and scalability requirements. Additionally, the Committee restores the "Secretarial Contingency" originally submitted by the Secretary of Commerce in 2017 as part of the updated 2020 Census lifecycle cost estimate. The Committee believes having adequate contingency funding for many of the unknown variables that the Census Bureau will likely encounter throughout the remainder of calendar year 2019 and into 2020 will enable Census to address emergent concerns quickly and without additional congressional action. To that end, the Committee recommendation also includes an additional \$220,000,000 above the request to its risk-based contingency and a \$500,000,000 increase from its requested amount for non-response follow-up activities to ensure that the Census Bureau can employ an aggressive follow-up strategy if the self-response rate drops lower than anticipated or the amount for which it has budgeted for.

As the Census Bureau prepares for its inaugural year with an online decennial portal, the Committee recognizes that the Bureau may be more susceptible to cyberattacks by nefarious actors who may wish to undermine the 2020 Decennial Census statistics or interfere with participant self-response. The recommendation includes an additional \$253,000,000 in contingency funds for Census IT infrastructure consistent with the Department's 2017 lifecycle cost estimate. The Committee understands that the Census Bureau is actively working with the Cyber Infrastructure Security Agency (CISA) under the Department of Homeland Security as well as private stakeholders who specialize in cyber security. The Committee directs the Bureau to brief the Committee quarterly on actions taken to protect the security of the online platform as well as personal data beginning no later than 30 days after enactment of this Act.

While the Committee remains hopeful that individuals will elect to self-respond to the decennial survey, the 2020 Census faces many hurdles with hard-to-reach communities. The Committee has

previously directed the Bureau to prioritize a strong engagement strategy with partners and trusted voices in the community. The Committee recommends the Census Bureau take steps to develop the Mobile Response Initiative as described in the Bureau's report to the Committee on increasing the number of temporary Census offices and partnership staff to support the 2020 Census. The Committee supports such initiatives and encourages the Census Bureau to concentrate its efforts in hard to count communities and work with State, local, and tribal partners to identify locations for the Mobile Response Initiative to target. To that end, the Committee provides an additional \$100,000,000 above the request towards these efforts.

An additional challenge the Census Bureau faces is public perception of its intended use of the data it collects. In January 2019, the Census released the *2020 Census Barriers, Attitudes, and Motivators Study (CBAMS) Focus Group Final Report* that provides a summary of feedback among individuals who are at risk of low self-response, including but not limited to racial and ethnic minorities. The report concluded that many of these participants felt they were politically targeted and conveyed a palpable fear that the government would use their census information against them. Many participants have an overwhelmingly negative perception of the citizenship question itself, which strongly affects their willingness to participate. The Committee stresses the importance of non-response follow-up fieldwork to ensure every person is counted, especially those historically inclined to not respond or difficult to identify and locate, including those with limited access to internet or broadband infrastructure. The Committee directs the Census Bureau to continue its outreach and collaboration with community partner advocates to ensure the most accurate count possible.

The Committee recognizes the Census Bureau's efforts to increase language assistance for the 2020 Census by more than doubling the amount of languages supported both through telephonic support and in its advertising materials as compared to 2010. Additionally, in 2020 the Census Bureau will include 59 non-English languages, including braille, to its language guides. The Census Bureau is encouraged to continue establishing key partnerships and hire those with language skills outside of those languages covered through telephonic support for the 2020 Census.

The Committee remains concerned that the 2020 Census is a Government Accountability Office (GAO) high-risk area as Census Day approaches, with GAO recommendations remaining open to: (1) ensure key innovations will function as planned; (2) strengthen the management and oversight of all IT programs, systems, and contractors supporting the decennial; (3) better address its cybersecurity weaknesses identified by the Department of Homeland Security (DHS); and (4) refine reliable cost estimates. To aid the Committee in its oversight function, the Bureau shall continue its quarterly updates to the Committee on the status of implementing GAO recommendations regarding the 2020 Census.

*American Community Survey.*—The data that the American Community Survey (ACS) collects is critical for communities nationwide as it is the only source of annual data on education, employment, income, housing costs, veterans' issues, and a host of other topics. The recommendation includes \$218,000,000 for this ef-

fort, as requested, and the Bureau is directed to continue the associated quarterly briefing to the Committee.

According to the Census Bureau, expanding data collection annually for the ACS to Guam, American Samoa, the Northern Mariana Islands, and the U.S. Virgin Islands, would create additional cost and respondent burdens to ensure reliable estimates for these areas. Based on the report’s findings and recommendations, the Committee encourages the Census Bureau to include these territories in future surveys where feasible and within available resources until changes to the survey are authorized. The Committee also directs Census to increase outreach activities to historically undercounted communities, including colonias, and to submit a report to the Committee detailing these efforts within 60 days of enactment of this Act.

*Periodic Economic Statistics.*—The Committee recommends \$139,607,000 for the Economic Statistics programs, as requested, to support the sixth year of the 2017 Economic Census, and preparations for the 2022 Economic Census, and the 2022 Census of Governments. The Committee recognizes the Census Bureau’s efforts to reduce costs through its use of administrative records.

*Geographic Support.*—The Committee provides \$61,164,000 for the Geographic Support program.

*Enterprise Data Collection and Dissemination Systems (EDCaDS).*—The Committee supports the Bureau’s efforts to develop a more flexible, automated, and secure enterprise architecture that will enable Census to realize economies of scale to support data collection efforts and provides \$169,220,000 for EDCaDS. The amount includes an additional \$3,228,000 above the request to support the planning and delivery of these systems post-decennial to ensure a smooth transition of the current systems to new work for other demographic and economic surveys, the 2022 Economic Census, and early tests for the 2030 Census. The Bureau shall continue to provide quarterly briefings regarding the status of its data systems as directed in House Report 115–704.

NATIONAL TELECOMMUNICATIONS AND INFORMATION  
ADMINISTRATION

SALARIES AND EXPENSES

The Committee recommends \$42,441,000 for the National Telecommunications and Information Administration (NTIA), which is \$2,941,000 above fiscal year 2019. The recommendation is distributed as shown in the table below:

Domestic and International Policy .....	\$10,423,000
Spectrum Management .....	7,962,000
Advanced Communications Research .....	8,180,000
Broadband Programs .....	15,606,000
Public Safety Communications .....	270,000
	\$42,441,000
Total .....	\$42,441,000

The recommendation adopts and fully funds the Administration’s proposal to establish a new program activity, “Public Safety Communications”, intended to ensure those who serve in our State and local public safety sectors are provided with the tools and expertise needed to remain on pace with advances in technology through

NTIA's Next Generation 911 (NG911) program. However, the Committee does not include the creation of a new, unauthorized program under NTIA to negotiate private leases. While the Committee expects to be kept informed about the status of this and other legislative proposals while the Department works with the appropriate authorizing committees, the Committee cannot recognize the proposals as relevant to the Committee's appropriations work until legislation has been proposed and enacted into law.

*National Telecommunications Role in Hate Crimes.*—In 1993, NTIA released a groundbreaking report, "The Role of Telecommunications in Hate Crimes" regarding the use of electronic communications to disseminate and promote hate. However, despite the exponential growth of the internet since that time and the concerning rise in violent hate crimes that may be facilitated by various electronic media, the report has not been updated. The Committee directs NTIA, in coordination with the Department of Justice, to provide an update to its prior report to Congress no later than one year after the date of enactment of this Act. The new report should analyze the use of new forms of electronic media in advocating and encouraging the commission of hate crimes and include any recommendations to address such use of telecommunications, consistent with the First Amendment.

*Broadband Programs.*—According to the Federal Communications Commission's 2018 Broadband Deployment Report, it is estimated that 25 million Americans still lack access to affordable, reliable, modern high-speed broadband capability, of which 19 million or 75 percent, live in rural areas. The recommendation funds the continuation of the broadband mapping effort started in the fiscal year 2018 and 2019 appropriations Acts. An updated map will help identify, for policy makers and providers, regions with insufficient service.

*Rural Broadband Coordination.*—The Committee continues prior year direction to NTIA to coordinate with the Rural Utilities Service, the Federal Communications Commission, and other related Federal agencies to ensure that policies tied to one Federal program do not undermine the objectives and functionality of another. The Committee encourages NTIA to continue working with the rural communications industry to identify and pursue ways to continue broadband deployment and adoption, and directs NTIA to submit a report on its efforts no later than 60 days after the date of enactment of this Act. Further, the Committee continues to encourage NTIA to place equal priority on the deployment of the Nationwide Public Safety Broadband Network (NPSBN) in rural communities as it does in urban areas.

*Outcome-Based Measures.*—The Committee directs NTIA to include outcome-based goals and performance measures for its broadband adoption and availability work in its performance plan as soon as practicable.

*Spectrum Management.*—The Committee recognizes that ensuring access to key portions of spectrum for radio astronomy observations, environmental observations, and other scientific purposes is essential for scientific discovery. The Committee encourages NTIA, in coordination with FCC and other appropriate stakeholders, to preserve spectrum access for scientific purposes as commercial use

of radio spectrum increases. The Committee looks forward to the report highlighting NTIA's ongoing efforts on this front.

UNITED STATES PATENT AND TRADEMARK OFFICE

SALARIES AND EXPENSES

(INCLUDING TRANSFERS OF FUNDS)

The Committee recommends \$3,450,681,000 for the United States Patent and Trademark Office (PTO), the full amount of fiscal year 2020 fee collections estimated by the Congressional Budget Office. PTO shall continue to provide the Committee monthly reports on PTO's actual and projected fee collections, application volumes, performance, and staffing.

*Patent End-2-End (PE2E).*—PTO shall continue to provide quarterly reports to the Committee on the status of PE2E, including the proposed retirement of legacy systems, cost savings associated with those retirements, and any efficiencies achieved in patent processing because of these investments.

NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY

The Committee recommends \$1,040,172,000 for National Institutes of Standards and Technology (NIST), which is \$54,672,000 above fiscal year 2019.

SCIENTIFIC AND TECHNICAL RESEARCH AND SERVICES

(INCLUDING TRANSFER OF FUNDS)

The Committee recommends \$751,000,000 for NIST's Scientific and Technical Research and Services (STRS) programs, which is \$26,500,000 above fiscal year 2019 and \$139,281,000 above the request. The Committee also rejects the proposed reductions to Laboratory Programs, Corporate Services, and Standards Coordination and Special Programs and provides no less than the fiscal year 2019 level for those programs.

*Quantum Information Science.*—Within funds appropriated for STRS, the Committee provides no less than \$8,000,000 above the fiscal year 2019 level for Quantum Information Science, as authorized in the National Quantum Initiative Act to support and expand basic and applied quantum information science and technology research and development (R&D) of measurement science and standards. Further, the Committee encourages NIST to expand its collaboration with other entities, including industry, universities, and Federal laboratories, to help advance the field of quantum information science and engineering.

*Artificial Intelligence (AI).*—The recommendation includes \$4,000,000 above the fiscal year 2019 level for Artificial Intelligence that has the potential to produce transformative technologies and scientific breakthroughs that will improve Americans' lives.

*Textile research.*—The Committee recognizes the importance of the U.S. textile industry and encourages NIST to pursue advanced textile and apparel research, including manufacturing techniques.

*Greenhouse Gas Program and Urban Dome Initiative.*—The Committee recognizes the significant value in NIST's Greenhouse Gas

Program and Urban Dome initiative that seeks to leverage existing high-spatial density regional monitoring networks and external R&D partnerships. These cost-effective capabilities substantially expand and broaden NIST laboratory capabilities for investigating and developing measurement tools that support independent means for determining the accuracy of emissions inventory data at urban and regional scales. The Committee has included no less than \$100,000 above the fiscal year 2019 level of funding for the Greenhouse Gas Program and Urban Dome Initiative to continue and expand sensor network deployments.

*Cybersecurity and Privacy.*—The proliferation of data generation, storage, and use associated with the digital economy is making it increasingly important to protect that data with effective cryptography and privacy standards. The Committee is concerned that individual, corporate, and public-sector data privacy is continuously at risk from attacks by individual actors, criminal organization, and nation-states. The Committee urges NIST to address the rapidly emerging threats in this field by furthering the development of new and needed cryptographic standards and technologies.

*Metals-Based Additive Manufacturing.*—The Committee provides up to \$5,000,000 for competitive external grants for academic institutions to support research, development, and workforce training to overcome barriers to high-volume additive manufacturing of metals. While the Committee is aware of recent breakthroughs in metals-based additive manufacturing, major technical barriers still exist to dramatically improving build rates that would enable commercial markets to benefit from high-volume, metals-based additive manufacturing.

*Pyrrhotite in Concrete Aggregate.*—NIST shall consider establishing standards for acceptable levels of pyrrhotite in concrete aggregate and shall continue providing technical assistance to those interested in pyrrhotite detection, prevention, and mitigation tools.

*Forward Looking Building Standards.*—The Committee is concerned about how climate change will impact the built environment, and that standards previously set with an assumption of a stable climate system will expose many Federal and non-Federal investments to significant, but avoidable, risk. Therefore, the Committee directs NIST, in collaboration with other appropriate Federal agencies and interested non-Federal parties, to identify a consistent and authoritative set of climate information that emphasizes forward-looking climate data and projections that should be utilized in the standard-setting process. This effort shall serve to aid both Federal and non-Federal bodies to develop standards, building codes, and voluntary standards that take into account increasingly extreme weather events and other climate change challenges.

*Regenerative Medicine Standards.*—The Committee is pleased that NIST, the Food and Drug Administration, and the Standards Coordinating Body continue to work to implement the regenerative medicine standards provisions enacted in the 21st Century Cures Act (Public Law 114–255). Currently, work is underway to develop processes and criteria for identifying, prioritizing, and assessing the quality, safety, feasibility, and cost-benefit of such standards. This work will create a foundation that allows industry, regulatory authorities, and other stakeholders to reduce barriers to regenera-

tive medicine research and product development and accelerate the market readiness of these life-changing medical treatments.

*Forensic Sciences.*—The Committee provides \$1,500,000 above the fiscal year 2019 amount for forensic science research. Additionally, the Committee provides \$3,000,000 to support the Organization of 22 Scientific Area Committees and \$1,000,000 to support technical merit evaluations previously funded by transfer from the Department of Justice.

*5G Telecommunications.*—The Committee notes the importance of the development of 5G telecommunications technologies as a matter of job creation, economic development, and national security. The Committee is concerned with a lack of criteria and processes to evaluate evolving threats associated with emerging telecommunications technologies. The Committee also recognizes the importance of efficient spectrum use in the development of 5G networks. The Committee urges NIST to accelerate efforts to coordinate among industry to promote voluntary security standards and the development of measurement tools to increase spectrum efficiency.

#### INDUSTRIAL TECHNOLOGY SERVICES

The Committee recommends \$169,172,000 for Industrial Technology Services, which is \$14,172,000 above fiscal year 2019. The Committee rejects the Administration's proposed elimination of the Manufacturing Extension Partnership (MEP) program and provides \$154,000,000 for MEP as well as \$15,172,000 for the National Network for Manufacturing Innovation, also known as "Manufacturing USA."

*Cybersecurity Training.*—Within the increase to MEP, the Committee directs NIST to maintain the core services of the MEP and encourages NIST to utilize existing expertise within its Information Technology Laboratory to increase cybersecurity technical training to small manufacturers to strengthen their cybersecurity capabilities given the troubling threats from state and non-state actors and other emerging threats.

#### CONSTRUCTION OF RESEARCH FACILITIES

The Committee recommends \$120,000,000 for NIST construction. NIST shall continue to provide updates on the projects funded within this account, to include milestones and total amount of funding necessary for completion.

*Safety, Capacity, Maintenance, and Major Repairs (SCMMR).*—Within the amount provided for Construction of Research Facilities, the agreement includes no less than \$77,500,000 for NIST to address its most pressing SCMMR projects.

#### NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

The Committee recommends a total of \$5,478,974,000 in discretionary funds for the National Oceanic and Atmospheric Administration (NOAA), which is \$54,279,000 above fiscal year 2019 and \$1,022,006,000 above the President's request. The Committee notes that the proposed decrease in Procurement, Acquisitions, and Construction (PAC) for fiscal year 2020 reflects the anticipated reduction in NOAA's flagship weather satellite programs as they enter



the operational phase and the funding reduction is not intended to, nor is it expected to, have any deleterious impact on NOAA's mission.

*Extramural research.*—The Committee continues to support NOAA's ongoing collaboration with academia and the private sector through cooperative institutes and competitive research. These relationships build broad community engagement, leverage external funding for mission-oriented research, strengthen the science within NOAA, and advance scientific knowledge.

*Tribal support.*—The Committee encourages NOAA to support mitigation and relocation efforts of coastal tribal communities that are seeking to mitigate the threat of severe weather storms and promote public safety.

*Shellfish genetics.*—The recommendation includes up to \$10,000,000 to improve shellfish survival and growth rates and to classify and preserve the natural genetic variation of shellfish. NOAA is encouraged to support regional partnerships to classify and preserve natural genetic variation in shellfish. Further, the Committee encourages NOAA to examine the feasibility of tracking its efforts at the species level.

#### OPERATIONS, RESEARCH, AND FACILITIES

##### (INCLUDING TRANSFER OF FUNDS)

The Committee recommends a total program level of \$4,105,907,000 under Operations, Research, and Facilities (ORF) for the coastal, fisheries, marine, weather, satellite, and other programs of NOAA. This total funding consists of \$3,910,625,000 in direct appropriations, a transfer of \$177,782,000 from balances in the "Promote and Develop Fishery Products and Research Pertaining to American Fisheries" account and \$17,500,000 derived from recoveries of prior year obligations. The direct appropriation of \$3,910,625,000 is \$313,628,000 above fiscal year 2019 and \$852,242,000 above the President's request.

The following narrative and tables identify the specific activities and funding levels included in this Act.

*National Ocean Service.*—The recommendation provides \$642,000,000 for National Ocean Service (NOS) Operations, Research, and Facilities, an increase of \$60,433,000 above the fiscal year 2019 level and \$272,295,000 above the President's request. As noted in the U.S. Global Change Research Program's Fourth National Climate Assessment, the world's oceans and the Great Lakes are increasingly stressed by the warming climate and the absorption of carbon pollution from the atmosphere. Similarly, increases in extreme weather and rising sea levels are impacting coastal areas. In response, the Committee invests in programs within NOS that aim to enhance the resiliency of coastal assets and to understand and mitigate the changing ecological threats to our oceans and the Great Lakes.

NATIONAL OCEAN SERVICE  
OPERATIONS, RESEARCH, AND FACILITIES  
(in thousands of dollars)

Program	Amount
Navigation, Observations, and Positioning	
Navigation, Observations, and Positioning .....	\$159,000
Hydrographic Survey Priorities/Contracts .....	32,000
Integrated Ocean Observing System Regional Observations .....	40,500
Navigation, Observations, and Positioning .....	231,500
Coastal Science and Assessment	
Coastal Science, Assessment, Response and Restoration .....	84,500
Competitive External Research .....	20,000
Coastal Science and Assessment .....	104,500
Ocean and Coastal Management and Services	
Coastal Zone Management and Services .....	46,500
Coastal Management Grants .....	81,000
Title IX Fund .....	60,000
Coral Reef Program .....	33,000
National Estuarine Research Reserve System .....	29,000
Sanctuaries and Marine Protected Areas .....	56,500
Ocean and Coastal Management and Services .....	306,000
Total, National Ocean Service, Operations, Research, and Facilities .....	\$642,000

*Navigation, Observations, and Positioning.*—The Committee provides \$159,000,000 for Navigation, Observations, and Positioning and rejects the Administration’s proposed reductions in funding for repair and replacement of Coastal Observing Assets and the Coastal Mapping Program. The recommendation also rejects the Administration’s elimination of the competitive Regional Geospatial Modeling Grants program and directs NOAA to continue funding no less than the amount provided in fiscal year 2019. The Committee additionally continues funding for the Physical Oceanographic Real-Time System, or PORTS, at no less than the fiscal year 2019 level.

*Hydrographic Survey Priorities/Contracts.*—The Committee rejects the proposed reduction to Hydrographic Survey Priorities/Contracts and directs NOAA to maintain its prior year level of effort.

*Integrated Ocean Observing System (IOOS).*—The recommendation includes \$40,500,000 for Integrated Ocean Observing System Regional Observations and rejects the elimination of IOOS grants. The Committee supports IOOS’ efforts to expand its use of underwater gliders and encourages NOAA to fill critical gaps in the current surface mapping system and to ensure streamlined access to data for weather forecasting, detection of ecological phenomena, and safe maritime operations.

*Coastal Science, Assessment, Response, and Restoration.*—The Committee provides \$84,500,000 for Coastal Science Assessment, Response, and Restoration, including \$2,000,000 above the fiscal year 2019 level for the Marine Debris program to address the pervasive problem of pollution in coastal waters around the country. The Committee encourages NOS to coordinate with States, territories, and local communities on efforts to remove debris from the marine environment and the Great Lakes, with a goal of devel-

oping a cost-effective programmatic solution to land-generated marine debris.

Further, the Committee rejects the proposed elimination of the National Centers for Coastal Ocean Science (NCCOS) which, amongst many other things, does critical national security work on the changing Arctic region and the impact of rising sea levels on our military installations. The Committee directs NOAA to invest in updating scientific equipment at NCCOS within the amounts provided to Coastal Science, Assessment, Response, and Restoration.

NOAA is further directed to develop new in-situ sensors and technology and expand deployment of new and existing in-situ sensors to increase monitoring and understanding of natural phenomena such as harmful algal blooms and hypoxia—especially where insufficient data is currently available to provide high resolution ecological forecasts. As part of this work, the Committee encourages NOAA to expand partnerships with academic institutions, the private sector, State governments, and other Federal agencies.

*Harmful Algal Blooms (HABs).*—The Committee remains highly concerned about the increasing prevalence of harmful algal blooms in every U.S. State and territory and the corresponding impacts on human health, drinking water, fisheries, and the broader economy. The Committee provides \$20,000,000 to Competitive Research, including not less than \$10,000,000 for HABs research. This research should prioritize further development of methods of intervention and mitigation to reduce the frequency, severity, and impacts of HAB events in freshwater and saltwater systems and provide special attention to research in areas most economically and environmentally impacted by HABs.

The recommendation provides no less than \$1,750,000 for a study to update the estimated annual economic impacts from marine and freshwater HABs in the United States based on new information published since 2006 when the last national economic impacts were reported. The study shall include impacts related to public health, drinking water treatment, commercial fisheries, property values, recreation and tourism, and monitoring and management. The study shall also include an assessment of the estimated annual economic impacts in those U.S. States and territories most impacted by HABs. For all HABs-related work, the Committee encourages NOAA to coordinate with the Interagency Working Group on the Harmful Algal Bloom and Hypoxia Research and Control Act.

*Seafloor Mapping.*—The Committee encourages NOS to perform high-priority, cooperative habitat mapping in currently unmapped and disaster-prone areas, with priority given to areas where oil exploration is under consideration to better understand long-term implications.

*Coastal Zone Management.*—The Committee provides \$46,500,000 for Coastal Zone Management. The recommendation rejects the reduction to Integrated Water Prediction, and instead provides no less than the fiscal year 2019 level. Within these funds, the recommendation also includes a \$2,000,000 increase over the fiscal year 2019 level for Regional Ocean Data Portals.

*Coastal Zone Management Grants and Title IX Fund.*—The Committee does not approve the Administration's proposed elimination

of the Coastal Zone Management (CZM) Grants and the Title IX Fund, which are critical programs for preparing coastal areas for measurably rising sea levels. The recommendation instead includes \$81,000,000 for CZM Grants. The Committee also provides \$60,000,000 for Title IX Fund grants, which are to be executed consistent with the approach used in fiscal year 2019.

*Coral Reefs.*—The Committee is alarmed by the deterioration of the Nation’s coral reefs, which are suffering from record levels of bleaching and disease. The recommendation therefore includes \$33,000,000, which is \$6,893,000 above the President’s request for the Coral Reef Program. The Committee also rejects the proposed reduction for Innovative Coral Reef Restoration Initiatives. Within the increased funding, NOAA shall expand its collaborative work with external academic partners to advance the goals of the National Coral Reef Action Strategy by conducting scientific research for the conservation of corals and coral reef ecosystems, especially those that are experiencing an increasing prevalence of disease outbreaks.

*National Estuarine Research Reserve System.*—The Committee rejects the proposed elimination of the National Estuarine Research Reserve System and instead provides a \$2,000,000 increase over the fiscal year 2019 level for this important partnership between NOAA and the coastal States and territories that protects and studies estuarine systems.

*Sanctuaries and Marine Protected Areas.*—The Committee provides \$56,500,000 for Sanctuaries and Marine Protected Areas, which is \$5,061,000 above the President’s request.

*National Marine Fisheries Service.*—The Committee recommends \$954,650,000 for National Marine Fisheries Service (NMFS), Operations, Research, and Facilities, which is \$142,982,000 above the President’s request.

NATIONAL MARINE FISHERIES SERVICE  
OPERATIONS, RESEARCH, AND FACILITIES  
(in thousands of dollars)

Program	Amount
Protected Resources Science and Management	
Marine Mammals, Sea Turtles, and Other Species .....	\$124,000
Species Recovery Grants .....	7,500
Atlantic Salmon .....	6,500
Pacific Salmon .....	66,420
	204,420
Protected Resources Science and Management .....	204,420
2018 Recertification of the Pacific Salmon Treaty .....	30,000
	30,000
Fisheries Science and Management	
Fisheries and Ecosystem Science Programs and Services .....	150,000
Fisheries Data Collections, Surveys, and Assessments. ....	171,000
Observers and Training .....	45,100
Fisheries Management Programs and Services .....	124,000
Aquaculture .....	13,005
Salmon Management Activities .....	37,000
Regional Councils and Fisheries Commissions .....	41,500
Interjurisdictional Fisheries Grants .....	3,500
	585,105
Fisheries Science and Management .....	585,105
	585,105

NATIONAL MARINE FISHERIES SERVICE—Continued  
 OPERATIONS, RESEARCH, AND FACILITIES  
 (in thousands of dollars)

Program	Amount
Enforcement .....	73,500
Habitat Conservation and Restoration .....	61,625
Total, National Marine Fisheries Service, Operations, Research, and Facilities .....	\$954,650

*Consistent Application of Regulations.*—Within 90 days of enactment of this Act, NMFS shall provide a report to the Committee that examines how guidance is being implemented and its consistency across NMFS regions, specifically with regard to the issue of the consideration of the effects of existing structures in conducting Endangered Species Act consultations under section 7(a)(2). Further, NMFS shall complete an assessment of what is causing any observed permit delays and propose measures to improve the permit approval process.

*Marine Mammals, Sea Turtles, and Other Species.*—The recommendation includes \$124,000,000 for Marine Mammals, Sea Turtles, and Other Species. Within this amount, the Committee provides no less than the fiscal year 2019 level for Endangered Species Act and Marine Mammal Protection Act Permitting Capacity and no less than \$4,000,000 for the John H. Prescott Marine Mammal Rescue Assistance grant program.

*Sea Turtles.*—The Committee provides no less than the fiscal year 2019 enacted level for NMFS to continue scientifically advisable operations of, and full funding for, ongoing work on endangered and threatened sea turtle conservation, including captive sea turtle rearing and Turtle Excluder Device research and certification to reduce sea turtle bycatch. NOAA committed to Congress that it would continue its sea turtle stranding and rehabilitation programs until it found suitable non-governmental partners to take over this program in full. Therefore, NMFS is directed to maintain adequate capacity of the sea turtle stranding and rehabilitation program until it can assure Congress that those critical activities have been fully transferred to partner organizations.

*Southern Resident Killer Whales.*—Within the amount provided for Marine Mammals, Sea Turtles, and Other Species, the Committee provides not less than \$1,500,000 for the Southern Resident Killer Whales program to increase research and monitoring to improve the recovery of the species.

*North Atlantic Right Whale.*—The Committee remains concerned that North Atlantic right whale populations continue to be critically low. Therefore, the Committee rejects the President’s proposal to reduce funds and instead provides \$1,000,000 above the President’s budget request within Marine Mammals, Sea Turtles, and Other Species for research and monitoring of North Atlantic right whales, to better understand how the species interacts with fisheries and shipping traffic, and how it is adapting to changing ocean conditions and shifting feeding grounds. Further, the Committee encourages NOAA to prioritize development of a habitat suitability index, along with aerial surveys and passive acoustic monitoring in

the waters of the Northeast U.S. region and development of long-term tagging methods.

*Species Recovery Grants.*—The Committee rejects the proposed reduction for Species Recovery Grants and recommends \$1,504,000 above the President’s request.

*Hatchery and Genetic Management Plans.*—The Committee provides \$66,420,000 for Pacific Salmon, \$4,679,000 above the requested level, and rejects the reduction to Hatchery and Genetic Management Plans (HGMPs). Instead, the recommendation provides no less than \$5,000,000 within Pacific Salmon to implement NMFS’ comprehensive plan to address the backlog of HGMPs submitted to Congress as required by the Consolidated Appropriations Act of 2016 (Public Law 114–113), including to work with the U.S. Fish and Wildlife Service, State agencies, Tribes, and the Hatchery Scientific Review Group as needed. Failure to approve these HGMPs has exposed NMFS to litigation for failure to fulfill its obligations under the Endangered Species Act. This funding is essential for NMFS to expedite review and approval of the HGMP backlog and prevent hatchery shutdowns.

*New Obligations Under the 2018 Recertification of the Pacific Salmon Treaty.*—The recommendation includes \$30,000,000 for activities related to the 2018 Recertification of the Pacific Salmon Treaty. Within these funds, the Committee directs NOAA to develop and implement a plan to maximize the increase of relevant salmon stocks through the implementation of actions referenced in the treaty and supporting agreements, in addition to activities funded under the Salmon Management Activities line. The Committee is frustrated by the lack of information from the Administration regarding the Federal responsibilities related to the recent recertification of the Pacific Salmon Treaty and directs the Department, prior to the obligation of any funds and within 60 days of enactment of this Act, to brief the Committee on this plan. Further, NOAA is directed to provide the Committee with biannual status reports on these activities and their impact on salmon stocks, beginning no later than 180 days after the enactment of this Act.

*Antarctic Research.*—The Committee rejects the elimination of Antarctic Research in the budget request and provides funding at no less than the fiscal year 2019 level in Fisheries and Ecosystem Science Programs and Services.

*Cooperative Research.*—The recommendation does not adopt the proposed reduction for Cooperative Research and continues funding for this activity at no less than the fiscal year 2019 level. Cooperative research shall be used to support external, independent data collection and other research. NOAA shall ensure that this research is ingested into fishery stock assessments in a timely manner.

*Fish Information Networks.*—The Committee provides \$171,000,000 for Fisheries Data Collections, Surveys, and Assessments, \$13,344,000 above the request. Within these funds, \$23,500,000 is provided for Fish Information Networks, the State-Federal cooperative programs that coordinate data collection, data management, and informational management essential for accurate monitoring of commercial and recreational fishing impacts.

*Plankton Recorder Survey.*—The Committee notes the importance of understanding the distribution of plankton to inform the con-

ervation of North Atlantic right whales. Within the amount provided for Fisheries Data Collections, Surveys, and Assessments, the Committee provides not less than \$300,000 to conduct a continuous plankton recorder survey in partnership, on a voluntary basis, with research institutions, nonprofit organizations, commercial vessels, and other Federal agencies. The relevant survey samples should be analyzed, stored, archived, and made publicly available as quickly as is practicable. NOAA is further directed to coordinate with the Government of Canada to develop a transboundary understanding of plankton abundance and distribution.

*Salmon Management Activities.*—The recommendation rejects the proposed reductions to Genetic Stock Identification and Pacific Salmon Treaty within Salmon Management Activities and provides no less than the amounts provided in fiscal year 2019.

*Mitchell Act Hatchery Programs.*—From the funds provided for Salmon Management Activities and 2018 Recertification of the Pacific Salmon Treaty, NOAA shall provide no less than \$25,000,000 for Mitchell Act activities, which enable Federal agencies to work with Oregon, Washington, and Idaho to establish and operate a series of hatcheries and passage facilities to improve declining fish runs in the Columbia River, ensure conservation of these critical natural resources, maintain economically viable tribal, commercial, and sports fisheries, and provide prey for Southern Resident killer whales.

*Regional Councils and Fisheries Commissions.*—The recommendation provides \$41,500,000 for Regional Councils and Fisheries Commissions, which is \$3,847,000 above the President's request. The Committee does not approve the proposed reduction to Interstate Fishery Management Commissions and continues to provide the fiscal year 2019 level. Further, within the funds provided for Regional Councils and Fisheries Commissions, \$250,000 is included to implement the Pacific Fishery Management Council's Fishery Ecosystem Plan (FEP) Climate and Communities Initiative and to update the FEP to support climate-ready fisheries and ecosystem-based fisheries management.

*State Waters.*—The Committee encourages NOAA to ensure Regional Fishery Management Councils work in an open and collaborative way with states during the consideration of any actions that affect state waters.

*Interjurisdictional Fisheries Grants.*—The recommendation rejects the proposed elimination of Interjurisdictional Fisheries Grants and instead provides \$3,500,000.

*Exempted Fishing Permits for Red Snapper Fishing.*—The Committee appreciates the work done thus far by the five Gulf States to develop and implement Exempted Fishing Permits. Given these permits will improve recreational fishing access and data collection, within amounts provided for Fisheries Data Collections, Surveys and Assessments, the Committee provides \$10,000,000 for the development, implementation and validation of electronic logbook data for the federally permitted charter-for-hire sector in the Gulf of Mexico and South Atlantic. Within these funds, the Committee also directs NMFS to deliver technical support as needed to the Gulf States to prioritize and ensure successful implementation of each State plan. Additionally, NOAA shall continue to provide the

Committee with quarterly updates on these efforts as directed in fiscal year 2019.

*South Atlantic Reef Fish.*—NMFS is encouraged to leverage efficiencies learned through the Gulf of Mexico red snapper process to better the science and management of red snapper and other reef fish in the South Atlantic. NMFS shall consider employing the independent and alternative stock assessment strategies directed by the Committee for the Gulf of Mexico to supplement NMFS assessments of reef fish in the South Atlantic. The Committee provides up to \$1,500,000 for these activities and notes deficiencies that have plagued reef fish management in the Gulf of Mexico also affect NMFS management of reef fish in the South Atlantic. The Committee encourages NMFS to incorporate this data into the agency's own stock assessments as expeditiously as possible.

*National Catch Share Program.*—The Committee reminds NOAA that catch share programs reduce harmful competition between fishing vessels, thereby helping to reduce occupational hazards, avoid market-gluts, maximize profits, and reduce ecological damage. The Committee therefore rejects the proposed reduction of funding and provides no less than the fiscal year 2019 level for the National Catch Share Program within Fisheries Management Programs and Services. Additionally, within the funds provided for Fisheries Management Programs and Services, NOAA shall develop a priority list of other species that should be considered for inclusion in the Seafood Import Monitoring Program in order to: (1) reduce human trafficking in the international seafood supply chain, (2) reduce economic harm to the American fishing industry, (3) preserve stocks of at-risk species around the world, and (4) protect American consumers from seafood fraud. NOAA shall provide this list to the Committee within 180 days of enactment of this Act.

*Enforcement.*—The Committee provides \$73,500,000 for Enforcement, which is \$19,428,000 above the request. The Committee disagrees with the proposed elimination of the Cooperative Enforcement Program that includes the execution of Joint Enforcement Agreements. The recommendation instead provides no less than the fiscal year 2019 amount for the Cooperative Enforcement Program, which is critical for proper surveillance and enforcement of our Nation's fisheries laws. The Committee appreciates the proposal to hire additional enforcement officers and special agents and includes \$1,000,000 above the request to augment the proposed increase in staff. This added staffing and the remaining increase of funds shall be used to expand efforts to reduce illegal, unreported, and unregulated (IUU) fishing related to seafood import traceability and port security as well as to increase joint operations to inspect and enforce import restrictions on IUU products and expand investigations.

*Habitat Conservation and Restoration.*—The Committee provides \$61,625,000 for Habitat Conservation and Restoration, which is \$23,750,000 above the request. Further, the recommendation rejects the reductions to Essential Fish Habitat Consultations and Fisheries Habitat Grants and provides no less than the fiscal year 2019 level for each program.

*Highly Migratory Species.*—NOAA is encouraged to continue its efforts to competitively award studies of highly migratory fish spe-



cies. Additional research is needed to continue to improve management of these species.

*Lionfish.*—The Committee encourages NOAA to award competitive grants to address Lionfish in the Atlantic Ocean and Gulf of Mexico.

*Horseshoe Crabs.*—Adequate data is required to ensure states and interstate managers can effectively manage the Horseshoe Crab population, which is important to the biomedical and commercial fishing industries, as well as to the ecology of the Mid-Atlantic region. The Committee directs NMFS to continue the Horseshoe Crab survey to generate the data necessary to ensure that the Horseshoe Crab stock remains on a sustainable path.

*Oyster restoration.*—The Committee encourages NOAA to competitively select external partners to research alternative substrates for oyster restoration. NOAA shall consider survivability as part of the oyster restoration program in the Chesapeake Bay. Within Habitat Conservation and Restoration, the Committee encourages NOAA to support oyster restoration in the Chesapeake Bay.

*Bycatch Reduction and Incidental Take Permits.*—The Committee is concerned by changing ocean conditions that are disrupting ecosystem stability, leading to increased conflicts between commercial shellfish fisheries and protected species. To resolve this conflict, the Committee encourages NMFS to ensure that it dedicates adequate resources (1) to expeditiously evaluate any application that it receives for an incidental take permit for shellfish fisheries, (2) to support the NOAA Bycatch Reduction Engineering Program for research and development of gear innovations to prevent entanglements while allowing for continued fishing in these fisheries, and (3) to continue robust participation in collaborative efforts to reduce fishing gear conflicts.

*Pacific Coast Groundfish Fishery.*—The Committee recognizes the ongoing impacts on the Pacific coast groundfish fishery trawl industry resulting from NMFS’s delay in promulgating regulations to collect loan payments for the 2003 fishing vessel and permit buyback program. This delay caused an additional \$4,000,000 in interest to accrue, resulting in an estimated \$10,000,000 of additional loan payments for the Pacific coast groundfish fishery trawl industry. The Committee notes the implementation of the Revitalizing the Economy of Fisheries in the Pacific Act of 2014, section 3095 of Public Law 113–291, which is intended to provide relief related to this legacy issue.

*Oceanic and Atmospheric Research.*—The Committee recommends \$595,393,000 for Oceanic and Atmospheric Research (OAR) Operations, Research, and Facilities, which represents an increase of \$70,333,000 over fiscal year 2019 and is \$286,244,000 above the request.

OFFICE OF OCEANIC AND ATMOSPHERIC RESEARCH  
OPERATIONS, RESEARCH, AND FACILITIES  
(in thousands of dollars)

Program	Amount
Climate Research Laboratories and Cooperative Institutes .....	\$74,000

OFFICE OF OCEANIC AND ATMOSPHERIC RESEARCH—Continued  
OPERATIONS, RESEARCH, AND FACILITIES  
(in thousands of dollars)

Program	Amount
Regional Climate Data and Information .....	41,500
Climate Competitive Research .....	71,000
<b>Climate Research .....</b>	<b>186,500</b>
<b>Weather and Air Chemistry Research</b>	
Laboratories and Cooperative Institutes .....	82,279
U.S. Weather Research Program .....	37,400
Tornado Severe Storm Research/Phased Array Radar .....	12,634
Joint Technology Transfer Initiative .....	15,000
<b>Weather and Air Chemistry Research .....</b>	<b>147,313</b>
<b>Ocean, Coastal, and Great Lakes Research</b>	
Laboratories and Cooperative Institutes .....	35,345
National Sea Grant College Program .....	73,000
Marine Aquaculture Program .....	12,000
Ocean Exploration and Research .....	44,000
Integrated Ocean Acidification .....	20,000
Sustained Ocean Observations and Monitoring .....	48,500
National Oceanographic Partnership Program .....	6,500
<b>Ocean, Coastal, and Great Lakes Research .....</b>	<b>239,345</b>
High Performance Computing Initiatives .....	22,235
<b>Total, Office of Oceanic and Atmospheric Research, Operations, Research, and Facilities .....</b>	<b>\$595,393</b>

*Climate Research.*—The Committee commends the scientists and researchers at NOAA for their exemplary work in preparing the Fourth National Climate Assessment (NCA), which found that (1) the impacts of climate change are already being felt in the United States, (2) these impacts will intensify in the future, (3) human activity is the primary cause of climate change, (4) there is no credible alternative scientific theory to explain the observational data, (5) the extent of future impacts will depend largely on actions taken to reduce greenhouse gas emissions, and (6) current global and regional efforts to adapt to these impacts do not approach the scales needed to avoid substantial damages to the U.S. economy, environment, and human health and well-being over the next decades.

These stark facts underscore the need for continued investment in climate research to inform policy decisions across every sector of American society. Therefore, the Committee provides \$186,500,000 for Climate Research, an increase of \$27,500,000 above fiscal year 2019, and \$98,991,000 above the President's request. The recommendation rejects the proposal to eliminate funding for the NCA and instead provides \$3,000,000 to continue this work. The Committee further emphasizes that the NCA is congressionally-mandated and shall not be impeded.

*Earth's Radiation Budget.*—The Committee is aware of significant risks posed by the potential introduction of material into the stratosphere from changes in natural systems, increased air and space traffic, and proposals to inject material to affect climate, which is the subject of a forthcoming National Academies of

Sciences study supported by NOAA and NASA. To monitor and assess these risks requires significant improvements to observations of the chemistry of the stratosphere and the reflectivity of the atmosphere to establish baselines as well as advancements in models for forecasting. Therefore, the Committee provides \$13,000,000 in Climate Research Laboratories and Cooperative Institutes for observations, monitoring, and forecasting of stratospheric conditions and Earth's radiation budget. Within these funds, the Committee further directs OAR to improve the understanding of the impact of atmospheric aerosols on radiative forcing as well as on the formation of clouds, precipitation, and extreme weather.

*Arctic Research.*—The Committee rejects the proposed elimination of Arctic Research and provides no less than the fiscal year 2019 level in both Regional Climate Data and Information and Climate Laboratories and Cooperative Institutes for this work.

*Regional Integrated Sciences and Assessments Program.*—The Committee rejects the termination of the Regional Integrated Sciences and Assessments Program and instead provides the program an increase of \$3,000,000, as compared to the fiscal year 2019 level, within Regional Climate Data and Information. The Committee directs NOAA to expand the geographical coverage of the program with a long-term goal of providing comprehensive decision-support services and tools to local and regional decision makers in all States and territories. The Committee appreciates the benefits of partnering with academia in these efforts but reminds NOAA that the intent of this program is to be customer-focused rather than purely in the pursuit of science.

*National Integrated Drought Information System.*—The Committee continues, at no less than the fiscal year 2019 level, funding for the National Integrated Drought Information System (NIDIS) to support existing forecasting and assessment programs and partnerships. The Committee encourages the development of a soil moisture monitoring network, the expansion of work on seasonal, sub-seasonal, and low flow water predictions, as well as expanding the network of cooperative institutes and other academic collaborations in these fields.

*Climate Competitive Research.*—The Committee rejects the elimination of Climate Competitive Research as well as any transfers or eliminations of activities, funds, or staff out of this budget line proposed in the President's budget. Instead, the recommendation includes \$71,000,000 for this critical research, which is \$11,000,000 above fiscal year 2019.

*Weather and Air Chemistry Research.*—The Committee provides \$147,313,000 for Weather and Air Chemistry Research, which is \$11,933,000 above fiscal year 2019. The recommendation rejects the proposals to close the Air Resources Lab and to decrease funding for Weather and Air Chemistry Research Laboratories and Cooperative Institutes, and instead provides no less than the fiscal year 2019 level for each of these activities. The recommendation also includes up to \$10,000,000 for Vortex-Southeast.

*U.S. Weather Research Program.*—The Committee provides \$37,400,000 for the U.S. Weather Research Program. The recommendation approves neither the proposal to terminate the Airborne Phased Array Radar research, nor the proposal to reduce funding and programs within the U.S. Weather Research Program

and instead maintains the funding levels provided in fiscal year 2019.

*Infrasonic Weather Monitoring Research.*—The Committee believes that advanced infrasound signal processing methodologies and studies have the potential to improve forecast accuracy and encourages NOAA to continue research in this area. The Committee consequently rejects the proposal to terminate Infrasonic Weather Monitoring Research.

*Weather Sensor Improvement Research.*—Within funding provided for the U.S. Weather Research Program, the Committee encourages NOAA to support external research opportunities with academic institutions to further develop and test severe weather monitoring systems to include technologies in support of the National Mesonet Program. Testing priority shall be given to states most economically impacted by extreme weather.

*Laboratories and Cooperative Institutes.*—The Committee provides \$35,345,000 for Ocean, Coastal, and Great Lakes Research Laboratories and Cooperative Institutes. The Committee acknowledges that this figure appears to be slightly below the fiscal year 2019 funding amount, but emphasizes that it is in fact a modest increase to these underlying programs as the recommendation shifts the \$3,000,000 that is proposed for the elimination of the Automated Unmanned Vehicle Demonstration Testbed into the new Unmanned Systems program in the Office of Marine and Aviation Operations. The Committee does not approve the proposed termination of the Genomics program and instead directs NOAA to expand this work within the increased available base funds.

Further, the Committee expects NOAA to fully fund these cooperative institutes at appropriate levels in future years, including well-established institutes focused on watershed impacts on marine and Great Lakes ecosystems, remote sensing, and long-term monitoring of the impacts of environmental hazards on marine and Great Lakes ecosystem health.

*National Sea Grant College Program.*—The Committee once again rejects the President's proposal to eliminate the National Sea Grant College Program. Instead, the Committee provides an increase of \$5,000,000 as compared to the fiscal year 2019 level.

*American Lobster Research.*—Within increased funding for the Sea Grant program, the Committee encourages the funding of partnerships between State agencies, academia, and industry to address American lobster research priorities. Research should focus on stock resilience in the face of environmental changes, including life history parameters, distribution and abundance, and species interactions, with the purpose of informing future management actions.

*Marine Aquaculture Program.*—The Committee recognizes the importance of NOAA's Marine Aquaculture research and development activities that help coastal communities maintain a safe and sustainable local seafood supply through research and technology transfer to support and expand America's aquaculture industry. As such, the Committee provides \$12,000,000 for Marine Aquaculture. The Committee further encourages NOAA to partner with Historically Black Colleges and Universities that conduct aquaculture research to reach those urban communities impacted by rising seafood prices.

*Ocean Exploration and Research.*—The Committee rejects the requested decrease in funding for Ocean Exploration and Research and instead provides \$2,000,000 above the fiscal year 2019 amount. The Committee encourages NOAA to use not less than \$7,000,000 to fund non-profit organizations operating ocean-going ships of exploration using tele-presence technology, and applied exploration, to map critically important areas within America’s Exclusive Economic Zone, our territory islands, as well as sites of submerged human history, particularly in the Pacific.

*Integrated Ocean Acidification.*—The Committee is increasingly concerned about the impacts of ocean acidification on coastal communities and industries and therefore rejects the proposed reduction to the Integrated Ocean Acidification program. The recommendation instead includes \$8,000,000 above the fiscal year 2019 level for this important work. Within the increase, NOAA shall, in partnership with academia and the private sector, prioritize efforts at understanding, monitoring, and mitigating coastal ocean acidification, especially where it impacts fisheries and aquaculture.

The Committee encourages NOAA, in coordination with the Office of Science and Technology Policy, to implement a program to competitively award prizes under the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3719) to stimulate innovation to advance the understanding, research, or monitoring of ocean acidification or its impacts, or to develop management or adaptation options for responding to ocean acidification. In prize competitions, the Committee encourages NOAA to prioritize communities, environments, or industries that are currently in distress due to the impacts of ocean acidification.

*Sustained Ocean Observations and Monitoring.*—The recommendation does not adopt the requested reduction in funds for Sustained Ocean Observations and Monitoring and instead provides \$48,500,000. Within the increase, NOAA shall expand coverage of biogeochemical and Deep Argo floats to improve ecological and sub-seasonal-to-seasonal weather forecasting as well as to provide observational data on the health and state of the ocean, particularly in the deep sea, the tropics, and the Arctic.

*Cloud Computing for Research.*—The Committee supports NOAA’s transition to high performance computing on the cloud for its research needs in OAR. The Committee provides not less than \$10,000,000 in High Performance Computing Initiatives to prepare for this transition and to explore long-term contracting options with vendors for these services. The Committee further directs NOAA to develop a long-term cloud computing strategy for its future research needs and to report to the Committee on the strategy within 180 days of the enactment of this Act.

*National Weather Service.*—The Committee recommends \$1,099,549,000 for National Weather Service (NWS), Operations, Research, and Facilities, which is \$110,251,000 above the President’s budget request. The Committee reaffirms its commitment to the weather enterprise and the necessity of maintaining the mission of protecting life and property within the Federal Government. While the Committee does not oppose the continued growth of the private weather industry, the increasing frequency and intensity of

natural disasters epitomize the need for the public provision of this critical information.

NATIONAL WEATHER SERVICE  
Operations, Research, and Facilities  
(in thousands of dollars)

Program	Amount
Observations .....	\$230,770
Central Processing .....	99,797
Analyze, Forecast, and Support .....	546,300
Dissemination .....	75,482
Science and Technology Integration .....	147,200
<hr/>	
Total, National Weather Service, Operations, Research, and Facilities .....	\$1,099,549

*NWS Staffing.*—The Committee remains concerned about continuing reports of staffing and management challenges within NWS. NOAA and the Department of Commerce are directed to ensure that NWS fulfills its critical mission to protect the lives and property of our Nation’s citizens, including by filling all vacancies as expeditiously as possible. In its fiscal year 2020 spend plan, the NWS shall include a separate accounting of all NWS funded positions. In fiscal year 2020, the Committee directs NWS to continue the quarterly management, staffing, and budget briefings first required in fiscal year 2018.

*National Ice Center.*—The Committee strongly supports the National Ice Center (NIC) and the critical information it provides to our armed forces as well as for the further understanding of our planet. The recommendation accepts the technical transfers to NWS to operationalize the functions of the NIC.

*Observations.*—The recommendation provides \$230,770,000 for observation activities. The recommendation includes not less than \$22,000,000 for the National Mesonet Program, \$15,500,000 above the request. The recommendation does not adopt the proposed reduction to Marine Observations in support of the tsunami mission and provides not less than the fiscal year 2019 enacted level to continue those activities. The Committee also rejects the proposed reductions to Tropical Atmosphere Ocean (TAO) Platform and Aircraft-based Observations Data Buy and provides not less than the fiscal year 2019 enacted level for each activity.

*Central Processing.*—The recommendation includes \$99,797,000 for Central Processing while rejecting the proposed reduction to the Advanced Hydrologic Prediction System. The Committee further rejects the proposal to terminate 74 Information Technology Officers who are critical to the delivery of timely and actionable forecasts.

*Analyze, Forecast, and Support.*—The recommendation includes \$546,300,000 for Analyze, Forecast, and Support activities. This level includes up to \$28,000,000, but not less than \$20,000,000, to address the backlog in facilities maintenance. The recommendation does not adopt the proposed NWS workforce savings that would only serve to exacerbate the staffing problems noted above. The Committee further rejects the proposed reduction to the Office of Water Prediction as well as the consolidation of the functions of the National Centers for Environmental Prediction, the Climate Prediction Center, and the Weather Prediction Center.

*Tsunami Warning Program.*—The Committee rejects the proposed reduction to the Tsunami Warning Program and instead provides not less than \$1,500,000 above the fiscal year 2019 level. Further, the Committee rejects the closure of any facilities related to the Tsunami Warning Program.

*Dissemination.*—The Committee provides \$75,482,000 for Dissemination Operations, Research, and Facilities, which includes the technical transfer from Dissemination Procurement, Acquisitions, and Construction proposed in the President’s budget.

*Science and Technology Integration.*—The recommendation includes \$147,200,000 for Science and Technology Integration but approves neither the termination of COASTAL Act or of Aviation Science Research to Operations, nor the reduction to Numerical Weather Prediction.

*National Water Center.*—The Committee does not adopt the termination of funding for Hydrology and Water Resources within Science and Technology Integration. Instead, the recommendation includes no less than the fiscal year 2019 level to continue research activities to improve fine and large-scale measurements of snow depth and soil moisture data that can be used to expand and improve the National Water Model and contribute directly to the mission of NOAA’s National Water Center.

*Storm Surge Modeling Technology.*—The Committee encourages NOAA to continue to pursue collaborations that will improve upon NOAA’s current Sea, Lake, and Overland Surge from Hurricanes model; and encourages NOAA to consider integrating improved technologies into standard modeling operations for storm surge, inland flooding, and the combination of both.

*National Environmental Satellite, Data and Information Service.*—The Committee recommends \$281,790,000 for National Environmental Satellite, Data and Information Service (NESDIS), Operations, Research, and Facilities.

NATIONAL ENVIRONMENTAL SATELLITE, DATA AND INFORMATION SERVICE  
OPERATIONS, RESEARCH, AND FACILITIES  
(in thousands of dollars)

Program	Amount
Environmental Satellite Observing Systems	
Office of Satellite and Product Operations .....	\$186,790
Product Development, Readiness, and Application .....	28,500
Commercial Remote Sensing Regulatory Affairs .....	1,800
Office of Space Commerce .....	1,800
Group on Earth Observations .....	500
Environmental Satellite Observing Systems .....	219,390
National Centers for Environmental Information .....	62,400
Total, National Environmental Satellite, Data and Information Service, Operations, Research, and Facilities .....	\$281,790

*Office of Satellite and Product Operations.*—The recommendation includes \$186,790,000 for the Office of Satellite and Product Operations, which includes the proposed transfer of funds associated with the operationalizing of functions in the Polar Weather Sat-

ellites and the Low Earth Orbit programs in the Procurement, Acquisition, and Construction account.

*Office of Space Commerce.*—The Committee rejects the proposal to transfer the functions of the Office of Space Commerce and Commercial Remote Sensing Regulatory Affairs and instead maintains their funding within NOAA NESDIS.

*National Centers for Environmental Information (NCEI).*—The Committee recommends \$62,400,000 for NCEI, which includes not less than \$4,000,000 for Regional Climate Centers despite the proposal to terminate them.

*Mission Support.*—The recommendation includes \$294,666,000 for Mission Support, Operations, Research, and Facilities.

MISSION SUPPORT  
OPERATIONS, RESEARCH, AND FACILITIES  
(in thousands of dollars)

Program	Amount
Mission Support	
Executive Leadership .....	\$28,305
Mission Services and Management .....	154,712
IT Security .....	15,079
Payment to DOC Working Capital Fund .....	62,070
Mission Support Services .....	260,166
Office of Education	
B–WET Regional Programs .....	9,000
Educational Partnership Program with Minority Serving Institutions .....	20,000
NOAA Education Program Base .....	5,500
Office of Education .....	34,500
Total, Mission Support, Operations, Research, and Facilities .....	\$294,666

*Sexual Assault and Sexual Harassment.*—The Committee is highly concerned by the threat of sexual assault and sexual harassment faced by individuals in the workplace, especially those in nontraditional work settings such as NOAA research vessels or private fishing vessels. The Committee recognizes the efforts made by NOAA in addressing these threats and directs no less than \$1,000,000 from the funding provided for Mission Services and Management for continued efforts to reduce these risks and to provide assistance and counseling to victims.

*Office of Education.*—The Committee rejects all of the proposed cuts to the Office of Education and believes the enactment of these proposals would do great harm to the future of oceanic and atmospheric sciences. The Committee recognizes that the changing climate and increasing degradation of our environment will necessitate greater future investments in these scientific fields and their corresponding workforces. Consequently, the recommendation includes \$34,500,000 for NOAA’s Office of Education, an increase of \$6,000,000 above the fiscal year 2019 enacted level, which includes continued support for Environmental Literacy Grants and for improving geographic literacy. Of this amount, \$20,000,000 is provided to continue the Educational Partnership Program with Minority Serving Institutions, and \$9,000,000 is provided to continue the Bay-Watershed Education and Training (B–WET) regional pro-



grams. NOAA is also encouraged to engage students in live, interactive programming using telepresence technology.

*Office of Marine and Aviation Operations (OMAO).*—The recommendation includes \$247,859,000 for the Office of Marine and Aviation Operations, Operations, Research, and Facilities. The Committee appreciates the clear and concise regular briefings provided by OMAO’s leadership and encourages them to continue with the same frequency and detail as in fiscal year 2019. Further, the Committee has found the NOAA Fleet Plan to be very useful in considering the future needs for NOAA’s ships and looks forward to receiving a corresponding future-looking fleet plan for NOAA’s aircraft.

OFFICE OF MARINE AND AVIATION OPERATIONS  
OPERATIONS, RESEARCH, AND FACILITIES  
(in thousands of dollars)

Program	Amount
Office of Marine and Aviation Operations	
Marine Operations and Maintenance .....	\$195,547
Aviation Operations and Aircraft Services .....	37,250
Unmanned Systems Operations .....	15,062
Total, Office of Marine and Aviation Operations, Operations, Research, and Facilities .....	\$247,859

*Marine Operations and Maintenance.*—The recommendation provides \$195,547,000 for Marine Operations and Maintenance. Within this amount, no less than \$3,125,000 is provided to mitigate any loss of mission integrity due to unexpected ship failures, including by chartering days at sea with non-NOAA vessels and other measures, as appropriate.

*Monitoring of Atmospheric Rivers.*— Improving understanding of atmospheric rivers is critical to preparing for concentrated rain storms and flooding along the U.S. West Coast. Therefore, within the amount provided for Aviation Operations and Aircraft Services, the Committee provides no less than \$1,500,000 for use of airborne assets to conduct winter storm observations to better observe and predict these extreme weather events.

*Unmanned Systems Operations.*—The Committee supports NOAA’s proposal to establish a centralized program for Unmanned Systems Operations (UxS), as authorized by the CENOTE Act of 2018 (Public Law 115–394). In support of these efforts, the Committee accepts the closure of the Unmanned Aircraft Systems Program and the termination of the Autonomous Underwater Vehicle Demonstration Testbed. In lieu of these programs, the Committee provides \$10,397,000 above the request within the Office of Marine and Aviation Operations, Unmanned System Operations, to support these activities under this new management structure and directs NOAA to prioritize operations and research for unmanned systems in consultation with the UxS Executive Oversight Board, including OAR. Further, within these funds, the Committee provides not less than \$2,000,000 for the competitive acquisition of unmanned systems data as a cost-effective augmentation to NOAA’s observational suite.

## PROCUREMENT, ACQUISITION, AND CONSTRUCTION

(INCLUDING TRANSFER OF FUNDS)

The Committee recommends a total program level of \$1,509,000,000 for Procurement, Acquisition, and Construction (PAC), of which \$1,496,000,000 is appropriated from the general fund and \$13,000,000 is derived from recoveries of prior year obligations.

The following narrative descriptions and tables identify the specific activities and funding levels included in this Act.

## PROCUREMENT, ACQUISITION, AND CONSTRUCTION

(in thousands of dollars)

Program	Amount
National Ocean Service	
National Estuarine Research Reserve Construction .....	\$3,000
Marine Sanctuaries Construction .....	5,000
Total, NOS-PAC .....	8,000
Office of Oceanic and Atmospheric Research	
Research Supercomputing/CCRI .....	49,000
National Weather Service	
Observations .....	21,129
Central Processing .....	67,000
Dissemination .....	10,000
Weather Forecast Office Construction .....	15,000
Total, NWS-PAC .....	113,129
National Environmental Satellite, Data and Information Service	
GOES R .....	304,056
Space Weather Follow-on .....	38,600
Polar Weather Satellites .....	755,038
CDARS .....	14,850
Low Earth Orbit (LEO) .....	33,202
Geostationary Earth Orbit (GEO) .....	25,219
System Architecture and Engineering (SAE) .....	44,822
Satellite CDA Facility .....	2,450
Total, NESDIS-PAC .....	1,218,237
Mission Support	
NOAA Construction .....	21,000
Office of Marine and Aviation Operations	
Fleet Capital Improvements and Technology Infusion .....	24,634
New Vessel Construction .....	75,000
Total, OMAO-PAC .....	99,634
Total, Procurement, Acquisition, and Construction .....	\$1,509,000

*National Ocean Service Construction.*—The Committee does not adopt the proposal to reduce funding for construction within the National Ocean Service. The recommendation includes \$3,000,000 for National Estuarine Research Reserve Construction and \$5,000,000 for Marine Sanctuaries Construction.

*Research Supercomputing.*—The Committee recognizes the importance of supercomputing capacity to further research efforts re-

garding weather and climate modeling and therefore recommends \$49,000,000 for OAR Research Supercomputing, which is \$23,000,000 above the request.

*National Weather Service Observations.*—The Committee rejects the proposed reductions to Observations under National Weather Service PAC and provides not less than the fiscal year 2019 enacted levels for the Service Life Extension Program for Next Generation Weather Radar and the Service Life Extension Program for the Automated Surface Observing System.

*Integrated Water Prediction.*—The Committee provides \$67,000,000 for Central Processing under National Weather Service PAC, which includes not less than the fiscal year 2019 level for Integrated Water Prediction High Performance Computing as well as Research and Development High Performance Computing.

*Quarterly Satellite Reports.*—The Committee directs the Department of Commerce to continue to provide oversight of NOAA's satellite programs as directed in fiscal year 2019. NOAA shall also continue to provide quarterly briefings to the Committee on all NOAA satellite programs not later than 30 days after the end of each quarter. These briefings shall include the status of obligations for each program, including spacecraft, launch vehicle, sensor, integration, and ground components, and proposed changes to the fly-out charts. NOAA shall also include in these briefings updates on all of its operational satellite systems.

*Space Weather Follow-On.*—The recommendation includes \$38,600,000 for Space Weather Follow-On and directs NOAA to use the amount above the request to support the GOES-U Integration.

*Commercial Data.*—The Committee provides the requested levels of funds for both the Commercial Weather Data Pilot and the Commercial Data Purchase in support of NOAA's efforts to develop alternative sources of environmental data.

*New Vessel Construction.*—The Committee provides \$75,000,000, as in prior fiscal years, for New Vessel Construction and thereby affirms its commitment to NOAA's Fleet Recapitalization Plan. The Committee expects that NOAA will ensure that these new vessels facilitate the reduction of gaps in mission coverage as current ships fall into disrepair or are decommissioned. During the recapitalization process, NOAA is encouraged to evaluate its fleet plan regularly and consider whether there are cost-effective alternatives such as vessel leasing for meeting NOAA's mission requirements.

#### PACIFIC COASTAL SALMON RECOVERY

The Committee rejects the proposed termination of Pacific Coastal Salmon Recovery and recommends \$65,000,000 for this program. In addition, the accompanying bill includes language that requires all funds to be allocated based on scientific and merit principles and prohibits the availability of funds for marketing activities. Bill language is included requiring a 33 percent match from States.

#### FISHERMEN'S CONTINGENCY FUND

The Committee recommends \$349,000 for the Fishermen's Contingency Fund, which is the same as fiscal year 2019. This Fund is available to compensate U.S. commercial fishermen for damage or loss caused by obstructions related to oil and gas exploration, and is derived from fees collected by the Secretary of the Interior.

## FISHERY DISASTER ASSISTANCE

The Committee rejects the elimination of Fishery Disaster Assistance in the President's budget and provides \$15,000,000 to address fisheries disasters declared by the Secretary of Commerce.

## FISHERIES FINANCE PROGRAM ACCOUNT

The Committee recommends language under this heading limiting obligations of direct loans to \$24,000,000 for Individual Fishing Quota loans and \$100,000,000 for traditional direct loans.

## DEPARTMENTAL MANAGEMENT

The Committee recommends \$74,143,000 for Departmental Management, \$21,601,000 below fiscal year 2019 and \$61,107,000 below the request. This amount includes funds for Departmental Salaries and Expenses, Renovation and Modernization, and the Office of Inspector General.

The Committee reminds the Department that oversight of Commerce operations and budget through requests for information, briefings, and hearings are critical to ensuring that the Committee puts forward a well-informed recommendation for the fiscal year. Any action that hinders the Committee's ability to carry out its oversight authorities, such as the Secretary's unwillingness to testify before the Committee on its annual budget request, is unacceptable. The recommendation does not include the transfer of the Office of Space Commerce to the Office of the Secretary and assumes further savings in certain departmental services identified in the President's budget request related to miscellaneous expenses. Further, bill language has been included under Salaries and Expenses withholding \$15,000,000 from expenditure until the submission of the Census Bureau's annual CEDCaP spend plan.

While the Committee supports the Department taking steps to begin the modernization of its financial systems, the recommendation does not include the requested funding. The Committee supports such initiatives but requires additional insight into the multi-year requirements and costs for such acquisitions prior to providing a down payment on such longer-term activities and directs the Department to provide the Committee with the full life cycle cost including project schedule and milestones with a quarterly breakdown by fiscal year no later than 45 days after enactment of this Act.

As the Department looks to modernize and consolidate its financial system it is further directed to evaluate how it can standardize its appropriations and periods of availability (POAs) across the Department for more consistent planning, programming, budgeting, and execution across appropriations and report to the Committee no later than 180 days after enactment of this Act. In the absence of justifications that clearly articulate a multi-year requirement, the Committee recommends agencies clearly articulate any multi-year requirements in accounts that are largely driven by annual salaries and expenses in future budget justifications.

## SALARIES AND EXPENSES

The Committee recommends \$40,000,000 for Departmental Management, Salaries and Expenses, \$23,000,000 below fiscal year

2019 and \$39,107,000 below the fiscal year 2020 request. Within the amounts provided the Committee supports the Department's Continuity of Operations (COOP) and Continuity of Government (COG) efforts to ensure an agile national security response and includes \$2,300,000 for the related technology as well as \$1,185,000 above the request for the operations and maintenance for these mission critical systems. Further, the Committee supports the Department's requested staffing increases for the Offices of Security, Privacy, and Budget as well as the Office of General Counsel's case management system.

*Federal Data Service.*—The Committee is concerned that the Department continues to fund the Under Secretary for Economic Affairs within BEA with no long-term funding strategy for either the Under Secretary's office or the Federal Data Service for which funding is requested both under BEA and the Bureau of the Census. The Department is directed to report on these plans no later than 90 days after enactment of this Act.

*Modernizing economic statistics in Puerto Rico.*—The Committee directs the Department to continue its efforts to help the government of Puerto Rico to modernize its economic statistics programs, and commends the Department, through the BEA, for initiating efforts to calculate GDP for Puerto Rico, just as BEA currently does for every other U.S. jurisdiction. The Committee further directs the Department to work toward the inclusion of all U.S. territories—alongside the 50 States and the District of Columbia—in BEA's national level GDP estimates, which will require the territory-level GDP data to meet BEA's quality standards. The Committee urges BEA to produce quarterly economic surveys for the territories and personal income statistics. The Department shall report back to the Committee on these efforts—both of which were recommended by the Congressional Task Force on Economic Growth in Puerto Rico—90 days after the enactment of this Act.

*Interstate Commerce.*—The Committee has heard concerns about the Electronic Export Information (EEI) requirement located in 15 CFR Part 30, which mandates reporting for certain goods between the States and Puerto Rico and the U.S. Virgin Islands. The Committee directs the Department to work in coordination with the governments of Puerto Rico and the U.S. Virgin Islands, as well as other Federal agencies and stakeholders, to identify alternative data sources that provide equivalent statistics on the shipments of goods among the territories and the States to achieve the same statistical objectives, while reducing the impact on commerce, and report their findings and implementation plans to the Committee not later than 90 days after enactment of this Act.

*Outdoor Recreation Satellite Account.*—Last year, BEA reported that outdoor recreation represents 2.2 percent of the total GDP and contributes \$734 billion annually to the U.S. economy. The Committee recognizes that a wide range of Federally-funded programs support the outdoor recreation sector such as the Nation's land and waterways management, access, and conservation, and the Federal Government allocated a little over \$20 billion from 2012 through 2016 towards these activities. The Committee directs the Department of Commerce, in coordination with the agencies of the Federal Recreation Council, to continue its efforts to further improve on the collection of this data and the feasibility of identifying amounts al-

located prior to fiscal year 2012. The Department is directed to report its findings to the Committee and to GAO within 180 days of enactment of this Act.

*Regional Biosecurity Plan.*—The Secretary of Commerce shall submit a report alongside its annual budget justifications describing the activities of the Department during the prior fiscal year to implement the Regional Biosecurity Plan for Micronesia and Hawaii—a strategic plan developed jointly by the Department and other Federal and non-Federal entities to prevent and control the introduction of invasive species in the U.S. Pacific region. The report shall include an update of Departmental activities to support implementation and next steps and planned activities, including estimated funding requirements for the subsequent fiscal year.

#### RENOVATION AND MODERNIZATION

The Committee recommends \$1,100,000 for the salaries and expenses needed to continue the operation of the renovation project. As part of the Department's overall effort to evaluate how to best standardize its appropriations, it is recommended that future salaries and expenses for all personnel funded within Renovation and Modernization instead be funded under Departmental Management, Salaries and Expenses.

#### OFFICE OF INSPECTOR GENERAL

The Committee recommends \$33,043,000 for the Office of Inspector General (OIG), which includes the requested transfers for oversight activities. The Committee expects the OIG to continue its oversight work on cybersecurity, satellite procurements, telework, patent quality, and the 2020 Decennial Census.

#### GENERAL PROVISIONS—DEPARTMENT OF COMMERCE

The Committee recommends the following general provisions for the Department of Commerce:

Section 101 makes funds available for advanced payments only upon certification of officials designated by the Secretary that such payments are considered to be in the public interest.

Section 102 makes appropriations for the Department available for hire of passenger motor vehicles, for services, and for uniforms and allowances as authorized by law.

Section 103 requires notification to the Committee of certain actions. The Committee expects notifications for all capital asset disposals with an initial purchase price greater than \$2,000,000.

Section 104 extends congressional notification requirements for NOAA satellite programs.

Section 105 provides for reimbursement for services within Department of Commerce buildings.

Section 106 clarifies that grant recipients under the Department of Commerce may continue to deter child pornography, copyright infringement, or any other unlawful activity over their networks.

Section 107 provides the NOAA Administrator with the authority to avail NOAA of needed resources, with the consent of those supplying the resources, to carry out responsibilities of any statute administered by NOAA.

Section 108 prohibits the National Technical Information Service from charging for certain activities.

Section 109 authorizes NOAA to receive payments from other entities to defray some costs of permitting and regulatory activities.

Section 110 provides authority for the programs of the Bureau of Economic Analysis and the Bureau of the Census to enter into cooperative agreements in order to assist in improving statistical methodology and research.

Section 111 includes travel authority for the Office of the Secretary of Commerce.

TITLE II  
DEPARTMENT OF JUSTICE  
GENERAL ADMINISTRATION  
SALARIES AND EXPENSES

The Committee recommends \$114,740,000 for Department of Justice, General Administration, Salaries and Expenses, which is \$1,740,000 above fiscal year 2019 and the same as the request. The Committee has provided separate funding recommendations by decision unit as follows:

Department Leadership .....	\$16,189,000
Intergovernmental Relations/External Affairs .....	10,414,000
Executive Support/Professional Responsibility .....	15,337,000
Justice Management Division .....	72,800,000
	\$114,740,000
Total, Salaries and Expenses .....	\$114,740,000

*Cold Case Investigations.*—The Attorney General is directed to make full use of his authority to support and carry out the objectives of Public Law 115–426, the Civil Rights Cold Case Records Collection Act of 2018. In addition, the bill includes not less than \$13,500,000 in additional funding for the Criminal Section of the Civil Rights Division, the Civil Rights Unit of the Federal Bureau of Investigation, the Community Relations Service, and in grant assistance to implement the Emmett Till Unsolved Civil Rights Crimes Reauthorization Act.

*Federal law enforcement resources in the U.S. Caribbean.*—The Committee has serious concerns about the high levels of violent crime in Puerto Rico and the U.S. Virgin Islands, where homicide rates are significantly above the national average, and most violent crimes are linked to narcotics trafficking in the Caribbean. The Committee directs the Attorney General to prioritize law enforcement personnel and resources to address such violent crime, and to report not later than 90 days after the enactment of this Act on current or planned efforts by the Department to prevent, reduce, and address violent crime in Puerto Rico and the U.S. Virgin Islands.

*Emmett Till Unsolved Civil Rights Crimes Reauthorization Act of 2016.*—The Committee fully supports the goals of the Emmett Till Unsolved Civil Rights Crimes Reauthorization Act of 2016 (Public Law 114–325) to investigate and prosecute previously unresolved civil rights era “cold case” murders suspected of having been racially motivated. This effort involves a partnership among the

Criminal Section of the Civil Rights Division (CRT), the Civil Rights Unit of the Federal Bureau of Investigation (FBI), the Community Relations Service (CRS), State and local law enforcement officials, and other eligible entities. The Committee includes additional funding as authorized for the CRT Cold Case Initiative, for the FBI to pursue Emmett Till Act cold cases; and for CRS to partner with law enforcement agencies and communities to help resolve conflicts resulting from the investigation of unsolved civil rights era cases. Additionally, the Committee directs the National Institute of Justice, the Bureau of Justice Assistance, and the Office for Victims of Crime to continue providing grants for cold case DNA investigations to aid State and local law enforcement agencies in their investigation and prosecution of unsolved civil rights cold cases. The Department shall include, as part of its annual spending plan, details on actual and projected spending, by agency and appropriation, to carry out the Emmett Till Act.

*School to prison pipeline.*—The Committee is concerned with the school-to-prison pipeline and believes the Department of Justice should take a more aggressive approach to disrupt it. The Committee encourages the Department to consider the role it can play in this and directs it to report not later than 180 days after the enactment of this Act on ways in which the Department could partner with relevant stakeholders in government and in the private sector to address this issue.

*Expungement.*—The Committee recognizes the challenges facing ex-offenders undergoing reentry into society. In previous administrations, the Justice Department has pledged to publish information on ways to reduce unnecessary barriers to reentry by connecting the reentering population with legal services to overcome obstacles such as fines and criminal records expungement. The Committee directs the Justice Department to report not later than 180 days after enactment of this Act on ways to expand the Smart on Crime and similar programs to assist non-violent offenders with record expungement.

*Intellectual property rights (IPR) enforcement.*—The Committee expects the Department to continue to make IPR enforcement an investigative and prosecutorial priority. A new element of criminal copyright infringement enterprises involves devices and software that connect televisions directly to copyright-theft sites. The Department shall submit a report, not later than 120 days after enactment of this Act, on its investigation and prosecution of criminal enterprises engaged in IPR cases, particularly in creative content theft and copyright enforcement actions, such as the use of illegal streaming technology.

*Real estate wire fraud.*—The Committee is aware of the growing problem of so-called “wire fraud” or “business e-mail fraud” in real estate transactions. In a July 2018 public service announcement, the FBI said such crime targets both businesses and individuals performing wire transfer payments and resulted in over \$12.5 billion in losses between 2013 and 2018, with the scam being reported nationwide and in 150 countries. The Committee directs the Department to submit a report not later than 90 days after enactment of this Act, describing its ongoing activities to both combat and raise awareness of wire fraud in real estate transactions. Additionally, the report should detail any joint activities to counter such



fraud that the Department conducts with relevant Federal agencies. Finally, the report should make recommendations to Congress for new legislative authority or increased funding that would help these efforts.

*Working capital fund and non-appropriated fund budget requests and spending plans.*—The Committee directs the Department to continue to include with their budget submissions and expenditure plans detailed breakouts of non-appropriated funding sources, as directed in the fiscal year 2019 Appropriations Act, and to continue quarterly reports on the collections, balances, and obligations of such funds.

*User Activity Monitoring (UAM).*—The Committee understands that the Justice Management Division (JMD) conducted a successful pilot in 2018 to determine whether replacing ineffective, legacy network monitoring and data loss prevention tools with Modern UAM could help it better identify compromised insiders. The Committee encourages the Department to undertake a competitive process to develop and deploy a new UAM, both for its own environment and with the potential to offer the capability as a service to smaller DOJ components.

*Domestic violence and mass shootings.*—The Committee directs the Attorney General to undertake a study on the feasibility of using an individual's history of domestic violence to determine the likelihood of such individual committing a mass shooting and submit a report to the Committee on its findings not later than one year after enactment of this Act.

*NICS denial notification.*—The Committee recognizes the value in notifying State and local law enforcement when prohibited individuals fail a background check in an attempt to make an illegal firearm purchase. The Committee therefore directs the Attorney General to report to State authorities when the National Instant Criminal Background Check System (NICS) provides a notice pursuant to 18 U.S.C. 922(t) that the receipt of a firearm in their State or by a potential purchaser residing in their State would violate 18 U.S.C. 922(g) or (n) or State law, and, where practicable, to report the same to appropriate local law enforcement authorities and State and local prosecutors. Reports should be made within 24 hours after the provision of notice, except that reporting may be delayed if needed to avoid compromising an ongoing investigation. Reports shall state the specific provisions of law that would have been violated by such a receipt or purchase, the date and time the notice was provided, the location where the firearm was sought to be received or purchased, and the identity of the person. No such report need be made to the same State authorities who provided the notice.

*Office of Legal Counsel (OLC) opinions.*—Not later than 90 days after enactment of this Act, the Department shall submit a report to the Committee that lists each OLC opinion currently in effect that has either been: designated by the Attorney General or his designee as final; followed by government officials or government contractors; relied upon to formulate current legal guidance; or cited in another final Office of Legal Counsel opinion. For each such opinion, the Department shall include: (1) the signer of the opinion; (2) the recipient identified in the opinion; (3) the date of issuance; and (4) the title of the opinion, subject only to redactions

provided for by law and where the need to protect a specific interest outweighs the public interest in disclosure.

*Unintentional firearm discharges.*—Unintentional firearm discharges present risks including death, injury, liability, and negative community relations. The Committee encourages the Department to identify and report to the Committee on ways to physically mitigate the unintentional discharge of firearms, particularly standard-issue rifles, such as by protecting the trigger well of firearms in a way that does not impede the purposeful use of the firearm.

*Pet and Women Safety.*—The Committee directs the Attorney General to enter into consultations with the Secretary of Agriculture as soon as possible, and enter into any memoranda of understanding as directed, in order to establish during fiscal year 2020 the requirements for grant application and execution under Section 12502 of P.L. 115–334, the Agriculture Improvement Act of 2018, to provide emergency and transitional shelter options for domestic violence survivors with companion animals.

*Female genital mutilation.*—The Committee directs the Department to submit, not later than 90 days after enactment of this Act, an update of its fiscal year 2018 FGM report, to include its investigations and prosecutions, as well as outreach, education and training with a focus on community- and survivor-centered responses to prevent and respond to incidents of FGM/C.

*Cyber fraud.*—Cyber fraud and related cyber-enabled crimes pose a severe threat to the national security and economic vitality of the United States. Because of the unique nature of cybercrime, it is very difficult for law enforcement to respond to and prosecute cybercrime in a timely manner, leading to the current low level of deterrence and a rapidly growing threat. The Committee directs the Department of Justice and other relevant agencies to work with the private sector to establish best practices for active cyber defense techniques to better defend American companies from cyberattack.

#### JUSTICE INFORMATION SHARING TECHNOLOGY

##### (INCLUDING TRANSFER OF FUNDS)

The Committee recommends \$33,875,000 for Justice Information Sharing Technology, which is \$1,875,000 above fiscal year 2019 and the same as the request. The Committee includes funding as requested for the Joint Security Operations Center (JSOC), a critical cybersecurity investment, and expects the Department will use recovered balances from prior year obligations or use its discretionary transfer authority to meet any other needs for information technology transformation and cybersecurity, subject to the reprogramming procedures included in this Act.

#### EXECUTIVE OFFICE FOR IMMIGRATION REVIEW

##### (INCLUDING TRANSFER OF FUNDS)

The Committee recommends \$672,966,000 for the Executive Office for Immigration Review (EOIR), of which \$4,000,000 is from immigration examination fees. The recommendation is \$109,559,000 above fiscal year 2019 and the same as the request.

The recommendation will support the hiring of up to 100 additional immigration judges (IJs) and provide additional support staff and associated facilities.

The Committee was disappointed by the announcement made by EOIR on March 6, 2019, that serious budget constraints in fiscal year 2019 would impede the agency's work of hiring new immigration judges, training staff, acquiring new space, and investing in information technology upgrades. The Committee was not made aware of these budget concerns by the Department prior to the announcement. The Committee expects to be kept up to date regarding unexpected budgetary shortfalls in the future and expects EOIR to be more forthcoming in the future.

*Interpreters.*—The Committee recognizes that increasing numbers of respondents in immigration courts require the use of interpretation, but EOIR continues to struggle to obtain sufficient interpreters, including for rare languages such as indigenous dialects. The Committee understands that there is a potential budgetary impact for costs associated with these interpretation issues. The Committee is aware of reports that the Department has recently instructed immigration judges to order only one interpreter per morning and afternoon hearing session resulting in rescheduling and delays in hearings, and that respondents who speak rare languages are often forced to proceed with removal hearings in languages they do not speak fluently or have their cases delayed because the immigration court cannot obtain an interpreter. The Committee directs EOIR to provide the Committee, within 90 days of enactment, a plan to ensure appropriate language access for all respondents, including indigenous language speakers, noting any resource needs. Within 90 days of enactment of this Act, and quarterly thereafter, the Committee directs EOIR to report the number of continuances or adjournments issued for reasons related to interpretation, as well as whether the respondent was detained at the time of the continuance. The Committee further directs EOIR to submit a report, jointly with the Department of Homeland Security (DHS) and within 180 days of enactment, identifying opportunities for sharing of interpretation resources between DHS and EOIR, particularly for rare languages.

*Legal Orientation Program (LOP).*—For the LOP and related activities the recommendation includes \$25,000,000, of which \$3,000,000 is for the Immigration Court Helpdesk (ICH) program. The LOP improves the efficiency of court proceedings, reduces court costs, and helps ensure fairness and due process. The Committee directs the Department to continue LOP without interruption, including all component parts, including the Legal Orientation Program for Custodians of Unaccompanied Children (LOPC) and the ICH. The recommended funding will allow for the expansion of LOP and ICH to provide services to additional individuals in immigration court proceedings. The Committee supports access to LOP and ICHs and directs EOIR to evaluate the funding required and timeline necessary to allow expansion into all detention facilities and immigration courts. EOIR is directed to report the results of this evaluation to the Committee no later than 90 days after enactment of this Act.

*Legal Representation.*—The Committee is concerned with the low rate of representation in immigration court and the recommenda-

tion provides \$10,000,000 in State and Local Law Enforcement Assistance for competitive grants to qualified non-profit organizations for a pilot program to increase representation.

*Immigration case quotas.*—The Committee is aware of EOIR's new review standards that went into effect October 1, 2018, which require immigration judges to complete a quota of 700 case completions per year to receive a satisfactory review. Although the Committee appreciates the effort to reduce the backlog, the Committee remains concerned that case quotas will threaten due process and affect judicial independence. Section 218 of the bill will prohibit EOIR's use of case completion quotas for immigration judge performance reviews.

*Immigration judges.*—For several years, the Committee has been concerned with the slow pace of hiring immigration judges and the unacceptable amount of time it takes to resolve immigration cases. The Committee understands that the Department is working to accelerate the hiring process and is deploying additional resources to those areas with the highest workload, such as the southwest border. EOIR shall hire the most qualified IJs from a diverse pool of candidates that includes a balance of candidates with non-governmental, private bar experience, and government experience. The Committee directs EOIR to continue to submit monthly reports on performance and IJ hiring and shall also include information regarding IJs who are temporarily deployed away from their permanent courtrooms, noting the permanent and temporary duty stations of each IJ and the length of such temporary duty assignments. In addition, EOIR shall continue to publish statistics regarding workloads, including those related to the number of cases where visa overstay is a relevant factor and the median days pending for both detained and non-detained cases.

*Immigration Efficiency.*—EOIR is encouraged to collaborate with the Department of Homeland Security (DHS) to explore efficiencies with regard to the co-location of DHS and DOJ components with immigration related responsibilities, including immigration courts, DHS asylum officers, medical care practitioners, and both Customs and Border Protection and Immigration and Customs Enforcement (ICE) immigration officers.

*Alternatives to detention (ATD) program.*—The Committee directs EOIR to increase the priority of individuals enrolled in the Immigration and Customs Enforcement ATD program. Many ATD enrollees will be terminated from the program due to the enormous volume of pending cases on EOIR's non-detained docket schedule. EOIR should coordinate with DHS to ensure that individuals are appropriately identified and scheduled in an expedited ATD docket. The Committee directs EOIR to submit a report on the efforts to the Committee within 90 days of enactment of this Act.

*Video conferencing.*—The Committee is concerned about EOIR's rapid expansion of video conferencing (VTC), especially its increased use of VTC in individual merits hearings for vulnerable populations including family units. The Committee directs EOIR to limit the use of VTC to non-determinative proceedings to the extent practicable. EOIR shall make publicly available all policies and procedures related to EOIR's use of VTC, including policies and procedures for EOIR's new immigration adjudication centers, and provide quarterly reports to the Committee on the number and

type of hearings conducted by VTC, including data on appeals related to the use of VTC and the number of in-person hearing motions filed.

OFFICE OF INSPECTOR GENERAL

The Committee recommends \$105,500,000 for the Office of Inspector General (OIG), \$4,500,000 above fiscal year 2019. This amount fully funds the fiscal year 2020 request, adjustments necessary to sustain current services, and the enhancements requested for data analytics and the cyber investigation office.

UNITED STATES PAROLE COMMISSION

SALARIES AND EXPENSES

The Committee recommends \$13,308,000 for the United States Parole Commission.

LEGAL ACTIVITIES

SALARIES AND EXPENSES, GENERAL LEGAL ACTIVITIES

The Committee recommends \$934,600,000 for General Legal Activities. Within the total provided, the Committee includes \$5,000,000 for the Criminal Section of the Civil Rights Division to implement the Emmett Till Unsolved Civil Rights Crimes Reauthorization Act of 2016. Funding is also included to fund requested positions to strengthen consumer protection enforcement, and funding is continued at not less than the fiscal year 2019 level to sustain Office of International Affairs (OIA) operations and its Mutual Legal Assistance Treaty reforms.

The Committee has provided separate funding recommendations by office and decision unit as follows:

Office of the Solicitor General .....	\$12,488,000
Tax Division .....	114,931,000
Criminal Division .....	197,387,000
Civil Division .....	299,538,000
Environment and Natural Resources Division .....	109,552,000
Office of Legal Counsel .....	7,989,000
Civil Rights Division .....	153,588,000
INTERPOL .....	34,444,000
Office of the Pardon Attorney .....	4,683,000
	<hr/>
Total, General Legal Activities .....	\$934,600,000

*Civil Rights Division.*—Not later than 90 days after enactment of this Act, and annually thereafter, the Department shall submit to the Committee a report detailing: the number of investigations opened in each section of the Civil Rights Division; the number of suits filed in Federal court by each section of the Civil Rights Division; and the number of cases that reached a final disposition (settlement, consent decree, or judgment) by each section of the Civil Rights Division. For each case, the report should indicate the animating statute and type of case the Division brought (for instance, if the case was brought under the Civil Rights Act, then the information should detail what type of claim and what Title the claim was brought under). The Department shall detail the number of cases appealed, and the type of case and claim involved. Lastly, the report shall include the number of current staff (and the specific

number of attorneys) assigned to each section of the Civil Rights Division for each time period.

*Consent decrees.*—The Committee notes the importance of the Department of Justice’s obligation to enforce settlements and consent decrees negotiated under civil rights statutes, including but not limited to the Civil Rights Act of 1964, the Voting Rights Act of 1965, the Fair Housing Act of 1968, and the pattern or practice investigations provisions under the Omnibus Crime Control and Safe Streets Act of 1968 and the Violent Crime Control and Law Enforcement Act of 1994. The Committee directs the Department to enforce vigorously all consent decrees negotiated under any civil rights statute and directs the Department to report not later than 90 days after enactment of this Act on the status of its enforcement efforts.

*Impact of Shelby County v. Holder.*—The Committee is concerned that as a result of the Supreme Court’s decision in *Shelby County v. Holder*, the Civil Rights Division has had to undertake resource-intensive litigation in order to fulfill its responsibility under the Voting Rights Act to ensure equal access to elections regardless of race, ethnicity, and linguistic ability. The Committee directs the Department to report to the Committee not later than 90 days after enactment of this Act on how the *Shelby County* decision has affected the ability of the Voting Section to enforce Federal voting laws, including its ability to adequately monitor and ensure the fair administration of the 2020 Presidential election.

*Fair housing enforcement.*—The Committee is deeply concerned about the adequacy of the Department’s enforcement of racial discrimination provisions of the Fair Housing Act of 1968 (FHA), and directs the Department to report to the Committee not later than one year after enactment of this Act on FHA racial discrimination cases brought between fiscal years 2015 and 2020. This report shall list the number of Department of Housing and Urban Development housing discrimination case referrals received, the number of lawsuits filed, the number of consent decrees signed, and the number of any other settlement agreements entered into by the Department for FHA enforcement over this period. This report shall also identify funding and staffing that the Department devoted to disparate impact enforcement cases during this period.

*Section 203 compliance.*—The Committee appreciates receiving the Department’s 2017 and 2018 report on compliance with Section 203 of the Voting Rights Act and reiterates the importance of enforcing the language assistance provisions of the Voting Rights Act on behalf of the covered language minorities. The Committee believes data about such enforcement efforts should be publicly available, recognizing that the Voting Section of the Civil Rights Division of the Department of Justice has investigated and come to agreements with several counties to bring them into compliance with Section 203 of the Voting Rights Act. The Committee directs the Department to include in its fiscal year 2021 budget request an update of that report for fiscal year 2019, to include the number of Section 203 cases investigated, broken down by language(s) involved; the number of investigations opened and number closed, by reason closed (e.g., not enough evidence of non-compliance available, no evidence of non-compliance, etc.); the average number of

Section 203 investigations per attorney; and the average length of time per Section 203 investigation.

*Elder justice.*—The Committee recognizes the harmful impact of elder fraud, including but not limited to telemarketing, mass-mail, and tech-support fraud schemes. The Committee encourages the Consumer Protection Branch of the Civil Division to redouble its efforts to deter, investigate, and prosecute individuals and entities responsible for elder fraud and abuse, and has included the requested funding increase for consumer protection and fraud investigation.

*Human trafficking.*—The Civil Rights Division shall prioritize funding for the Human Trafficking Prosecution Unit and the Department's Anti-Trafficking Coordination Teams to investigate and prosecute human traffickers. The Committee directs the Department to work with victim service providers and non-governmental organizations assisting trafficking victims in the United States.

*Global Magnitsky Human Rights Act.*—The Committee encourages the Department to hire additional personnel in the Criminal and Civil Divisions to increase the Department's ability to assemble and vet the large number of case files of individuals and entities subject to Global Magnitsky sanctions under Public Law 114–328, Subtitle F.

*Animal Fighting.*—Animal fighting is a crime that causes undue suffering to animals and is linked to violent criminal gangs and drug trafficking. The Environment Crimes Section (ECS) of the Environment and Natural Resources Division (ENRD) has responsibility within the Department for criminal prosecutions arising from Federal animal protection laws, including enforcement of animal fighting statutes 7 U.S.C. 2156 and 18 U.S.C. 49. However, the Committee is concerned that the Department has not made it a priority to enforce animal welfare crimes. It therefore directs the Department to report not later than 180 days after enactment of this Act on steps ENRD is taking to enforce animal fighting statutes and other animal welfare crimes in the States and U.S. territories; how ENRD measures its performance of this responsibility; and how the Department coordinates its efforts with the U.S. Department of Agriculture's Office of Inspector General on enforcement of such laws.

#### VACCINE INJURY COMPENSATION TRUST FUND

The recommendation includes \$13,000,000, as requested, as a reimbursement from the Vaccine Injury Compensation Trust Fund for the costs of litigating cases under the National Childhood Vaccine Injury Act of 1986 (Public Law 99–660).

#### SALARIES AND EXPENSES, ANTITRUST DIVISION

The Committee recommends \$166,755,000 for salaries and expenses of the Antitrust Division, \$1,778,000 above fiscal year 2019 and the same as the request. The recommended funding level is offset by \$141,000,000 in estimated fee collections for a net direct appropriation of \$25,755,000.

*Generic pharmaceutical antitrust.*—The Committee is aware of a Federal Trade Commission study showing that some pharmaceutical companies use anticompetitive, pay-for-delay patent settlements that cost consumers \$3.5 billion in higher drug costs every

year by restricting access to effective and less expensive generic drugs. The Committee encourages the Antitrust Division to pursue antitrust cases against such companies and directs the Department to report not later than 120 days after enactment of this Act on the funding and full-time equivalent staffing it devoted to such generic drug pharmaceutical antitrust investigations and litigation for fiscal year 2018 and planned for fiscal years 2019 and 2020. The report should also include the actual and expected numbers of consent decrees, cases filed, and out of court settlements resulting from such efforts.

#### SALARIES AND EXPENSES, UNITED STATES ATTORNEYS

The Committee recommends \$2,329,800,000 for the Executive Office for United States Attorneys and the 94 United States Attorneys' offices, which is \$117,800,000 above fiscal year 2019 and \$75,259,000 above the request. The increase is provided to sustain hiring and program operations funded in fiscal year 2019 to meet rising workload for the investigation and prosecution of terrorism, and other serious crime such as drug trafficking and cybercrime, and includes increases of \$5.8 million for violent crime and \$4.3 million for opioid trafficking investigations and prosecutions.

The Committee recommendation includes \$1,747,080,000 for criminal litigation; \$553,329,000 for civil litigation; and \$29,391,000 for legal education.

*Human trafficking.*—The recommendation continues bill language requiring that each U.S. Attorney participate in human trafficking task forces, and the Department shall continue to submit semiannual reports on the performance of these task forces. The Committee directs the EOUSA, in consultation with the United States Attorneys, to provide sufficient support and training and technical assistance to each Assistant U.S. Attorney designated as the lead human trafficking prosecutor, consistent with the Trafficking Victims Protection Act. Designating a point of contact will improve communication and coordination within each jurisdiction, including with victim service organizations, to better serve the victims of human trafficking and forced labor. In addition, the Committee also directs the EOUSA, in consultation with the Department of Homeland Security, to develop a process to enable survivors with T-visas to obtain expedited letters of support from the Department of Justice when their criminal cases are closed.

*Drug trafficking and money laundering enforcement.*—The Committee expects the Department to continue to make drug trafficking and money laundering enforcement an investigative and prosecutorial priority for Federal prosecutors, and to report on these efforts in the Department's fiscal year 2021 budget request.

*Immigration prosecutions.*—The Committee directs the Department to report to the Committee, on a quarterly basis, to begin no later than 90 days after enactment of this Act, on defendants who are charged with violations of 8 U.S.C. 1325 and 8 U.S.C. 1326 (improper entry or illegal reentry). The data should be broken out by U.S. Attorney district, and if possible, by defendants' nationality, gender, race, and age.



## UNITED STATES TRUSTEE SYSTEM FUND

The Committee recommends \$227,229,000 for the United States Trustee Program.

## SALARIES AND EXPENSES, FOREIGN CLAIMS SETTLEMENT COMMISSION

The Committee recommends \$2,335,000 for the Foreign Claims Settlement Commission, which is equal to the request.

## FEES AND EXPENSES OF WITNESSES

The Committee recommends \$270,000,000, which is the same amount as fiscal year 2019 and the request, for fees and expenses of witnesses who appear on behalf of the Government in cases in which the United States is a party. This appropriation is considered mandatory for scorekeeping purposes.

## SALARIES AND EXPENSES, COMMUNITY RELATIONS SERVICE

## (INCLUDING TRANSFER OF FUNDS)

The Committee recommends \$17,000,000 for the Community Relations Service (CRS), and rejects the proposed absorption of CRS into the Civil Rights Division. This includes an increase of \$1,500,000 above fiscal year 2019 to implement Public Law 114-325, the Emmett Till Unsolved Civil Rights Crimes Reauthorization Act of 2016. CRS has a unique role to play in the Justice Department. While not a law enforcement agency, CRS operates in all U.S. States and territories to advance justice and reconciliation by working with all parties, including State and local government units, private and public organizations, civil rights groups, and community leaders, to uncover the underlying interests of all involved in conflicts. It facilitates the development of mutual understanding in communities challenged by tension and conflict and helps them develop local capacity and tools to defuse tension and prevent hate crimes from reoccurring.

## ASSETS FORFEITURE FUND

The Committee recommends \$20,514,000 for expenses authorized by subparagraphs (B), (F), and (G) of section 524(c)(1) of title 28, United States Code. This amount is the same as the fiscal year 2019 amount and the budget request.

Section 528 of the bill requires the Department to submit a spending plan for fiscal year 2020. The Committee directs the Department to include in this plan proposed spending from the Fund, to include estimates of: Fund balances; equitable sharing payments; Joint Law Enforcement Operations obligations; and obligations by component.

## UNITED STATES MARSHALS SERVICE

## SALARIES AND EXPENSES

The Committee recommends \$1,444,600,000 for the salaries and expenses of the United States Marshals Service (USMS), which is \$86,600,000 above fiscal year 2019 and \$71,184,000 above the request. The recommendation sustains initiatives funded in fiscal year 2019; provides for additional Deputy U.S. Marshals for pri-

ority violent crime and gang initiatives; provides for continued aviation support; and supports consolidation of protective detail operations. Within the funding provided, the recommendation supports enhanced enforcement of laws relating to international travel of sex offenders, including through the Angel Watch Center.

The Committee has provided separate funding recommendations by decision unit as follows:

Judicial and Courthouse Security .....	\$485,215,000
Fugitive Apprehension .....	563,478,000
Prisoner Security and Transportation .....	268,379,000
Protection of Witnesses .....	61,163,000
Tactical Operations .....	66,365,000
	\$1,444,600,000
Total, Salaries and Expenses .....	\$1,444,600,000

*Coordinated Information Sharing to Ensure Integrity of Sex Offender Tracking Systems.*—Law enforcement agencies require the best information on criminals under their jurisdiction. The Committee encourages USMS, within funding provided, to support the National Sex Offender Targeting Center (NSOTC) in implementing coordinated information sharing to ensure the integrity of Federal, State and local sex offender tracking systems through the NOTICE, NSA Connect, and Alert 10–23 programs. The Committee hopes such support will help the NSOTC improve the exchange of information on offenders and communication among registry personnel.

CONSTRUCTION

The Committee recommends \$15,000,000, which is the same amount as fiscal year 2019, and \$29,000 above the request, for construction and related expenses in space controlled, occupied or used by USMS for prisoner holding and related support. The Committee expects USMS to apply this funding to its top priority projects.

FEDERAL PRISONER DETENTION

The Committee recommends \$1,792,461,000 for Federal Prisoner Detention, which is \$240,064,000 above fiscal year 2019 and \$75,000,000 below the request. The increase in funding will help the USMS support anticipated increases for housing, medical, and transportation costs of the USMS detainee population.

*USMS Contract Detention.*—Within 120 days of enactment of this Act, the USMS shall submit a report on detention facilities used for Federal Prisoner Detention as of October 1, 2019. The report should list, for each such facility: its location; whether it is owned by a Federal, State, local law enforcement or private entity, and whether it is operated under contract with a private entity. The report should also identify, for fiscal years 2018 and 2019, any USMS contracts that allowed non-DOJ Federal agency detainees to be held in a USMS-contracted facility; the number of times such provisions were exercised; and the number of non-USMS detainees housed in USMS or USMS-contracted facilities.

NATIONAL SECURITY DIVISION  
SALARIES AND EXPENSES  
(INCLUDING TRANSFER OF FUNDS)

The Committee recommends \$109,585,000 for the National Security Division (NSD), which is \$8,216,000 above fiscal year 2019 and the same as the request. This amount will help NSD meet its growing national security and counterterrorism workload, including its responsibilities under the Foreign Intelligence Surveillance Act and the Foreign Agents Registration Act (FARA). Additional resources, as requested, are included to enable NSD to meet intensifying cyber and intelligence threats, and support expanded responsibilities related to foreign investment reviews.

*Foreign Agent Registration Act.*—The Committee is concerned about the Department’s current guidance regarding the FARA commercial exception. The Committee believes the guidance has allowed U.S. agents of some state-owned enterprises, which are wholly-owned by their governments, to dodge FARA requirements, even though such enterprises take actions that directly promote the political and policy interests of their government owners. Accordingly, the Committee directs the Department to issue updated guidance requiring U.S. agents of wholly state-owned enterprises to register under FARA in those circumstances where the lobbying and public-relations efforts of such foreign firms promote not only the commercial interest of the entity, but also the foreign government’s stated political and policy interests. In addition, the Committee directs the Department to report to the Committee not later than 90 days after enactment of this Act on the feasibility of requiring all filings by foreign agents to be made in an electronic data format that could be published in a digital format available to the public.

*Counsel for Domestic Terrorism.*—The growing threat posed by domestic terrorism, particularly homegrown violent and racist extremism, justifies a commensurate response by the Department. The Committee encourages the Department to consider elevating the position of Counsel for Domestic Terrorism to the rank of Deputy Assistant Attorney General, with sufficient staff and resources to meet rising investigative and prosecution workload.

INTERAGENCY LAW ENFORCEMENT

INTERAGENCY CRIME AND DRUG ENFORCEMENT

The Committee recommends \$570,000,000 for Interagency Crime and Drug Enforcement, which is \$10,000,000 above fiscal year 2019 and \$19,542,000 above the request. Funds included under this heading will support interagency Organized Crime Drug Enforcement Task Forces (OCDETF), which target high-level drug trafficking organizations through coordinated, multi-jurisdictional investigations. This funding level will sustain initiatives begun in fiscal year 2019. \$2,000,000 of the increase is provided for the National Opioid Initiative to support the anticipated rising number of opioid cases.

*Decision unit subtotals.*—The recommendation includes \$396,000,000 for investigations and \$174,000,000 for prosecutions. The Committee expects OCDETF to enhance its investigative, in-

telligence, and prosecutorial efforts through OCDETF-led activities, including the OCDETF Fusion Center, OCDETF Co-located Strike Forces and the International Organized Crime Intelligence and Operations Center, and direct collaboration with State and local law enforcement, United States Attorneys’ offices and the Criminal Division. The Committee expects OCDETF to focus additional resources on targeting opioid trafficking organizations.

*Full-Time Equivalents (FTE).*—The Committee directs the Department to submit an updated report on historical investigative and prosecutorial FTE levels for OCDETF concurrent with its fiscal year 2021 budget request at the level of detail provided in its December 12, 2018, report to the Committee. The report should include actual and projected investigative and prosecutorial FTE devoted to OCDETF cases for fiscal years 2020–2022, broken out by agency and funding source.

FEDERAL BUREAU OF INVESTIGATION  
SALARIES AND EXPENSES

The Committee recommends \$9,455,928,000 for the salaries and expenses of the Federal Bureau of Investigation (FBI), which is \$263,791,000 above fiscal year 2019 and \$198,501,000 above the request. The increase will sustain programs carried out in fiscal year 2019, despite the interruption caused by the 2019 lapse in appropriations. Increased funding is included to further the FBI’s critical missions to counter terrorism and protect national security, enhance counterintelligence and weapons of mass destruction programs, investigate white-collar and hate crime, target domestic extremism, defeat cyber threats, and pursue transnational organized criminal enterprises. The funding supports the Department’s requests to boost the capacity and speed of the National Instant Criminal Background Check System (NICS), support FBI review of foreign travelers and visa applicants, includes an additional \$5 million to implement the Emmett Till Unsolved Civil Rights Crimes Reauthorization Act of 2016, and maintains funding for shared operational costs of the National Biodefense Analysis and Countermeasures Center.

In addition to support for FBI security missions, the Committee expects the FBI will use additional resources provided to increase investigation of white-collar, fraud, and hate crimes. Increased resources are included to build on fiscal year 2019 human trafficking investigations and the squads dedicated to such efforts. The additional resources should also support deployment of resources to high-crime jurisdictions across the United States and all its territories.

The Committee continues its direction to the FBI to allocate its agents and support staff based on unique threats and workload of each of the FBI’s field offices to ensure that resources are effectively deployed to address the agency’s highest priorities.

The Committee has provided separate funding recommendations by decision unit as follows:

Intelligence .....	\$1,755,037,000
Counterintelligence and National Security .....	3,871,639,000
Criminal Enterprise and Federal Crimes .....	3,249,270,000
Criminal Justice Services .....	579,982,000
	<hr/>
Total, Salaries and Expenses .....	\$9,455,928,000

*Human trafficking investigations.*—The Committee recognizes the complex nature of human trafficking investigations and includes funding to sustain and expand them, as well as associated intelligence collection, analysis, and sharing. The Director is encouraged to allocate additional resources for human trafficking cases and continue to designate a lead agent in each field office as a point of contact for slavery and human trafficking investigations. The Committee applauds the FBI for its collaboration with Federal, State, and local partners, and hopes it will use these relationships to address human trafficking across the country.

*Universal Crime Report.*—The Universal Crime Report (UCR) provides valuable information to local law enforcement, policy makers, researchers and others on crimes and their incidence. The UCR provides information on homicides regarding type of weapon used, including firearms, but not data on non-fatal shootings associated with robberies and aggravated assaults. Such information would help law enforcement agencies and researchers better assess the impact of policies aimed at reducing gun violence. The Committee directs the FBI to report to the Committee not later than 90 days after enactment of this Act on the feasibility of collecting non-fatal firearms-related incidents as part of the UCR, with an estimate of resources needed to accomplish this goal.

*Aviation modernization.*—The Committee directs the FBI to provide a briefing on its aviation modernization and upgrade programs not later than 90 days after enactment of this Act at the same level of detail as required by the fiscal year 2017 and 2018 appropriations Acts. The briefing should also cover plans and requirements for any programs to counter unmanned aircraft systems.

*Hate Crimes Statistics Act (HCSA).*—The Committee urges State, local, and tribal law enforcement agencies to include the cost of participation in the FBI's Hate Crimes Statistics Act (HCSA) program for the purposes of calculating extraordinary expenses associated with the investigation and prosecution of hate crimes under Public Law 111-84 section 4704(b)(3).

*Integrated medical support for tactical operations.*—The Committee continues to support FBI use of external partnerships through its Operational Medicine Program to assist medical contingency planning and leverage the strengths of academic medical center partners to optimize medical support for critical missions. The Committee expects the FBI will pursue such work and integration across mission areas as appropriate and where medical support benefits are identified.

*DNA analysis.*—The Committee is aware of past concerns regarding delays in uploading DNA data from private laboratories to the FBI's CODIS database. The FBI is encouraged to continue monitoring profiles awaiting review to ensure no backlog exists and ensure efficient review and uploading of data to ensure no obstacles exist for rapid DNA matching.

*Racial extremist recruitment.*—The Committee is aware that a recent Military Times poll showed that one in four U.S. service members reported witnessing examples of white nationalism among their fellow troops. The Committee has also noted reports of members of white extremist organizations serving in the Armed Forces. The Committee directs the FBI to update its July 7, 2008 report, "White Supremacist Recruitment of Military Personnel since 9/11".

The update should cover all incidents in which members of white supremacist organizations attempted or were successful in joining the Armed Forces, or in which white supremacist organizations attempted to recruit active duty members of the Armed Forces.

*Gun violence data.*—The Committee is aware of the 2014 FBI/Texas State University study A Study of Active Shooter Incidents in the United States Between 2000 and 2013, and that the FBI has subsequently published more recent data using the methodology from that study. The Committee is also aware that non-governmental organizations, both academic and journalists, have compiled and published data on mass shootings. The Committee directs the FBI, in collaboration with the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) and the National Institute of Justice, to report not later than 120 days after enactment of the Act on efforts to compile, analyze, and share gun violence data, and how such efforts can improve both documentation of mass shootings and understanding of mass-shooter motivation.

*Cyber-stalking and threat crimes.*—The Committee is concerned that the FBI and the Department have not yet submitted the report on their actions to address cyber-stalking and threat crimes as required by the fiscal year 2018 Appropriations Act. The Department shall submit this report without delay.

*Canine detection of weapons of mass destruction.*—The Committee expects the Weapons of Mass Destruction Directorate (WMDD) to continue research, development, education and training of Federal, State and local canine detection teams to enhance their ability and capacity to detect chemical, biological, and emerging threats. The Committee understands that the United States relies on foreign breeders for the highest quality detection canines, which remains a concern. The Directorate is directed to work with academic partners, industry, and other government agencies to identify long-term solutions to ensure reliability of domestic supply.

*Internet Crime Complaint Center.*—The Committee includes funding to support the Internet Crime Complaint Center, which is an online crime complaint reporting mechanism used to report information to the FBI from either the actual victim or from a third party to the complainant on any Internet-facilitated criminal activity. Information is analyzed and disseminated, for investigative and intelligence purposes, to law enforcement and for public awareness.

#### CONSTRUCTION

The Committee recommends \$51,895,000, which is the same as the request, for the construction of FBI facilities and related activities. Funding in this account will facilitate and expedite work on current design and construction projects at Quantico, as requested, and address necessary secure work environment (SWE) building and modifications.

*FBI Headquarters.*—The President requested no funding, and the Committee includes no funding, for Headquarters consolidation or construction. As the Committee noted last year, the informal draft plan released on February 12, 2018, left most questions regarding a new headquarters unanswered, including the revision of long-standing security requirements and capacity requirements in the national capital region. The Committee is greatly concerned about the risks and continuing costs associated with operating in the cur-

rent, unsatisfactory headquarters. The Department should answer the concerns raised by the Committee and take steps to submit a formal prospectus to be reviewed and approved by the appropriate committees of Congress.

DRUG ENFORCEMENT ADMINISTRATION  
SALARIES AND EXPENSES

The Committee recommends total budget authority of \$2,800,000,000 for Drug Enforcement Administration (DEA) salaries and expenses, of which \$443,142,000 is derived from fees deposited in the Diversion Control Fund, and \$2,356,858,000 is provided by direct appropriation. The recommended appropriation is \$89,858,000 above fiscal year 2019 and \$77,705,000 above the request. The funding sustains activities funded in fiscal year 2019 and provides additional funds for at least five new heroin enforcement teams; enhanced cyber investigative staff and resources; enhanced capabilities for dismantling transnational criminal organizations; and sustaining Aviation Division equipment refreshment. The Committee has provided separate funding recommendations by decision unit for salaries and expenses as follows:

International Enforcement .....	\$492,289,000
Domestic Enforcement .....	1,850,547,000
State and Local Assistance .....	14,022,000
	\$2,356,858,000
Total, Salaries and Expenses .....	\$2,356,858,000

The Committee urges the Drug Enforcement Administration to expeditiously process any pending applications for authorization to produce marijuana exclusively for use in medical research.

*Diversion control.*—The recommendation includes \$443,142,000 for the regulatory and enforcement activities of DEA’s Diversion Control Program. The Diversion Control Program is funded by fee collections.

*Methamphetamine lab cleanup.*—The funding recommendation includes \$10,000,000 to assist State, local, and tribal law enforcement agencies in efforts to remove and dispose of hazardous materials at methamphetamine labs, to include training, technical assistance, purchase of equipment and a container program.

*Prescription drug and heroin abuse.*—The Committee continues to place a priority on reducing the crisis of prescription drug abuse and the record levels of mortality from overdoses of heroin, fentanyl and other opioids. The Committee expects DEA to provide the briefing on heroin and prescription drug diversion investigations as required pursuant to the fiscal year 2019 appropriations Act, to include related drug price and quantities, and prosecutions.

*Drug Disposal and Takeback Programs.*—The Committee is concerned by reports that 90 percent of Americans do not appropriately dispose of prescription drugs. The Committee supports DEA efforts to help the public safely dispose of unused and unwanted prescription drugs through drug takeback days and permanent drug disposal sites but believes more can be done. The Committee encourages DEA to consider in-home drug deactivation and disposal solutions that meet the agency’s regulatory definition of non-retrievable, and evaluate their effectiveness, particularly in areas with high rates of opioid misuse or abuse, rural areas, areas

with high populations of individuals with limited mobility, and areas that lack permanent disposal sites.

*Handheld opioid identification technology.*—The Committee wishes to see DEA’s State and Local Clandestine Laboratory Training and Clandestine Drug Laboratory Cleanup Program equipped with the most accurate trace and bulk detectors, as well as effective personal protective equipment. As DEA laboratories are acquiring new trace detection capability, the Committee encourages the agency to provide its field agents access to technology that allows them to identify opioids at low concentrations or at trace levels, as well as industrial-standard personal protection equipment. The Committee directs DEA to include, with its submission of its fiscal year 2021 budget request, a report on requirements for handheld detection technology and personal protection equipment, the status of providing such equipment, and the cost associated with fielding it.

*Destruction of unwanted controlled substances.*—The Committee encourages DEA to meet with commercial hazardous waste management industry members, including many who are reverse distributors for the receipt and destruction of unwanted controlled substances. Such meetings should include discussions about alternative methods of disposal, other than incineration, to meet DEA’s non-retrievable standard, as well as alternative safety measures for the transportation of controlled substances for disposal, including secure tamper-proof evidence packages or security tape sealed drums.

#### BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES

##### SALARIES AND EXPENSES

The Committee recommends \$1,439,000,000 for the salaries and expenses of the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), which is \$122,322,000 above fiscal year 2019 and \$70,560,000 above the request. The recommendation fully funds the requested enhancements, provides resources for sustaining the enhancements provided in fiscal year 2019, and increased funding for both reducing the backlog of National Firearms Act applications and the hiring of additional Industry Operations Investigators to improve ATF’s oversight of Federal Firearms Licensees.

*National Integrated Ballistic Information Network (NIBIN).*—The Committee is encouraged by the promise of improved crime gun intelligence and information sharing, and expects funding provided in this bill will aid in interdicting crime guns and preventing gun trafficking through the NIBIN. The Committee encourages ATF to establish a NIBIN presence on the Southwest border and looks forward to receiving the update described in House Report 115–704.

*Illegal firearms.*—The Committee is aware that firearms enter the illegal market through a limited number of channels, such as straw purchasers, corrupt firearms licensees, unlicensed sellers, and firearms theft. Law enforcement needs transparent data about these channels in order to develop the most effective enforcement strategies to reduce firearms trafficking. The last time ATF provided a report describing the channels of firearms trafficking was in the year 2000. Since that time, the National Tracing Center has collected over five million traces of crime guns. Despite explicit authorization to release “statistical aggregate data regarding firearms



traffickers and trafficking channels, or firearms misuse, felons, and trafficking investigations,” since 2008 ATF has only released statistical aggregate data regarding the geographical location where crime guns were first sold at retail. Within one year of the date of enactment of this Act, ATF is directed to release a new report providing updated statistical aggregate data regarding trafficking channels and trafficking investigations.

*Training and research.*—The Committee supports the work of the National Center for Explosives Training and Research regarding both investigating criminal acts related to explosives, bombings, and explosives threats, and training involving State and local levels of government, and military units.

*Firearms tracing.*—The Committee is concerned about the high number of incorrect submissions by law enforcement agencies to ATF for firearms tracing. The Committee urges ATF to increase trace submission training for law enforcement agencies.

FEDERAL PRISON SYSTEM  
SALARIES AND EXPENSES  
(INCLUDING TRANSFER OF FUNDS)

The Committee recommends \$7,325,000,000 for salaries and expenses of the Bureau of Prisons (BOP), which is \$75,000,000 above fiscal year 2019 and \$263,047,000 above the request. The Committee includes funding to fully fund required staffing and program costs to implement Public Law 115–291, the First Step Act of 2018, as well as requested increases for medically assisted treatment, correctional innovations, and initiatives to detect and interdict contraband cellphones.

The Committee has provided separate funding recommendations by decision unit as follows:

Inmate Care and Programs .....	\$2,807,544,000
Institution Security and Administration .....	3,372,594,000
Management and Administration .....	250,643,000
Contract Confinement .....	894,219,000
	\$7,325,000,000
Total, Salaries and Expenses .....	\$7,325,000,000

*First Step Act.*—The Committee includes \$75,000,000, as authorized under the First Step Act of 2018, to expand and develop opportunities for incarcerated individuals to participate in evidence-based, recidivism-reducing programming and productive activities.

*Augmentation.*—Although the Federal inmate population continues to decline from its 2013 high, overcrowding remains a serious threat to correctional officer safety, particularly at high- and medium-security facilities. The Committee repeats its direction to BOP to end its overreliance on augmentation; hire more full-time correctional officers to eliminate the need to augment them with non-custody employees; and improve staffing beyond mission critical levels in custody and all other departments. BOP shall continue to submit quarterly reports on inmate-to-officer ratios, including confirmation that at least two correctional officers are on duty for each shift at BOP facilities that house high security inmates, as specified in the fiscal year 2019 Appropriations Act.

*Trauma-informed programs for female inmates.*—The Committee supports the provision of trauma treatment to all female inmates during the first 12 months of their sentences to maximize the impact of such programs and commends the benefits of the BOP's Trauma Treatment Program, such as the Resolve trauma therapy program. The Committee, however, remains concerned about the lengthy waiting list for this therapy program, as well as for the prerequisite course. The Committee also regrets the lack of trauma programming for non-English speaking inmates. The Committee urges BOP to prioritize these programs, make them available to all inmates, at the inmates' discretion, within the first 12 months of incarceration, and expand language access for this trauma programming. The Director shall report to the Committee not later than 180 days after enactment of this Act on the implementation of these recommendations, to include the status of the waiting list for participation in such programs.

*Menstrual hygiene products.*—The First Step Act of 2018 (Public Law 115–391) requires the BOP Director to provide menstrual hygiene products to prisoners at no cost. The Committee directs the Director to provide guidance on the distribution and accessibility of these products to all prisoners in BOP custody, whether in a Federally-owned facility or one administered by a private detention entity, to ensure each prisoner who requires these products receives a quantity the prisoner deems sufficient. The Committee also directs the Director to issue guidance that no visitor is prohibited from visiting an incarcerated individual due to such visitor's use of menstrual hygiene products. The Director shall report to the Committee not later than 180 days after enactment of this Act on the implementation of this policy.

*Contraband cell phones.*—The Committee encourages the Department to continue to work with the Federal Communications Commission to address the issue of contraband cell phones and other devices. These devices are being used nationwide by inmates to plan attacks, promote the distribution of controlled substances and weapons, engage in gang activity, and intimidate victims, witnesses, and correctional staff. The Committee directs BOP to follow up on the efforts described in its 2016 report to Congress on cell phone detection, managed access systems, and signal blocking technology approaches to thwart such devices. BOP must ensure that incarcerated individuals who use these illicit devices will no longer have access to the networks and spectrum to direct activities in or beyond the prison.

*First aid kit enhancement.*—The Committee is aware that first aid products endorsed by the Department of Defense Committee on Tactical Combat Casualty Care (CoTCCC), such as hemostatic dressings, help reduce death or trauma caused by bleeding. To improve outcomes in crisis situations such as assaults by inmates on staff and on other inmates, the Committee encourages BOP to incorporate CoTCCC-supported dressings in first aid kits at Federal prisons.

*Inmate calling rates.*—The Committee directs the Department, in consultation with the Federal Communications Commission, to submit a report to the Committee not later than 180 days after enactment of this Act detailing the rates and fees paid by people to communicate with inmates held in Federal correctional facilities since

the D.C. Circuit's decision in *Global Tel\*Link v. Federal Communications Commission*, 866 F.3d 397 (D.C. Cir. 2017). The report shall include inmates incarcerated in all types of Federal correctional facilities across the country, including contract facilities. The report shall also include all types of communications services including telephone, video visitation, email, and other types of electronic communication.

*Medication assisted treatment.*—The Committee encourages BOP to make evidence-based relapse prevention treatment options available to inmates with a history of opioid dependence.

*Personal firearms.*—The Committee recognizes BOP's responsibility to control the use of firearms on BOP facilities and directs the Bureau to implement fully the Lieutenant Osvaldo Albarati Correctional Officer Self-Protection Act of 2018.

*Parenting programs for pregnant inmates.*—The Committee recognizes the Mothers and Infants Together (MINT) Program that promotes and facilitates mother-child bonding, and the Residential Parenting Program, which allows eligible female inmates to reside with their child for up to 30 months post-delivery. The Committee, however, is concerned about the underutilization of these programs, and thereby directs BOP to issue guidance to communicate parenting program opportunities and eligibility criteria to each employee and pregnant inmate, and to collect relevant data to assess pregnant inmates' interest and participation. Lastly, the Committee urges the Bureau to adhere to the Female Offender Manual and allow, at the least, a minimum of six months participation in the MINT Program. The Committee directs BOP to submit a report not later than 180 days after the enactment of this Act on the strategic plan to address these concerns.

*Prison Rape Elimination Act.*—The Committee expects BOP will continue to implement the Prison Rape Elimination Act and notes that facility audits are a key component in helping agencies move their sexual abuse prevention and response policies from written documents to everyday practices. Congress recently made changes to the audit process to ensure greater oversight of the audit process and improved audits. The Committee supports the Department providing the necessary resources to carry out this work.

*Prison recidivism animal programs.*—Section 608(a)(2) of Public Law 115–391 directs BOP to establish pilot programs that incorporate training programs with prisoners and abandoned or vulnerable animals to reduce the recidivism of incarcerated individuals, better preparing them for reentering society upon release. The Committee urges the Department of Justice and BOP to implement this section and report to the Committee not later than 90 days after enactment of this Act on the steps it has taken to achieve this goal.

*Rapid testing for infectious diseases.*—The Committee notes the healthcare challenges posed by infectious diseases like HIV/AIDS and Hepatitis C and acknowledges that such challenges are likely to grow as opioid epidemic-related infection rates continue to increase. BOP is encouraged to examine opportunities to increase rapid testing for these diseases and ensure affected individuals are aware of their health status.

*Educational programs.*—The Committee supports the Department's coordination and collaboration with Historically Black Col-

leges and Universities to provide educational programs for recently-released and soon-to-be-released criminal offenders to assist them in obtaining skills that will help them successfully transition back into their communities and reduce recidivism rates.

*Formerly incarcerated women.*—The Committee is concerned about the many challenges faced by formerly incarcerated individuals—particularly women, who make up the fastest growing incarcerated population in the country—as they reintegrate into their communities. Accordingly, the Committee directs the Department of Justice to conduct a study on the most common challenges faced by formerly incarcerated women (unemployment, underemployment, family reunification, job training and skills development re-entry programing, access to stable housing, mental health and substance abuse services) and provide its findings and recommendations on ways to better mitigate recidivism of formerly incarcerated women at the time it submits its fiscal year 2021 budget request.

#### BUILDINGS AND FACILITIES

The Committee recommends \$150,000,000 for the construction, acquisition, modernization, maintenance, and repair of prison and detention facilities housing Federal inmates. This amount is \$114,000,000 below fiscal year 2019, and \$50,795,000 above the request.

The Committee directs the Bureau to apply the funding, including the increase above the request, to reduce its longstanding maintenance and repair backlog, including communication equipment to support the BOP mission. BOP shall continue to provide monthly status of construction reports and notify the Committee of any changes reflected in those reports.

*Detention facility infrastructure.*—The Committee supports efforts to ensure that Federal detainees are held in humane conditions, especially those who are detained in Federally-operated facilities. The Committee was disturbed by reports of critical HVAC and electrical systems failures at Metropolitan Detention Center, Brooklyn. Therefore, the Committee directs the Department to conduct and publish a report by October 1, 2020, on the current state of detention facility infrastructure in facilities operated by BOP, and facilities housing Federal detainees in private contracted facilities, including those that house BOP detainees on a contractual agreement basis with other Federal agencies. Such report should outline and define inadequate facility conditions that would potentially constitute a violation of the Federal right, as defined in section 3626, under Subchapter C of chapter 229 of Part II of title 18, United States Code. Such report shall include the number of facilities that exhibit conditions potentially violating the Federal right, including infrastructure deficiencies and challenges relating to the maintenance or repair thereof. For the purposes of determining if a deficiency may potentially constitute a violation of the Federal right, such deficiencies shall include, but are not limited to: (1) building core heating; (2) cooling and electrical systems; (3) emergency or backup systems; (4) building shell insulation; and (5) water leaks, mold, or mildew-related conditions impacting water infrastructure. The report shall also describe the mechanisms to be employed by BOP to repair, remedy, mitigate, or resolve such potential violations, and the estimated cost of such mechanisms.

LIMITATION ON ADMINISTRATIVE EXPENSES, FEDERAL PRISON  
INDUSTRIES, INCORPORATED

The Committee recommends a limitation on administrative expenses of \$2,700,000 for Federal Prison Industries, Incorporated, which is the same as fiscal year 2019.

STATE AND LOCAL LAW ENFORCEMENT ACTIVITIES

In total, the Committee recommends \$3,401,800,000 for State and local law enforcement and crime prevention grant programs, including \$2,702,300,000 in discretionary appropriations.

*STOP School Violence Act.*—The recommendation provides \$125,000,000 for the STOP School Violence Act grant program. Within this amount, \$93,750,000 is provided to the Bureau of Justice Assistance (BJA) for evidence-based school safety programs outlined in the Act and \$31,250,000 is provided to the Community Oriented Policing Service (COPS) program. Through the STOP School Violence Act program, school districts should use funds for security hardening measures; evidence-based school threat assessments and trainings for school personnel and students to identify threats of school violence; locks, lighting, ballistic glass and other deterrent measures; safety and security of school premises by utilizing design elements and principles; and technology for expedited notification of local law enforcement during an emergency.

The Committee reminds the Department of Justice that the COPS Hiring program may include grant award categories for School Resource Officers and directs the Department to provide a preference for hiring such officers.

The Committee recognizes the vital role of school design in the development and achievement of evidence-based strategies and programs related to school facility safety and security. Through the STOP School Violence Act grant program, school districts should consider using funds to compose school building design plans that strengthen the safety and security of school premises by utilizing design elements, principles, and technology that guarantee layers of security throughout the school premises and uphold the aesthetics of the school premises as a learning and teaching environment. The Committee clarifies that architecture and design services related to safe school design are allowable uses of STOP School Violence Act grant funding.

*First STEP Act implementation.*—The Committee acknowledges that an improved risk assessment system is essential for the accurate measurement of the dynamic risks and needs of incarcerated people. The Committee recognizes the importance of a transparent and timely process for setting up the Independent Review Committee (IRC). Furthermore, the Committee recognizes the importance of appointing members to the IRC who are geographically representative of all correctional facility communities across the U.S. and who have extensive knowledge of dynamic risk and needs assessment in both institutional and community settings. The Committee encourages the National Institute of Justice (NIJ) to move forward on implementation of the IRC as quickly as feasible.

*Office for Victims of Crime (OVC).*—The recommendation provides \$2,838,000,000 for the Crime Victims Fund. Within available resources, OVC may implement Vision 21, which seeks to bring

better technology, planning, research, and data into the crime victims services field. The Committee recognizes the importance of grants for national hotlines serving victims and directs the Department to continue funding these programs.

The Committee directs OVC to provide an updated report to the Committee, not later than 90 days after the enactment of this Act, on the actions it is taking to ensure Crime Victims Fund resources are reaching communities most affected by violence.

*Tribal assistance.*—The recommendation includes the requested seven percent set-aside for tribal grants.

*Opioids.*—The Committee directs the Department, unless otherwise specified, to dedicate no less than the fiscal year 2019 levels of opioid-related funding for opioid activities in non-Opioid Initiative programs.

*Persistent Poverty.*—The Committee is concerned about access to DOJ grant funding in high-poverty areas and persistent-poverty counties. For purposes of this Act, the term “high-poverty area” means any census tract with a poverty rate of at least 20 percent as measured by the 2013–2017 5-year data series available from the American Community Survey of the Census Bureau and the term “persistent poverty counties” means any county that has had 20 percent or more of its population living in poverty over the past 30 years, as measured by the 1990 and 2000 decennial censuses and the most recent Small Area Income and Poverty Estimates. When scoring competitive grant applications, the Department is directed to add additional priority, where practicable, to applications from grantees who can demonstrate that the individuals who will benefit from such grants reside in high-poverty areas or persistent-poverty counties. In addition, the Department shall provide guidance to such prospective grantees, especially prior to their application submissions, including to help determine whether they qualify for additional priority.

In addition, the Committee directs the Department to submit a report to the Committee on the percentage of funds allocated by each program in fiscal years 2017, 2018, and 2019 and estimates for fiscal year 2020 to serve populations living in persistent poverty counties and high-poverty areas. The Department shall report this information to the Committee within 90 days of such data being available and provide a briefing to the Committee not later than 180 days of enactment of this Act on how the Department is carrying out this directive.

#### OFFICE ON VIOLENCE AGAINST WOMEN

##### VIOLENCE AGAINST WOMEN PREVENTION AND PROSECUTION PROGRAMS

##### (INCLUDING TRANSFER OF FUNDS)

The Committee recommends \$582,500,000 for the Office on Violence Against Women (OVW), which is \$85,000,000 above fiscal year 2019, and \$90,000,000 above the request. Funds are to be distributed as follows:

## VIOLENCE AGAINST WOMEN PREVENTION AND PROSECUTION PROGRAMS

(in thousands of dollars)

Program	Amount
STOP Grants .....	\$222,000
Transitional Housing Assistance .....	41,000
Research and Evaluation on Violence Against Women .....	3,000
Consolidated Youth-Oriented Program .....	20,000
Grants to Encourage Arrest Policies .....	62,000
Homicide Reduction Initiative .....	(4,000)
Sexual Assault Victims Services .....	50,000
Rural Domestic Violence and Child Abuse Enforcement .....	50,000
Violence on College Campuses .....	26,000
Civil Legal Assistance .....	57,000
Elder Abuse Grant Program .....	9,000
Family Civil Justice .....	22,000
Education and Training for Disabled Female Victims .....	9,000
National Resource Center on Workplace Responses .....	1,000
Research on Violence Against Indian Women .....	1,000
Indian Country—Sexual Assault Clearinghouse .....	1,000
Tribal Special Domestic Violence Criminal Jurisdiction .....	5,000
Rape Survivor Child Custody Act .....	3,500
<b>TOTAL, Violence Against Women Prevention and Prosecution Programs .....</b>	<b>\$582,500</b>

*Human trafficking.*—The Committee encourages OVW to ensure that the Transitional Housing Program can assist victims of human trafficking, and the Committee urges DOJ to take these victims into consideration when distributing OVW funds.

*Rural victims.*—Victims of sexual assault living in rural communities are typically reluctant to report to law enforcement for fear of being exposed. The Committee encourages the OVW to implement projects that reduce barriers to the reporting of crime in rural areas, colonias, and persistent poverty counties and report to the Committee within 90 days of the date of enactment of this Act.

*Grant administration.*—The Committee supports OVW plans to streamline grant administration, management, and oversight functions by converting manual processes and related forms to a web-based, online workflow process.

## OFFICE OF JUSTICE PROGRAMS

## RESEARCH, EVALUATION AND STATISTICS

The Committee recommends \$80,000,000 for Research, Evaluation and Statistics, which is the same as fiscal year 2019 and \$14,500,000 below the request. Funds are distributed as follows:

## RESEARCH, EVALUATION AND STATISTICS

(In thousands of dollars)

Program	Amount
Bureau of Justice Statistics .....	\$43,000
NCS-X Implementation Program .....	(5,000)
National Institute of Justice .....	37,000
First Step Act .....	(1,500)
Domestic Radicalization Research .....	(5,000)
Research on School Safety .....	(1,000)
Juvenile Online Victimization Survey .....	(1,000)
National Center for Restorative Justice .....	(3,000)

RESEARCH, EVALUATION AND STATISTICS—Continued  
(In thousands of dollars)

Program	Amount
Corrections Related Research .....	(3,000)
TOTAL, Research, Evaluation and Statistics .....	\$80,000

*Pretrial detention.*—The Committee directs the Bureau of Justice Statistics (BJS) to collect information analyzing the population of individuals detained pretrial in local jails, State and Federal facilities, and private facilities under contract to Federal, State, and local authorities and report back to the Committee within 180 days of the date of enactment of this Act. The report should include the number of individuals detained pretrial; the median duration of the pretrial detention period; the number of individuals detained pretrial who were offered financial release or not offered financial release; and the number of individuals who were offered financial release but remained detained because they could not pay the amount required. All data should be disaggregated by demographic and the level of the offense charged.

*Misdemeanors.*—The Committee is concerned with the lack of reliable data from States and local jurisdictions on the processing of misdemeanor arrests. As the largest aspect of our criminal system, it is vitally important to ensure justice is being administered in a fair and equitable manner. In recognition of limited resources, the Committee therefore urges the BJS to collect demographic data from a select number of large metropolitan jurisdictions that includes information on the race, ethnicity, and gender, as well as key socioeconomic factors, of each misdemeanor defendant, the type of offense charged, and the sentence imposed. The Committee also urges the Bureau to report on its progress within 180 days of enactment of this Act.

*Forensics.*—The Committee encourages National Institute of Justice (NIJ) to explore partnerships with accredited universities of higher education for the purpose of providing national learning opportunities for law enforcement, district attorneys, and primary care physicians within functioning forensic laboratory and death investigation facilities. These partnerships should focus on collaboration between State departments of forensic science working in partnership with universities and local district attorneys, to provide a facility of prominence for forensic science education, training, research, and service, which will benefit current practitioners in the field as well as future forensic scientists.

*Human trafficking research.*—The Committee acknowledges the difficulty in estimating the prevalence of human trafficking, and the corresponding difficulty in gauging the effectiveness of the criminal justice system's response to the problem. Research can play an invaluable role in understanding prevalence and effectiveness through improved data collection and analysis. The Committee encourages the NIJ to continue funding research into human trafficking.

*Opioid research.*—The Committee recognizes that in-depth examination of fatal opioid overdoses, including fatalities following prior non-fatal overdoses, and trends in the evolution, trafficking, and



use of illegally manufactured opioid analogues, in combination with existing illegal drugs, can yield valuable information for law enforcement, hospitals, treatment providers, and prosecutors as they identify effective policy, interventions, and prevention strategies. The Committee urges NIJ to support regional efforts to undertake such comprehensive opioid fatality research.

*Cybercrime.*—The Committee remains concerned about the lack of information on crimes committed against individuals and facilitated by the interstate telecommunications system and notes that the fiscal year 2019 Appropriations Act required NIJ to issue a report analyzing these crimes. The Department is directed to submit the report in a timely manner to ensure the Committee has the information necessary to assess and deal with these crimes.

*High-risk vehicle events.*—The Committee encourages the BJS to develop a data collection process to accurately capture the number of deaths and injuries from police pursuit and high-risk vehicle events.

STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE  
(INCLUDING TRANSFER OF FUNDS)

The Committee recommends \$1,933,000,000 for State and Local Law Enforcement Assistance programs, which is \$210,000,000 above fiscal year 2019 and \$450,800,000 above the request. Funds are distributed as follows:

STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE  
(in thousands of dollars)

Program	Amount
Byrne Memorial Justice Assistance Grants .....	\$530,250
Officer Robert Wilson III VALOR Initiative .....	(15,000)
Smart Policing .....	(7,500)
Smart Prosecution .....	(10,000)
Juvenile Indigent Defense .....	(4,000)
Convention security .....	(100,000)
NamUS .....	(3,600)
Training Program to improve Responses to People with Mental Illness .....	(2,500)
John R. Justice Grant Program .....	(2,000)
Capital Litigation and Wrongful Conviction Review .....	(7,000)
Prison Rape Prevention and Prosecution .....	(15,500)
Emergency Federal Law Enforcement Assistance .....	(2,000)
Managed Access Systems .....	(2,000)
Kevin and Avonte's Law .....	(2,000)
Regional Law Enforcement Technology Initiative .....	(3,000)
Community Based Violence Prevention .....	(8,000)
State Criminal Alien Assistance Program .....	260,000
Victims of Trafficking Grants .....	100,000
Economic, High-tech, White Collar and Cybercrime Prevention .....	14,000
Intellectual Property Enforcement Program .....	(2,500)
Digital Investigation Education Program .....	(2,000)
Adam Walsh Act Implementation .....	20,000
Bulletproof Vests Partnerships .....	25,000
Transfer to NIST/OLES .....	(1,500)
National Sex Offender Public Website .....	1,000
National Instant Criminal Background Check Systems (NICS) Initiative .....	80,000
NICS Acts Record Improvement Program .....	(27,500)
Paul Coverdell Forensic Science .....	30,000
DNA Initiative .....	142,000
Debbie Smith DNA Backlog Grants .....	(100,000)
State and Local Forensic Activities .....	(30,000)

STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE—Continued  
(in thousands of dollars)

Program	Amount
Kirk Bloodsworth Post-Conviction DNA Testing Grants .....	(8,000)
Sexual Assault Forensic Exam Program Grants .....	(4,000)
Community Teams to Reduce the Sexual Assault Kit (SAK) Backlog .....	49,000
CASA—Special Advocates .....	12,000
Second Chance Act/ Reoffender Reentry .....	106,500
Smart Probation .....	(6,000)
Children of Incarcerated Parents Demo Grants .....	(5,000)
Pay for Success .....	(7,500)
Pay for Success (Permanent Supportive Housing Model) .....	(5,000)
Project HOPE Opportunity Probation with Enforcement .....	(4,000)
STOP School Violence Act .....	93,750
Center for Campus Safety .....	(2,000)
Community Trust Initiative .....	80,000
Body Worn Camera Partnership Program .....	(25,000)
Justice Reinvestment Initiative .....	(35,000)
Byrne Criminal Justice Innovation Program .....	(20,000)
Opioid Initiative .....	375,000
Drug Courts .....	(83,000)
Veterans Treatment Courts .....	(25,000)
Residential Substance Abuse Treatment .....	(33,000)
Prescription Drug Monitoring .....	(30,000)
Mentally Ill Offender Act .....	(35,000)
Other Comprehensive Addiction and Recovery Act activities .....	(159,000)
Law Enforcement Assisted Diversion (LEAD) .....	(10,000)
Keep Young Athletes Safe Act of 2018 .....	2,500
Immigration Representation Pilot .....	10,000
Emmett Till Grants .....	2,000
TOTAL, State and Local Law Enforcement Assistance .....	\$1,933,000

*Byrne Memorial Justice Assistance Grant (Byrne/JAG) program.*—The recommendation includes \$530,250,000 for the Byrne/JAG program. Funding under this formula program is authorized for law enforcement programs including those that promote data interoperability between disparate law enforcement entities; prosecution and court programs; prevention and education programs; corrections programs; drug treatment and enforcement programs; planning, evaluation, and technology improvement programs; and crime victim and witness programs, other than compensation. Within the amount provided, \$15,000,000 is for the Officer Robert Wilson III Preventing Violence Against Law Enforcement and Ensuring Officer Resilience and Survivability (VALOR) Initiative; \$7,500,000 is for Smart Policing; \$10,000,000 is for Smart Prosecution; \$4,000,000 is for juvenile indigent defense; \$3,600,000 is for the National Missing and Unidentified Persons System (NamUS); \$100,000,000 is for law enforcement activities associated with the presidential nominating conventions; \$2,500,000 is for law enforcement training related to mental illness; \$2,000,000 is for the John R. Justice program; \$7,000,000 is for capital litigation and wrongful conviction review; \$15,500,000 is for prison rape prevention and prosecution; \$2,000,000 is for Emergency Federal Law Enforcement Assistance; \$2,000,000 is for managed access systems; \$2,000,000 is for Kevin and Avonte's Law; \$3,000,000 is for a regional law enforcement technology initiative; and \$8,000,000 is for community-based violence prevention.

*Uses of Byrne/JAG.*—The Committee is concerned by the impact to law enforcement from the growing epidemic of prescription drug

and heroin abuse and notes that funds within this account may be used for the implementation of medication-assisted treatment to help maintain abstinence from all opioids and heroin. The Committee notes that Byrne/JAG funding can be used for pursuit technology and training to reduce deaths and injuries during high-risk vehicle events. The Committee recognizes the importance of de-escalation training and cultural sensitivity training and diversity in hiring in local law enforcement to ensure that law enforcement reflects the communities they serve. The Committee notes that Byrne/JAG funds may be used for these purposes and encourages the Department to award funds for these purposes.

The Committee encourages the Byrne/JAG program to provide additional resources to those communities that are taking part in programs that seek to lower homicide rates through data and performance measurement analysis. The Committee notes that Byrne/JAG funding may be used for mindfulness training for police officers. The Committee advises that some Byrne/JAG funds be directed to provide newer, more efficient forensics testing tools for rural jurisdictions. The Committee requests additional consideration be given to applicants who seek to hire service-connected disabled veterans. The Committee encourages the Department to support the use of these grant funds for the purchase of fentanyl detection equipment. The Committee supports awarding School Resource Officer grants to communities that are experiencing high levels of youth suicide, especially in smaller towns with limited resources.

The Committee supports the use of grant funding for the acquisition of operational management software to track mission critical assets. Tracking and managing resources, including radio communications equipment, mobile technology, and protective equipment enables and improves local law enforcement preparedness and operational planning. The Committee notes that Byrne/JAG funds may be used for these purposes and encourages the Department to award funds for this purpose. The Committee is aware of existing community partnerships with local law enforcement to link video monitoring technology to reduce emergency response time and increase collaboration between community partners and law enforcement. The Committee notes that Byrne/JAG funds may be used for these purposes and encourages the Department to award funds for this purpose. The Committee is aware of the value to law enforcement of gunfire detection and location technology and recommends Byrne/JAG funds be awarded for this purpose.

*Emmett Till unsolved civil rights grants.*—The recommendation includes \$2,000,000 in grants to state and local law enforcement agencies for the expenses associated with the investigation and prosecution of criminal offenses involving civil rights, as authorized by the Emmett Till Unsolved Civil Rights Crimes Reauthorization Act of 2016 (Public Law 114–325).

*Puerto Rico plebiscite.*—In the Consolidated Appropriations Act, 2014 (Public Law 113–76), the Committee provided funding for the Department of Justice to help oversee and administer a plebiscite to ‘resolve Puerto Rico’s future political status.’ The Committee believes that to accomplish this goal, the current territorial/Commonwealth status should be excluded from any future plebiscite, since it fails to address key inequities. Despite previous requests to use this funding to help administer such a plebiscite, the Department

did not certify yet a plebiscite ballot to obligate this funding. The Committee believes that the Department has a responsibility to address issues of democratic representation and equality in Puerto Rico and the other territories of the United States, including addressing questions of political status. Therefore, the Committee instructs the Department to expeditiously act upon any request for this funding from the Puerto Rico State Elections Commission, and to notify the Committee of any requests for this funding. The Committee instructs the Department, within 45 days of enactment of this Act, to provide the Committee, as well as the Puerto Rico State Elections Commission, with a report regarding the acceptable versions of voter education materials, plebiscite ballot formats, and related materials that would allow the Department to obligate this funding for a future plebiscite.

*Immigration Representation Pilot.*—The recommendation includes \$10,000,000 for the OJP to establish a competitive grant pilot program for legal representation of immigrants who seek asylum and other forms of legal protection in the United States after entering at the southwest border. The Committee recognizes the compelling need to ensure due process for the growing number of immigrants who seek asylum and who must navigate a complex legal system for processing of asylum claims. Legal representation, which many asylum seekers do not currently have, will ensure that the system works more efficiently, cases are processed more quickly, and the legitimacy of asylum claims are correctly determined. Grants, including subgrants, shall be made to nonprofit organizations that are qualified legal services providers. The Committee expects that the pilot program will support direct representation, including pro bono representation where possible, of immigrants currently detained by ICE at one or two small or medium-sized detention facilities, immigrants released into the local communities around those facilities, and immigrants released from those facilities to one or two high-release cities. Grant awards should take into consideration continuity of representation to help ensure individuals are represented until their cases are complete. Within 90 days of enactment of this Act, the OJP shall submit a report to the Committee on the implementation of this program.

*Smart Prosecution.*—The Committee notes that throughout much of the United States local prosecutors' offices carry attorney caseloads well above recommended levels, lack critical support staff, and rely on outdated information technology to manage their caseloads. The Committee is concerned these conditions can negatively impact victims, criminal defendants, and public safety. The Committee recommendation includes no less than \$2,000,000 from amounts provided for a competitive program dedicated to State and local prosecutor office modernization and caseload reduction.

*Sexual assault kit backlog grants.*—The recommendation includes \$49,000,000 for grants to address the sexual assault kit (SAK) backlog. The Committee encourages stakeholders and local law enforcement to continue working with Federal law enforcement to resolve this important issue. The Committee also directs the Department to do everything in its power to bring perpetrators to justice. The Committee also encourages OJP to increase its efforts to ensure that strong research and program evaluations are undertaken utilizing independent evaluators with the experience and skills to

provide necessary feedback and improve the efficiency of SAK processing. The Committee further encourages OJP to prioritize funding to underserved regions, such as Appalachia.

*Wrongful conviction review.*—The Committee directs the Department to continue to follow the direction in the fiscal year 2019 explanatory statement with respect to the Capital Litigation and Wrongful Conviction Review Program.

*Opioid abuse.*—The recommendation includes \$375,000,000 for programs to reduce opioid abuse, as authorized by the Comprehensive Addiction and Recovery Act of 2016 (CARA; Public Law 114–198). Within this amount is \$83,000,000 for drug courts; \$25,000,000 for veterans treatment courts; \$35,000,000 for Residential Substance Abuse Treatment (RSAT), of which no less than \$10,000,000 shall be available for facilities that offer more than one FDA-approved medically-assisted treatment option; \$30,000,000 for prescription drug monitoring; \$35,000,000 for the Mentally Ill Offender Act; \$159,000,000 for the Comprehensive Opioid Abuse Program (COAP); and \$10,000,000 for additional replication sites employing the Law Enforcement Assisted Diversion (LEAD) model, with applicants demonstrating a plan for sustainability of LEAD-model diversion programs.

The Committee believes that communities must address opioid abuse through comprehensive strategies that incorporate enhanced enforcement, education and treatment. The Committee directs OJP to work with DEA, the Department of Health and Human Services, and the NIJ to develop, and help communities implement, best practices to address opioid abuse.

The Committee encourages OJP to develop and apply metrics that incentivize stronger linkages between the responsible agencies, including but not limited to law enforcement, prosecutors, community-based treatment centers, hospitals, medical examiners, and public health departments. The Committee also encourages OJP to prioritize comprehensive, real-time, regional information collection, analysis, and dissemination.

The Committee supports the use of COAP funding to provide law enforcement with overdose reversal drugs, such as naloxone.

The Committee believes it is essential to any comprehensive opioid prevention strategy to include a vigorous program designed to strengthen the ability of States and tribes to develop identifiable and accessible take-back programs for unused controlled substances found in the home and used by hospitals and long-term care facilities.

The Committee encourages the Department to administer drug court grants with maximum flexibility in order to best accommodate the needs and available resources of eligible jurisdictions, including rural jurisdictions.

The Committee is aware that there can be a correlation between those suffering from mental health disturbances and repeat criminal offenders. Therefore, the Committee recommends that funds allocated to the Mentally Ill Offender Act should prioritize the operational expenses for centers that provide assistance to those with severe mental health needs who are at risk of recidivism. These mental health centers can provide, but are not limited to, the following services: crisis care, residential treatment, outpatient men-

tal health and primary care services, and community re-entry supports.

The Committee is concerned by the high rates of re-incarceration among individuals with serious mental illness due to the inadequate management of their illness and encourages the Department to include long-acting injectable anti-psychotic medications as an allowable expense to improve treatment adherence and reduce risk for relapse and re-incarceration.

*Strategic Mobile and Response Teams (SMART).*—The Committee encourages DOJ to investigate the opportunity to conduct pilot programs to implement SMART at the Southwest Border. Border SMART Pilot programs should combine the use of officers and technology, including ground sensors and drones. The pilot programs should have inter-agency partnership and multi-layered security efforts, including marine, air, and terrestrial components, with the goal of increasing border security while reducing cost. The Committee reiterates its interest in receiving the briefing as directed in House Report 115–704.

*Victims of trafficking grants.*—The recommendation includes \$100,000,000 for human trafficking task force activities and for services for victims. These funds may also be used to develop, expand and strengthen assistance programs for child victims of sex and labor trafficking. The Committee notes that the Justice for Victims of Trafficking Act established a Domestic Trafficking Victims Fund, which will provide additional resources for these programs. The Committee directs DOJ to support the victim-centered approach to recognizing and responding to human trafficking, especially across partnerships between Federal and local law enforcement agencies and victim service providers. The Committee encourages the Department to consider risk factors on a per-capita basis when making final funding decisions. The Committee encourages the Department to increase the number of human trafficking task forces funded by this program. The Department shall include a planned allocation of these funds in its spending plan.

*First Responders.*—The Committee is concerned about the increasing number of suicides among first responders. Due to this increasing prevalence, the Committee directs the Department of Justice within 90 days of enactment of this Act to submit a report on the feasibility of establishing an evidence-based behavioral health program for police and fire departments and other first responders that provides adequate training to identify warning signs of depression, stress, Post Traumatic Stress Disorder, and other mental and behavioral health conditions that the specific population is experiencing. The report should specifically identify how peer-to-peer assistance, mental health check-ups, time off after responding to a critical incident, and family training will help ensure the resiliency and health of first responders and police officers.

*Rural law enforcement.*—The Committee is concerned that many rural law enforcement agencies are under-staffed and under-funded, and often have no access to local or regional mental health and drug treatment services. In addition, recruiting and retention of qualified officers is difficult, and access to training is often out of reach because small departments do not have the funds to travel or to replace officers in their schedule to accommodate leave for training. While some rural agencies participate in multi-jurisdic-

tional task forces, conducting proactive investigations in small communities is difficult. Therefore, the Committee encourages the Department to develop programs aimed specifically at providing the funding, resources, training, and support that rural law enforcement agencies need to address the consequences of drug abuse, drug-related crime and mental health crises in their communities.

*National Instant Criminal Background Check System (NICS) Initiative grants.*—The recommendation includes \$80,000,000 for grants to improve records in NICS. This level of resources will fully fund all eligible NICS initiative grants and the Committee will continue to monitor the demand for these grants and provide funding as needed. The Committee directs that the grants made under the broader National Criminal History Improvement Program (NCHIP) authorities be made available only for efforts to improve records added to NICS. Additionally, the Department shall prioritize funding under the NICS Act Records Improvement Program (NARIP) authorities with the goal of making all States NICS Improvement Amendments Act of 2007 (NIAA) compliant. The Department shall also apply penalties to noncompliant States to the fullest extent of the law.

The Committee understands that ATF is willing to provide technical assistance to all States seeking to establish programs that meet the NIAA requirements for NARIP grants. Even in the absence of funding exclusively for NARIP, the Committee directs the Department to continue these efforts. The Committee again urges OJP, ATF, and the FBI to assist States that are not currently eligible for NARIP grants in meeting the eligibility requirements.

The Committee encourages OJP to provide technical assistance and training services for current and future NCHIP and NARIP grantees.

The Committee also encourages the Attorney General to prioritize NARIP grants to States whose implementation plans include efforts to identify domestic violence abusers and others disqualified under section 922 of title 18, United States Code, who are ineligible to possess firearms under law, and especially States who will use a larger proportion of these grants for that purpose.

*State Criminal Alien Assistance Program (SCAAP).*—The recommendation includes \$260,000,000 for SCAAP, which is \$16,500,000 above fiscal year 2019. SCAAP provides grants that reimburse States and localities for the costs incurred in incarcerating undocumented criminal aliens. The President's request proposed terminating this program.

*DNA initiative.*—The recommendation includes \$142,000,000 for DNA-related and forensic programs and activities, an increase of \$12,000,000 above the fiscal year 2019 level and \$37,000,000 above the request. Within the funds provided, the Committee provides \$8,000,000 for Post-Conviction DNA Testing grants, \$4,000,000 for Sexual Assault Forensic Exam Program grants, \$30,000,000 for other State and local forensic activities including civil rights cold-cases, and \$100,000,000 to meet the purposes of the Debbie Smith DNA Backlog Grant Program, which is an increase of \$10,000,000 above the fiscal year 2019 level for this program. The Committee provides funding separately for this purpose to increase transparency and oversight of DNA Initiative funding.

*Second Chance Act/offender reentry programs.*—The recommendation includes \$106,500,000 for Second Chance Act grants. Excluding carveouts, the recommendation is \$19,000,000 above fiscal year 2019 and \$21,500,000 above the request.

The Committee is aware that case studies of innovative, evidence-based practices provide strong indication that recidivism patterns can be reversed. The Committee expects that Second Chance Act grants will foster the implementation of strategies that have been proven to reduce recidivism and ensure safe and successful reentry back to their communities of adults released from prisons and jails. The Committee expects DOJ to designate funds for proven, evidenced-based programs that will further the goal of maximizing public safety.

To ensure the most effective use of Second Chance Act funds, the Committee encourages the prioritization of funding to communities where the largest populations of formerly incarcerated people return. The Committee directs a report from the BJS within 90 days of the enactment of this Act analyzing what the Department is doing to ensure funding is reaching these communities.

*Community trust initiative.*—The recommendation includes \$80,000,000 for a program to improve police-community relations. Included in this initiative is \$20,000,000 for the Byrne Criminal Justice Innovation Program, \$35,000,000 for justice reinvestment, \$25,000,000 for a body-worn camera partnership initiative.

The body-worn camera partnership initiative includes pilot and demonstration grants for purchase of body-worn cameras for police. This initiative will also establish baseline procedures for the use of body-worn cameras, support State and local efforts regarding the use of such equipment, and provide necessary research into the use of this technology. The demonstration grants shall require a 1:1 match by the grantee and shall not be used to pay for the ongoing costs or data storage costs associated with body-worn camera footage. The demonstration grants shall only be provided to States with laws governing the use of body-worn cameras and shall not interfere with State laws and requirements.

As the Committee believes that improving police-community relations will require more than just equipment procurement, the recommendation provides \$35,000,000 for the justice reinvestment initiative, which provides assistance to jurisdictions to implement data-driven strategies to improve public safety by reducing corrections spending and reinvesting those savings in efforts to decrease crime and strengthen neighborhoods. The Committee notes concerns regarding trial delays and bail conditions for incarcerated youth. Of the funds for Justice Reinvestment, \$8,000,000 is for innovative efforts among States and localities to reduce trial delays, ensure speedy bond consideration, guarantee that a juvenile's ability to pay is considered in setting any bond amount, provide mental health services for youth who are incarcerated, and reduce the use of solitary confinement on youth.

The Committee believes that comprehensive, career-long leadership education for all local law enforcement officers remains critical to reducing crime and strengthening relationships between law enforcement agencies and the communities they serve, and the Committee notes that funds in the community trust initiative can be used for leadership training programs that provide measurable im-



provements in local law enforcement officer performance, adaptive decision-making skills, civic involvement, and officer-community relations.

*Bulletproof Vests.*—The Committee is aware that innovations in body armor materials are enabling the use of thinner, lighter armor with a longer useful life than traditional armor. The Committee supports the use of Bulletproof Vest Partnership grants for the purchase of such armor.

JUVENILE JUSTICE PROGRAMS

The Committee recommends \$341,500,000 for Juvenile Justice programs, which is \$54,500,000 above fiscal year 2019 and \$103,000,000 above the request. Funds are distributed as follows:

JUVENILE JUSTICE PROGRAMS  
(in thousands of dollars)

Program	Amount
Part B—State Formula Grants .....	\$65,000
Emergency Planning—Juvenile Detention Facilities .....	(500)
Youth Mentoring Grants .....	100,000
Title V—Delinquency Prevention Incentive Grants .....	49,500
Prevention of Trafficking of Girls .....	(5,000)
Tribal Youth .....	(7,500)
Children of Incarcerated Parents Web Portal .....	(500)
Girls in the Justice System .....	(2,000)
Opioid Affected Youth Initiative .....	(9,000)
Children Exposed to Violence .....	(8,000)
Victims of Child Abuse Programs .....	28,000
Juvenile Accountability Block Grants .....	10,000
Missing and Exploited Children Programs .....	85,000
Training for Judicial Personnel .....	4,000
<b>TOTAL, Juvenile Justice .....</b>	<b>\$341,500</b>

*Youth mentoring grants.*—The recommendation includes \$100,000,000 for youth mentoring grants, which is \$5,000,000 above fiscal year 2019 and \$42,000,000 above the request.

The Committee recognizes the success of the Youth Mentoring program. Through trusted peer-to-peer mentoring relationships, in the community and in schools, Youth Mentoring grantees are able to provide needed attention and support to at-risk children. Mentoring relationships enhance a child’s overall well-being by improving their emotional, social, and educational development.

The Committee directs that OJP provide at least \$20,000,000 for mentoring programs that assist at-risk juveniles and their families who have been impacted by the opioid crisis and drug addiction.

*Missing and exploited children programs.*—The recommendation includes \$85,000,000 for missing and exploited children programs, which is \$3,000,000 above fiscal year 2019 and \$4,000,000 above the request. The Committee expects the Department to allocate \$40,000,000 for task force grants, training and technical assistance, research and statistics, and administrative costs for the Internet Crimes Against Children (ICAC) program. The Department is urged to include in its ICAC Task Force grant solicitation a prioritization of proactive investigations of suspects possessing, distributing, or producing violent and sadistic child sexual abuse imagery. The Committee expects the Department to allocate

\$1,000,000 to hire and equip wounded, ill, or injured veterans as digital forensic analysts or investigators to support child exploitation investigations.

The Department is encouraged to support the development, refinement, and technological advancement of widely-used tools, methods, and technologies that address child sexual exploitation and trafficking.

The recommendation provides no less than \$3,400,000 for AMBER alert activities to create and augment tribal systems.

*Preventing trafficking of girls.*—The recommendation includes \$5,000,000 for grants for nonprofits and other nongovernmental entities that have undergone rigorous evaluation and have a successful track record of administering research-based prevention and early intervention programs for girls who are vulnerable to trafficking and are most likely to end up in the juvenile justice system, at a State level. Funds shall be used to scale up and replicate these programs.

*Youth violence prevention.*—The Department should examine the possibility of directing additional funds toward evidence-based youth violence prevention programs and programs that reduce recidivism that can be scaled locally and nationally.

*Bullying.*—The Committee encourages the Department to provide funding within existing programs for evidence-based approaches to preventing bullying in schools, communities, and in cyberspace.

*School discipline.*—The Committee encourages the Department to explore implementing programs that are focused on disadvantaged students of color in elementary and secondary school that include a curriculum that prevents unnecessary trauma and harm, and counterproductive in-school arrests and expulsion, while incorporating positive alternatives to suspension, and promoting educational development and attainment. The Department is directed to submit a report to the Committee within 180 days of enactment of this Act detailing how the Department could partner with relevant stakeholders to implement such a program.

*Arts-based programs.*—The Committee directs the Department, in collaboration with the National Endowment for the Arts and arts stakeholders, to explore the use of arts-based programs and rigorously evaluate their impact on outcomes for at-risk, justice-involved, and traumatized youths.

#### PUBLIC SAFETY OFFICER BENEFITS

##### (INCLUDING TRANSFER OF FUNDS)

The Committee recommends a total of \$141,800,000 for the Public Safety Officer Benefits program, which is \$13,000,000 above fiscal year 2019 and the same as the request. Within the funds provided, \$117,000,000 is for death benefits for survivors, an amount estimated by the Congressional Budget Office that is considered mandatory for scorekeeping purposes. Also within the total, \$24,800,000 is recommended for disability benefits for public safety officers who are permanently and totally disabled as a result of a catastrophic injury sustained in the line of duty, and for education benefits for the spouses and children of officers who are killed in the line of duty or who are permanently and totally disabled as a result of a catastrophic injury sustained in the line of duty.

COMMUNITY ORIENTED POLICING SERVICES  
 COMMUNITY ORIENTED POLICING SERVICES PROGRAMS  
 (INCLUDING TRANSFER OF FUNDS)

The Committee recommends \$323,000,000 for Community Oriented Policing Services (COPS) Programs, which is \$19,500,000 above fiscal year 2019 and \$323,000,000 above the request. Funds are distributed as follows:

COMMUNITY ORIENTED POLICING SERVICES  
 (in thousands of dollars)

Program	Amount
COPS Hiring Grants .....	\$239,750
Tribal Access Program .....	(3,000)
Community Policing Development/Training and Technical Assistance .....	(6,500)
Regional Information Sharing Activities .....	(38,000)
Law Enforcement Mental Health and Wellness Act .....	(2,000)
Police Act .....	12,000
Anti-Methamphetamine Task Forces .....	8,000
Anti-Heroin Task Forces .....	32,000
STOP School Violence Act .....	31,250
<hr/>	
TOTAL, Community Oriented Policing Services .....	\$323,000

*STOP School Violence Act school hardening.*—The recommendation includes \$31,250,000, which is an increase of \$6,250,000 above the fiscal year 2019 level for evidence-based school hardening measures including metal detectors, locks, lighting, ballistic glass, and other deterrent measures in coordination with law enforcement, as well as training for local law enforcement officers to prevent student violence, technology for expedited notification of local law enforcement during an emergency, and other measures determined to provide significant improvement in physical security of schools.

*School resource officers (SROs).*—The Committee supports initiatives through the COPS Hiring Program to assist State and local governments with the recruitment and training of additional SROs to build working relationships with schools as a means to provide a safer and calmer learning environment.

The Committee acknowledges that school SROs are intended to serve in roles ranging from counselors, to tutors and mentors, in order to create opportunities for students to interact with law enforcement in a positive way. The Committee directs the Department of Justice to examine the current role of SROs on campuses and provide recommendations on how SROs can better serve the needs of the students. This report should include, but is not limited to, an examination of the roles and duties of SROs in the schools of grant recipients; the toll on students’ academic outcomes as the result of an SRO presence on campus; and an examination of the instances of disciplinary actions taken against students by an SRO, including by race, ethnicity, and gender of the student, and the details and severity of the infraction. The Committee directs the Department to submit a report to the Committee within 180 days of enactment of this Act, including the Department’s plan for dissemi-

nating this information to the public and relevant government entities.

SROs across the country engage with students on a daily basis and provide a wide range of important services to our nation's youth, including identifying depression and suicidal behavior among school children. SROs are in a unique position to identify and assist children at-risk of depression and suicide. The Committee supports awarding SRO grants to communities that are dealing with high levels of youth suicide, especially in smaller towns with limited resources.

*Rural law enforcement staffing.*—The Committee recognizes certain State and local law enforcement agencies in rural and low-populated counties are critically underfunded and understaffed. Some distressed regions have as few as two law enforcement officers on payroll to patrol its jurisdictions at a given time. These instances of chronic law enforcement understaffing pose a significant threat to communities. The Committee encourages the Department to fund grants for critically understaffed law enforcement agencies.

*Law enforcement training.*—The Committee recognizes the importance and success of the COPS Hiring program. Recent incidents of law enforcement killing unarmed civilians have highlighted the importance of strong, collaborative relationships between local police and the communities they serve. The Committee supports diversity hiring in local law enforcement to ensure that law enforcement reflects the communities they serve. The Committee encourages the Department to consider as a factor, when reviewing applications for the COPS program whether a law enforcement agency requires its employees to complete cultural sensitivity trainings, including training on ethnic and racial bias, gender bias, sexual orientation and gender identity bias, cultural diversity, and law enforcement interaction with people with disabilities, the mentally ill, and English Language Learners.

*Active shooter response.*—The recommendation includes \$12,000,000 for the POLICE Act of 2016 (Public Law 114–199). The Committee notes the importance of training partnerships that offer nationwide, dynamic force-on-force scenario-based training. The Committee understands the training has been adopted by numerous States and agencies as their standard active shooter training and that the FBI has adopted this program as its national training standard for active shooter response.

*Human trafficking intelligence.*—The Committee encourages programs funded under the regional information sharing activities to hire criminal intelligence analysts to compile information, reports, and other intelligence on human trafficking into, out of, and within the borders of the United States.

#### GENERAL PROVISIONS—DEPARTMENT OF JUSTICE

##### (INCLUDING TRANSFER OF FUNDS)

The Committee has included the following general provisions for the Department of Justice:

Section 201 makes available additional reception and representation funding for the Attorney General from the amounts provided in this title.

Section 202 prohibits the use of funds to pay for an abortion, except in the case of rape, incest, or to preserve the life of the mother.

Section 203 prohibits the use of funds to require any person to perform or facilitate the performance of an abortion.

Section 204 establishes the obligation of the Director of the Bureau of Prisons to provide escort services to an inmate receiving an abortion outside of a Federal facility, except where this obligation conflicts with the preceding section.

Section 205 establishes the Committee's requirements and procedures for transfer proposals.

Section 206 prohibits the use of certain funds for transporting prisoners classified as maximum or high security, other than to a facility certified by the Bureau of Prisons as appropriately secure.

Section 207 prohibits the use of funds for the purchase or rental by Federal prisons of audiovisual equipment, services and materials used primarily for recreational purposes, except for those items and services needed for inmate training, religious, or educational purposes.

Section 208 requires review by the Deputy Attorney General and the Department Investment Review Board prior to the obligation or expenditure of funds for major information technology projects.

Section 209 requires the Department to follow reprogramming procedures for any deviation from the program amounts specified in this title or the accompanying report, or the reuse of deobligated funds provided in previous years.

Section 210 prohibits the use of funds for OMB Circular A-76 competitions for work performed by employees of the Bureau of Prisons or of the Federal Prison Industries, Inc.

Section 211 prohibits U.S. Attorneys from holding additional responsibilities that exempt U.S. Attorneys from statutory residency requirements.

Section 212 permits up to 3 percent of grant and reimbursement program funds made available to the Office of Justice Programs to be used for training and technical assistance, permits up to 3 percent of grant funds made available to that office to be used for criminal justice research, evaluation and statistics by the National Institute of Justice and the Bureau of Justice Statistics, and up to 7 percent for tribal purposes.

Section 213 provides cost-share waivers for certain DOJ grant programs.

Section 214 waives the requirement that the Attorney General reserve certain funds from amounts provided for offender incarceration.

Section 215 prohibits funds, other than funds for the National Instant Criminal Background Check System established under the Brady Handgun Violence Prevention Act, from being used to facilitate the transfer of an operable firearm to a known or suspected agent of a drug cartel where law enforcement personnel do not continuously monitor or control such firearm.

Section 216 places limitations on the obligation of funds from certain Department of Justice accounts and funding sources.

Section 217 permits DOJ to participate in Performance Partnership Pilot collaboration programs.

Section 218 prohibits EOIR's use of case completion quotas in immigration judge performance evaluations.

TITLE III  
SCIENCE

OFFICE OF SCIENCE AND TECHNOLOGY POLICY

The Committee recommends \$5,000,000 for the Office of Science and Technology Policy (OSTP), which is \$544,000 below fiscal year 2019 and the same as the request.

*Extreme weather.*—The Committee notes that extreme weather events are complex, crosscutting problems that pose risks to agriculture, infrastructure, commerce, and human health while presenting a significant financial risk to the Federal Government. The Committee agrees with GAO’s March 2019 assessment that the Federal Government, in order to reduce its fiscal exposure, needs a cohesive strategic approach with strong leadership and the authority to manage risks across the entire range of related Federal activities. The Committee believes that the Federal Government should address resilience, preparedness, and risk identification and management that encompasses the entire range of related Federal activities while better positioning the Federal Government to effectively and efficiently respond to these issues. In support of these goals, the Committee directs OSTP to create and convene an Interagency Council on Extreme Weather Resilience, Preparedness, and Risk Identification and Management (“Interagency Council”). The Committee further directs OSTP, in coordination with the Interagency Council, to develop a plan, on an agency-by-agency basis, for government-wide implementation of resilience, preparedness, and risk management priorities. This plan should be produced no later than 180 days after enactment of this Act and should include assessments of required and available resources for Federal agencies to develop and implement extreme weather adaptation measures aimed at proactively mitigating risk and minimizing Federal fiscal exposure. The Committee directs OSTP to provide an intermediate report to the Committee, no later than 90 days after enactment of this Act, on the activities of the Interagency Council.

*Public access to Federally funded research.*—The Committee appreciates the progress that OSTP has made to increase access to the results of Federally funded scientific research. OSTP shall continue efforts to coordinate implementation of public access policies across Federal departments and agencies and identify additional opportunities to enhance access to the results of Federally funded research. OSTP shall continue to report, on an annual basis, on the progress of departments and agencies in implementing their public access plans, including relevant measures of progress, and on additional steps being taken to improve access to the results of Federally funded research. The Committee looks forward to receiving the briefing indicated in House Report 115–704.

NATIONAL SPACE COUNCIL

The Committee recommends \$1,870,000 for the National Space Council, which is \$95,000 less than the fiscal year 2019 level, and equal to the Administration’s request.

## NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

The Committee recommends \$22,315,000,000 for the National Aeronautics and Space Administration (NASA), which is \$815,000,000 above fiscal year 2019, and \$1,296,000,000 above the initial requested level.

NASA's initial fiscal year 2020 budget request, which is \$481,000,000 less than the fiscal year 2019 appropriated level, clearly reflects the Administration's unfortunate shift from legacy programs and programs with clear environmental and educational interests.

The Administration's shift in priorities is most evident in its budget request of nearly \$1,200,000,000 (over \$700,000,000 above the fiscal year 2019 level) for the Lunar Orbital Platform—Gateway and Advanced Cislunar and Surface Capabilities initiatives. These programs strive to establish a permanent human presence on the Moon, and deploy a spaceship, called the Gateway, in orbit around the Moon to support human missions to the lunar surface. These activities are planned to be the first steps in human exploration from the Moon to Mars.

To increase funding for this Moon base and Gateway orbiter, the Administration chose to either reduce or eliminate many critical legacy programs, including Earth science programs that help monitor the environment, measure global climate change, and track rising sea levels. These programs include: The Plankton, Aerosol, Cloud, ocean Ecosystem (PACE) Earth-observing satellite; the Climate Absolute Radiance and Refractivity Observatory (CLARREO) sensor on the International Space Station, designed to lay the foundation for future long-term observations of Earth's climate; and NASA's Carbon Monitoring System that achieves levels of precision and accuracy to monitor, report, and verify the levels of carbon stocks and fluxes in Earth's atmosphere.

Additional programs that were proposed for elimination in the Administration's budget request are: The Wide Field Infrared Survey Telescope (WFIRST), a NASA observatory designed to work in conjunction with the James Webb Space Telescope, with a view 100 times greater than the Hubble telescope; and the entire Science, Technology, Engineering, and Mathematics (STEM) Engagement account.

The Committee rejects these proposals and has included an additional \$881,100,000 above the request to support these critical programs, including additional funding to increase the availability of competitive research grants within Earth Science and a nearly twelve percent increase over the fiscal year 2019 level for Science, Technology, Engineering and Mathematics Engagement.

*Program and project totals.*—The Committee's program and project recommendations for NASA are included in the consolidated funding table below and in narrative direction throughout this report. The Committee reminds NASA that any deviations from the amounts included in the table below are subject to section 505 requirements of this Act. When executing its budget for fiscal year 2020, NASA shall incorporate the funding levels established in both the table and the narrative direction. NASA is reminded that comity has existed between the Congress and the Executive Branch with respect to abiding by language included in this report and in

the accompanying bill. The Committee expects NASA to respect this long-standing practice.

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION  
(In thousands of dollars)

Program	Amount
Science:	
Earth Science .....	\$2,023,100
Planetary Science .....	2,713,400
Astrophysics .....	1,367,700
James Webb Space Telescope .....	352,600
Heliophysics .....	704,500
Total, Science .....	7,161,300
Aeronautics .....	700,000
Space Technology .....	1,291,600
Exploration:	
Orion Multi-purpose Crew Vehicle .....	1,425,000
Space Launch System (SLS) Vehicle Deployment .....	2,150,000
Exploration Ground Systems .....	592,800
Exploration Research and Development .....	962,100
Total, Exploration .....	5,129,900
Space Operations .....	4,285,700
Science, Technology, Engineering, and Mathematics (STEM) .....	123,000
Safety, Security and Mission Services .....	3,084,600
Construction and Environmental Compliance and Restoration .....	497,200
Office of Inspector General .....	41,700
Total, NASA .....	\$22,315,000

SCIENCE

The Committee provides \$7,161,300,000 for Science, which is \$255,600,000 above the fiscal year 2019 appropriation and \$857,600,000 above the request.

*Earth Science.*—The recommendation includes \$2,023,100,000 for Earth Science programs. Despite the overwhelming benefits to the economy, coastal regions, and to humankind generally, the Administration eliminated virtually all major missions to incorporate selected ocean color and atmospheric aerosol measurement capabilities needed to ensure continuity and additional capability in the measurement record, and to demonstrate measurement technologies for a larger future mission to improve detection of climate trends. These missions, aimed at understanding the Earth system and its response to natural and human-induced forces and changes, will help determine how to predict future changes and mitigate or adapt to them. In June 2018, the NASA Administrator told a U.S. Senate panel that NASA should continue to monitor the Earth's carbon dioxide emissions that contribute to global warming. Despite the Administrator's persuasive argument, the President's fiscal year 2020 budget request chose to eliminate missions totaling



nearly \$190,000,000 that address human-induced forces with regard to climate change. The Committee rejects this proposal, and has included sufficient funding to continue such programs, and expects NASA to comply with Committee direction.

*Earth Science Research and Analysis and Carbon Monitoring.*—The Committee recommends \$508,200,000 for Earth Science Research, which is \$54,100,000 greater than the fiscal year 2019 appropriation, and \$60,300,000 greater than the Administration's request. Within this total, NASA shall provide not less than \$356,500,000 for Earth Science Research and Analysis, of which \$10,000,000 is directed for the Carbon Monitoring System, which was eliminated in the Administration's fiscal year 2020 budget request.

*Plankton, Aerosol, Cloud, ocean Ecosystem (PACE).*—The Committee provides \$147,000,000, which is \$14,000,000 below the fiscal year 2019 appropriation, and \$147,000,000 greater than the Administration's request, which would have eliminated this mission. The Committee does not concur with the Administration's proposal to terminate the mission because of its unique scientific value in aiding critical parts of the U.S. coastal economy like commercial fishing. The data to be generated by PACE builds upon a multi-decade effort by NASA and other Federal agencies to generate information from space that helps characterize and assess the health of the fisheries environment and to more accurately assess the status of fish stocks. Such information cannot be replicated elsewhere, and industry itself does not have the financial means to acquire wide scale data such as that generated by PACE and its precursor missions. Therefore, the Committee sees any effort to terminate this mission as shortsighted and based upon incomplete analysis of the benefits of PACE's data to U.S. coastal economies, the provision of which is an inherently governmental responsibility. In providing this appropriation, the Committee directs NASA to provide and report, concurrent with the operating plan, including details on NASA's efforts to maintain a 2022 launch date for this mission. Therefore, the Committee directs NASA to include adequate funding for PACE in the fiscal year 2021 budget request.

*Climate Absolute Radiance and Refractivity Observatory (CLARREO) Pathfinder.*—The Committee provides \$26,000,000 for this mission, \$8,000,000 greater than the fiscal year 2019 appropriation, and \$26,000,000 greater than the Administration's request, which would have eliminated the mission. The Committee does not concur with the Administration's proposal to terminate this mission because the CLARREO Pathfinder mission demonstrates measurement technologies required for a future mission recommended in the 2007 decadal survey focused on improving detection of climate trends. Therefore, the Committee directs NASA to include adequate funding for CLARREO in the fiscal year 2021 budget request.

*Venture Class Missions.*—Within the amounts provided for Earth Science, the Committee recommends up to \$205,200,000 for NASA's Venture Class Missions. NASA's Earth Venture Class Missions provide frequent flight opportunities for high-quality, low-cost Earth science investigations that can be developed and flown in five years or less. NASA selects the investigations through open competitions to ensure broad community involvement and encourage innovative

approaches. Successful investigations enhance our capability to understand the current state of the Earth system and enable continual improvement in the prediction of future changes.

*University Small Satellite Missions.*—The Committee supports NASA's collaborative efforts with U.S. colleges and universities to conduct research through small spacecraft missions, including CubeSat and SmallSat missions. The Committee believes these competitively selected projects help train the next generation of scientists and provide much-needed research. The Committee directs NASA to provide not less than \$25,000,000 for these missions.

*Planetary Science.*—The Planetary Science Research program provides the scientific foundation for data returned from NASA missions exploring the solar system. It is also NASA's primary interface with university faculty and graduate students in this field and the research community in general. These studies enable planetary scientists to answer specific questions about, and increase the understanding of, the origin and evolution of the solar system.

*Lunar Discovery and Exploration.*—The Committee supports the requested level of \$210,000,000 for the Lunar Discovery and Exploration program, including \$22,000,000 for the Lunar Reconnaissance Orbiter and \$57,500,000 for the new Lunar Future initiative to address the strategic knowledge gaps important for human exploration of the Moon.

*Planetary Defense.*—Within Planetary Science, Planetary Defense programs, the Committee provides \$160,000,000 to fund NASA's Planetary Defense program and recommends not less than \$72,400,000 be made available for the upcoming Double Asteroid Redirection Test (DART) mission. Additionally, within Planetary Defense programs, Other Missions and Data Analysis, funding is included for continued development of the Near Earth Object Camera (NEOCam). The Committee remains supportive of the NEOCam mission, which follows a 2010 National Academy of Sciences report regarding the use of space-based infrared survey telescopes to discover asteroids that pose a hazard to Earth. The recommendation includes no less than the fiscal year 2019 enacted level for NEOCam. The Committee understands that NASA is awaiting a report from the National Academies of Sciences, Engineering, and Medicine (NASEM) to provide independent advice regarding NEOCam in a study to be completed by the second quarter of 2019, pending the internal review process. Additionally, NASA shall maintain no less than current funding levels for its use of the National Science Foundation's ground-based telescopes to fulfill its planetary protection mission and determine if additional funds are required.

*Mars Exploration Program.*—The Committee provides \$570,000,000, which is \$23,500,000 greater than the requested level, for the Mars Exploration Program to ensure launch of the Mars 2020 mission and to further development of a Mars Sample Return mission to be launched in 2026. Given that sample return was the highest priority of the previous planetary science decadal survey, NASA shall provide the Committee with a year-by-year future funding profile for a planned focused Mars sample return mission to be ready for a 2026 launch. In addition, the Committee endorses the mid-term decadal survey recommendation for NASA to develop a comprehensive Mars program architecture, strategic

plan, and management structure that maximizes synergy among existing and future domestic and international missions and science optimization at the architectural level.

*Jupiter Europa Missions.*—The Committee provides \$592,600,000, which is \$47,600,000 greater than fiscal year 2019, and equal to the requested level, for the Europa Clipper Mission. The Clipper mission will explore Europa, the smallest of the four Galilean moons orbiting Jupiter, and investigate its habitability.

*Jupiter Europa Lander.*—The Committee provides no additional funding for the Jupiter Europa Lander. In fiscal year 2019, the Committee provided \$195,000,000 for the Jupiter Europa Lander. Development of the Jupiter Europa Lander is a priority and the Committee wishes to see research and development of the Lander continue. The Committee understands that funding provided in fiscal year 2019 is sufficient to continue research and development through fiscal year 2020. Therefore, additional funding is not provided for Lander in this Act. However, the Committee directs NASA to include adequate funding for continued research and development of the Jupiter Europa Lander in the fiscal year 2021 budget request.

*Icy Satellites Surface Technology.*—The Committee provides \$60,000,000, which is \$25,000,000 greater than fiscal year 2019, and \$57,800,000 greater than the requested level, for Icy Satellites Surface Technology to meet the science goals for the Jupiter Europa mission as recommended in previous Planetary Science Decadal surveys and to enable a lander on Europa by the next decade, based on input from the next Planetary Science Decadal survey.

*Stratospheric Observatory for Infrared Astronomy (SOFIA).*—Within Astrophysics, the Committee provides \$85,200,000, which is equal to fiscal year 2019, and \$12,200,000 greater than the requested level, for the Stratospheric Observatory for Infrared Astronomy (SOFIA). Working collectively with other space telescopes, including Hubble and Spitzer, these observatories create a comprehensive web of information and data that spans both the electromagnetic spectrum and time itself.

*Wide Field Infrared Survey Telescope (WFIRST).*—The Committee provides \$510,700,000, which is \$198,500,000 greater than fiscal year 2019, and \$510,700,000 greater than the Administration's requested level, which would have eliminated WFIRST. This mission was included as the highest priority in the 2010 Astrophysics Decadal Survey. The recommended amount shall include \$65,000,000 for continued development of the coronagraph as a technology demonstration mission. The WFIRST telescope continuation is essential to unravel the secrets of dark energy and dark matter, search for and image exoplanets, and explore many topics in infrared astrophysics.

*Heliophysics.*—The Committee provides \$704,500,000, which is \$15,500,000 below fiscal year 2019, and equal to the Administration's requested level for Heliophysics. Heliophysics studies the nature of the Sun and how it influences the very nature of space. Studying this system helps us understand fundamental information about how the universe works and helps protect technology and astronauts in space.

## AERONAUTICS

The Committee provides \$700,000,000 for Aeronautics, which is \$25,000,000 below fiscal year 2019 and \$33,100,000 above the Administration's requested level.

*Hypersonics Technology Project.*—Within amounts provided, no less than \$60,000,000 is for NASA's ongoing Hypersonics Technology Project. This project coordinates closely with partners in the Department of Defense so that NASA can leverage their investments in ground and flight activities to develop and validate advanced physics-based computational models as building blocks towards the long-term vision. Focus areas for the project include hypersonic propulsion systems, reusable vehicle technologies, high-temperature materials, and systems analysis. The development of new hypersonic capabilities, generally faster than mach five, focuses on sustaining hypersonic competency for national needs while advancing fundamental hypersonics research.

*Electric Air Flight.*—The Committee encourages strengthening collaborations between NASA, the Department of Energy, and national laboratories to overcome energy storage challenges for mobility such as electric air flight. Additionally, the Committee encourages efforts to overcome technological barriers in demonstrating the capability of electrified aircraft, such as higher energy density batteries, development of new, lower-cost materials, and the establishment of testing methods and protocols.

## SPACE TECHNOLOGY

The Committee recommends \$1,291,600,000 for Space Technology, which is \$364,700,000 above fiscal year 2019, and \$277,300,000 above the Administration's requested level.

*Space Technology Mission Directorate.*—The Committee reaffirms its support for the independence of the Space Technology Mission Directorate and recognizes that its current status enables it to support the development of a wide array of various technologies. This diverse portfolio contains technology development activities that have broad applications beyond human exploration and that help to meet the agency's science objectives, establish new commercial and academic partnerships, and stimulate the growth of the nation's technology sector. This approach also ensures that NASA technologists and their external partners maintain the ability to address long-term strategic goals rather than only focusing on short-term, mission-specific objectives. In addition, the Directorate's direct engagement with the academic community is supporting the development of the next generation of space technologists. The Committee directs NASA to preserve the Directorate as a standalone entity within the agency, and to maintain its focus on broad technology development goals that are independent of mission-specific needs.

*Regional economic development.*—The Committee provides \$8,000,000, which is \$3,000,000 above fiscal year 2019, and \$8,000,000 above the Administration's requested level for NASA's regional economic development program that focuses on partnerships with State and regional economic development organizations as they expand space-related commercial opportunities designed to address NASA mission needs.

*Nuclear thermal propulsion technology.*—The Committee provides \$125,000,000, which is \$25,000,000 greater than the fiscal year 2019 enacted amount, and \$125,000,000 greater than the Administration's requested level, which was zero, for continued development and demonstration of a nuclear thermal propulsion system. Within 180 days of the enactment of this Act, NASA shall submit a multi-year plan that enables a nuclear thermal propulsion demonstration, including the timeline associated with the space demonstration, and a description of future missions and propulsion and power systems enabled by this capability. NASA shall take into consideration the use of nuclear thermal propulsion as it drafts the multi-year exploration roadmap directed in this bill. Further, within the amounts provided for nuclear thermal propulsion, up to \$10,000,000 may be used to develop a digital twin model to support the cost-effective development, manufacturing, and operation of nuclear thermal propulsion technologies.

*Technology Maturation—In-Space Robotic Manufacturing and Assembly.*—The Committee provides \$72,200,000, which is \$37,200,000 greater than fiscal year 2019, and equal to the Administration's requested level, for In-Space Robotic Manufacturing and Assembly. Within this appropriation is \$14,300,000 for additive manufacturing, a process that will transform the traditional spacecraft-manufacturing model by enabling in-space creation of large spacecraft systems. No longer will developing, building, and qualifying a spacecraft focus so heavily on an integrated system that must survive launch loads and environments. These crosscutting technologies could also greatly reduce cost while increasing capabilities for both NASA and commercial space applications. Across all NASA accounts, funding is included for In-Space Robotic Manufacturing, of which nearly \$35,000,000 is included for additive manufacturing. Further, the Committee supports additive manufacturing efforts focused on sub-scale work, including the development of digital twin technologies.

*Technology Demonstration Mission—Satellite Servicing/Restore-L.*—The Committee provides \$180,000,000, which is equal to the fiscal year 2019 appropriated level and \$134,700,000 greater than the Administration's fiscal year 2020 requested level, for the Restore-L program to conduct an orbital refueling mission in 2022. These funds shall be used exclusively for activities related to and associated with the Restore-L spacecraft and any demonstrations that it will conduct or support. The Committee recognizes and encourages the development of satellite servicing to benefit not only NASA, but the Department of Defense, the Intelligence Community, and the private sector. Moreover, the Committee directs NASA to encourage other government entities to take full advantage of Restore-L's capabilities.

*Solar Electric Propulsion.*—The Committee provides \$48,100,000, which is equal to the fiscal year 2019 appropriated level, and \$4,700,000 greater than the Administration's fiscal year 2020 requested level, for solar electric propulsion activities. According to NASA, high-powered solar electric propulsion can efficiently propel more ambitious robotic science and human exploration missions beyond the Earth and into deep space. Furthermore, solar electric propulsion will enable more efficient orbit transfer of spacecraft

and accommodate the increasing power demands for government and commercial satellites.

*Flight opportunities small launch technology platform.*—Within amounts provided, no less than \$25,000,000 is for the Flight Opportunities Program to enable NASA to continue to partner with commercial industry to advance technologies for sub-orbital and orbital launch vehicles for small payloads, with the aim to increase affordability of those technologies and to allow for more frequent access to relevant launch environments, including low-Earth orbit. This funding fills a research gap by offering several minutes of micro-gravity research at a relatively low price. Of this amount, \$5,000,000 is dedicated for competitively-selected opportunities in support of payload development and flight of K-12 and collegiate educational payloads.

*Advanced Technologies to Support Air Revitalization Initiative.*—The Committee provides \$3,500,000, equal to the fiscal year 2020 request level, for NASA to support university and industry research related to the development and application of ionic liquid-based technologies to aid in air revitalization systems.

#### EXPLORATION

The Committee provides \$5,129,900,000 for Exploration, which is \$79,100,000 above fiscal year 2019, and \$108,200,000 above the Administration's requested level.

*Orion.*—The Committee provides \$1,425,000,000, which is \$75,000,000 above the fiscal year 2019 appropriated level, and \$158,800,000 greater than the Administration's fiscal year 2020 requested level for Orion. NASA shall keep the Committee informed of the status of activities related to Orion, the European Service Module, and ongoing activities related to integration of Orion with Space Launch System and associated ground infrastructure.

*Space Launch System (SLS).*—The Committee provides \$2,150,000,000, which is equal to the fiscal year 2019 appropriated level, and \$374,600,000 greater than the Administration's fiscal year 2020 requested level for SLS.

*Exploration Ground Systems (EGS).*—The Committee provides \$592,800,000, which is equal to the fiscal year 2019 appropriated level, and \$192,700,000 greater than the Administration's fiscal year 2020 requested level for Exploration Ground Systems (EGS). Within this amount, \$50,000,000 is included for the second mobile launch platform.

*Exploration missions.*—In its 2014 report, *Actions Needed to Improve Transparency and Assess Long-Term Affordability of Human Exploration Programs*, the U.S. Government Accountability Office (GAO) recommended that NASA establish a separate cost and schedule baseline for work required to support Space Launch System (SLS) Block I Exploration Mission-2 and establish separate cost and schedule baselines for each additional capability of SLS, Orion, and associated exploration ground systems that encompass all life-cycle costs, to include operations and sustainment. The NASA Office of Inspector General made a similar recommendation in its April 2017 report, *NASA's Plans for Human Exploration Beyond Low Earth Orbit*, noting that NASA should establish more rigorous cost and schedule estimates for the SLS and exploration ground programs for the EM-2 mission mapped to available re-

sources and future budget assumptions. Accordingly, NASA shall, within one year of enactment of this Act, establish the agency cost and schedule commitments for the launch readiness date for SLS and the associated ground systems for EM-2. If additional development efforts occur outside the scope of work for EM-2—such as, but not limited to, Exploration Upper Stage and a second Mobile Launcher—then NASA shall establish separate cost and schedule baselines for each additional capability of SLS, Orion, and associated ground systems that exceed the \$250,000,000 threshold for designation as a major project and ensure they encompass all life-cycle costs, to include operations and sustainment.

*Human exploration programs.*—The Committee directs GAO to continue its review of NASA’s human exploration programs, specifically the SLS program, the Orion program, and Exploration Ground Systems, to include the mobile launch platforms, and to include integration and software development issues that cut across these programs. In addition, the Committee directs GAO to review NASA’s lunar-focused programs, including the Gateway program and other programs or projects that are expected to have an estimated life-cycle cost over \$250,000,000, as part of GAO’s semi-annual assessment of NASA major projects. Separately, the Committee directs GAO to continue conducting in-depth reviews of NASA’s lunar-focused programs. GAO shall report on the acquisition progress of these programs, as well as any challenges NASA faces in implementing its lunar efforts, as applicable. GAO shall provide periodic updates to the Committee on these reviews.

*Monitoring Program Costs and Execution.*—The Committee recommends that NASA adhere to the open priority recommendations provided by GAO. These nine priority recommendations relate to: (1) monitoring program costs and execution, and (2) improving efficiency and effectiveness. One recommendation regarding the International Space Station will be addressed in separate report language related to Space Operations. Further, within 90 days after enactment of this Act, NASA is directed to report to the Committee on its efforts to implement the priority GAO recommendations, and, if necessary, provide the Committee with adequate justification as to why NASA has failed, or will not comply.

Recommendations for monitoring and execution not mentioned elsewhere in this report include: to decrease the risk of cost and schedule overruns, NASA should identify a range of possible missions for each future SLS variant that includes cost and schedule estimates and plans for how those possible missions would fit within NASA’s funding profile; to decrease the risk of cost and schedule overruns and to promote affordability, before finalizing acquisition plans for future capability variants, NASA should assess the full range of competition opportunities and assess the extent to which development and production of future elements of the SLS could be competitively procured; to improve NASA management and oversight of its spaceflight projects, and to improve the reliability of project earned value management (EVM) data, NASA should modify the NASA Procedural Requirements 7120.5 to require projects to implement a formal surveillance program that: (1) Ensures anomalies in contractor-delivered and in-house monthly EVM reports are identified and explained, and report periodically to the center and mission directorate’s leadership on relevant trends in

the number of unexplained anomalies; (2) Ensures consistent use of work breakdown structures (WBSs) for both the EVM report and the schedule; (3) Ensures that lower-level EVM data reconcile with project-level EVM data using the same WBS; (4) Improves underlying schedules so that they are properly sequenced using predecessor and successor dependencies and are free of constraints to the extent practicable so that the EVM baseline is reliable; and (5) to provide reliable estimates of program cost and schedule that are useful to support management and stakeholder decisions, NASA should direct the Orion program to perform an updated Joint Cost and Schedule Confidence Level analysis in adherence with cost and schedule estimating best practices.

Recommendations for improving efficiency and effectiveness include: NASA should coordinate with the Office of Science and Technology Policy's Research Business Models working group to identify additional areas where they can standardize administrative research requirements.

NASA shall report to the Committee on all these efforts no later than 180 days after the enactment of this Act.

#### SPACE OPERATIONS

The Committee provides \$4,285,700,000 for Space Operations, which is \$353,400,000 below fiscal year 2019 and equal to the requested level.

*International Space Station (ISS).*—The Committee recommends that NASA adhere to the open priority recommendation provided by the GAO to develop and maintain a contingency plan for ensuring a presence on the ISS until a Commercial Crew Program contractor is certified.

*Public-Private Partnerships.*—The Committee supports public-private partnerships to advance commercial capabilities in LEO, particularly those involving in-kind contributions by NASA, such as providing a docking node on the ISS available for partnership opportunities.

*Female Astronaut Equipment.*—The Committee is concerned by reports that a lack of adequate equipment prevented two female astronauts from completing an historic spacewalk together aboard the International Space Station. The Committee directs NASA to work with International Space Station partners to ensure that adequate equipment is available in the future, and to determine if additional resources are required to meet such a request. Therefore, within 90 days after enactment of this Act, NASA shall report to the Committee on the resources necessary to make adequate equipment available, the timelines required to make such adequate equipment available, and plans for providing adequate equipment in the future.

*21st Century Launch Complex Program.*—Within the amounts provided for Space Operations, the recommendation includes up to the fiscal year 2019 levels for the 21st Century Launch Complex Program. The Committee remains concerned with regard to efforts directed toward filling critical maintenance, capacity, and range safety gaps at NASA launch facilities. The Committee directs that within 90 days after enactment of this Act, NASA shall report to the Committee regarding the critical maintenance requirements, capacity, range safety gaps backlog, and associated costs at all



NASA-owned launch complexes, criteria for awarding funds, and plans for future funding requests for this critical space infrastructure program.

*Commercial Crew Program.*—The Commercial Crew Program is critical to ensuring the United States has safe and reliable domestic human spaceflight access to low Earth orbit. The Committee supports the efforts of NASA and its industry partners to begin operational missions transporting NASA and international partner astronauts. To ensure continued innovation in safety systems and to appropriately support ongoing test activities, the Committee supports the requested level for the Commercial Crew Program. Further, not later than 30 days after the enactment of this Act, NASA is directed to provide a report discussing differing launch vehicle fueling methods being employed by Commercial Crew Partners and the relative impact of those approaches on the overall mission and crew safety.

*Rocket Propulsion Test program.*—The Committee commends the work of the NASA Rocket Propulsion Test Program in developing and testing rocket propulsion systems under controlled conditions, which is critical for the success of NASA and commercial missions. Within the amounts provided for Space Operations, the recommendation provides that up to the fiscal year 2019 level may be used for NASA's Rocket Propulsion Test program.

*International collaboration.*—The Committee supports joint projects between NASA and the Israel Space Agency and directs a report from NASA within 180 days of enactment of this Act detailing current and planned projects between the two agencies.

SCIENCE, TECHNOLOGY, ENGINEERING, AND MATHEMATICS (STEM)  
ENGAGEMENT

The Committee provides \$123,000,000 for Science, Technology, Engineering, and Mathematics (STEM) Engagement, which is \$13,000,000 greater than fiscal year 2019. The Administration requested no funding for STEM. The Committee expects NASA to continue implementing the programs below and to ensure that overhead costs to support these programs do not exceed five percent. Further, the Committee directs NASA to include an adequately requested funding amount for STEM in the fiscal year 2021 budget request and future requests.

*National Space Grant College and Fellowship Program.*—The recommendation includes \$48,000,000 for the Space Grant program. This amount shall be allocated to State consortia for competitively awarded grants in support of local, regional, and national STEM needs.

*Established Program to Stimulate Competitive Research (EPSCoR).*—The recommendation includes \$25,000,000 for EPSCoR.

*Minority University Research and Education Project (MUREP).*—The recommendation includes \$37,000,000 for MUREP.

*STEM Education and Accountability Projects (SEAP).*—The recommendation includes \$13,000,000 for SEAP.

## SAFETY, SECURITY AND MISSION SERVICES

The Committee provides \$3,084,600,000 for Safety, Security and Mission Services, which is \$329,600,000 above fiscal year 2019 and equal to the requested level.

*Working Capital Fund (WCF) reporting.*—NASA shall continue to submit quarterly reports to the Committee on the expenditures and unobligated balances of NASA's WCF.

*Wind Tunnels.*—The Committee recommendation approves NASA's proposal to transfer the management and funding for its wind tunnels and other aeronautics ground testing assets and facilities to Safety, Security, and Mission Services. This transfer is intended to improve the overall efficiency and effectiveness of managing testing capabilities within the Agency.

## CONSTRUCTION AND ENVIRONMENTAL COMPLIANCE AND RESTORATION

The Committee provides \$497,200,000 for Construction and Environmental Compliance and Restoration, which is \$149,000,000 above fiscal year 2019 and \$103,200,000 below the requested level.

*Construction.*—The recommendation includes \$414,300,000 for Construction of Facilities, minor revitalization, planning and design, and demolition. Included in this amount is no less than \$130,500,000 for NASA's three highest priority construction projects.

*Environmental Compliance and Restoration.*—The recommendation includes \$82,900,000, which is \$8,000,000 greater than the fiscal year 2019 appropriated level and equal to the Administration's fiscal year 2020 requested level, for Environmental Compliance and Restoration activities. NASA's Environmental Compliance and Restoration (ECR) program cleans up hazardous materials and waste products released to the surface or groundwater at NASA installations, NASA-owned industrial plants supporting NASA activities, current or former sites where NASA operations have contributed to environmental problems, and other sites where the Agency is legally obligated to address hazardous pollutants. Included in this amount is requested funding to manage costs while remediating environmental contaminants at the Santa Susana Field Laboratory.

## OFFICE OF THE INSPECTOR GENERAL

The Committee recommends \$41,700,000 for the Office of the Inspector General, which is \$2,400,000 above fiscal year 2019 and equal to the requested level.

## ADMINISTRATIVE PROVISIONS

## (INCLUDING TRANSFERS OF FUNDS)

The Committee has included the following administrative provisions for NASA:

The bill includes a provision that makes funds for any announced prize available without fiscal year limitation until the prize is claimed or the offer is withdrawn.

The bill includes a provision that establishes terms and conditions for the transfer of funds.

The bill includes a provision that requires NASA to submit its agency spending plan at the activity level and subjects both the spending plan and specified changes to that plan to reprogramming procedures under section 505 of this Act.

#### NATIONAL SCIENCE FOUNDATION

The Committee recommends \$8,636,141,000 for the National Science Foundation (NSF). This significant investment, which is \$561,141,000 above fiscal year 2019 and \$1,570,141,000 above the request shows the Committee's support for science, the academic community, and the next generation of scientists, mathematicians, astronomers, and engineers across the country. The Committee underscores the importance of basic research that both improves the lives of Americans and expands our understanding of the Earth, the depths of our oceans, our Solar System, the Universe, and oceans on other planets.

The Committee supports infrastructure investments that expand our understanding of the universe and inspire students to pursue careers in the sciences. The Committee recognizes that current and future large scientific facilities represent an enormous investment of Federal resources that must be administered wisely. The Committee supports basic research in fundamental science areas and expects that as NSF uses the 10 Big Ideas as a focusing tool, the funding for the fundamental scientific disciplines will be maintained. Within amounts provided, NSF shall allocate no less than fiscal year 2019 levels to support its existing scientific research, research laboratories, observational networks, and other research infrastructure assets, including the astronomy assets, the current academic research fleet, Federally funded research and development centers, and the national high-performance computing centers, so that they may provide the support needed for cutting edge research.

*Innovation Corps.*—The Committee recognizes the value of translating basic research for public benefit and the recommendation includes an increase of \$5,000,000 above the fiscal year 2019 level for the Innovation Corps program to build on the initial successes of its highly innovative public-private partnership model and expand the program to additional academic institutions.

*Computer Science for All.*—The Committee strongly supports NSF's Computer Science for All efforts and the recommendation including an increase of not less \$10,000,000 above the fiscal year 2019 level for such activities. The Computer and Information Science and Engineering directorate is expected to collaborate with the Division of Research on Learning in Formal and Informal Settings to build on ongoing efforts to improve rigorous computer science education.

#### RESEARCH AND RELATED ACTIVITIES

The Committee recommends \$7,106,301,000 for Research and Related Activities, which is \$586,301,000 above fiscal year 2019 and \$1,443,341,000 above the request. The Committee believes that strategic investments in the physical sciences are vitally important for the United States to remain the global leader in innovation, productivity, economic growth, and high-paying jobs for the future.

*Artificial intelligence.*—The Committee believes it is important to maintain leadership in artificial intelligence and commends NSF for its significant investments in this area. The Committee recognizes the potential of artificial intelligence to transform the economy, foster economic growth, support national security, and enhance wellbeing. The Committee urges NSF to invest in the ethical and safe development of artificial intelligence. Within 90 days of the enactment of this Act, NSF shall provide the Committee with a report on its efforts to prioritize investments in artificial intelligence research.

*Lead detection, testing, and monitoring.*—The Committee encourages NSF to support funding for next-generation approaches to low-cost, high quality lead testing detection and monitoring tools.

*Advanced manufacturing.*—The Committee recognizes the Advanced Manufacturing program and its role in assisting domestic manufacturers to reshape our nation's strategic industries. The program should continue to prioritize funding multidisciplinary research that alters and transforms manufacturing capabilities, methods, and practices, while providing the framework for domestic manufacturing to remain competitive, and helping struggling industries reinvent themselves.

*Steel research.*—The Committee encourages NSF to use its Industrial Innovation and Partnerships program to continue research into the U.S. steel industry.

*Palmer Station.*—The National Science Foundation currently conducts year-round operations with marine support at Palmer Station in the Antarctic, consistent with stated U.S. policy. Year-round operations have helped advance important scientific research while maintaining an active U.S. presence on the Antarctic Peninsula. The Committee supports year-round operations at Palmer and has provided funding that will enable the NSF to do so.

*Established Program to Stimulate Competitive Research (EPSCoR).*—Within amounts provided, \$177,700,000 is for EPSCoR.

*Marine research.*—The recommendation maintains current funding levels for existing marine research facilities and directs NSF to accept new proposals from the academic research community for research supported by these facilities. The Committee further directs NSF to develop a plan, in coordination with the academic research community, to ensure the science community's continued access to capabilities comparable to those currently provided by existing NSF marine research facilities.

*Existing astronomy assets.*—The Committee underscores that a critical component of the nation's scientific enterprise is the infrastructure that supports researchers in discovery science, including planetary protection. Investments to advance the frontiers of research and education in science and engineering are critical to the nation's innovation enterprise. U.S.-based astronomy facilities continue to make groundbreaking discoveries and maintain excellent world-class scientific research. The Committee expects NSF to sustain support for the programs and scientific facilities funded by the Astronomical Sciences Division at no less than the fiscal year 2019 levels to maintain full scientific and educational operations. The Committee is aware that NSF is working with Federal, academic, and private sector partners to develop plans to share future oper-

ations and maintenance costs of NSF astronomical infrastructure. NSF shall keep the Committee informed of these activities. Further, any proposal by NSF to divest the Foundation of these facilities shall be proposed as part of any future NSF budget request and is subject to NSF administrative provisions included in the accompanying bill.

*Quantum initiative.*—The Committee supports NSF's research program in quantum information science and technology in support of the authorized activities included in Section 401 and Section 402 of the National Quantum Initiative (Public Law 115–368). This emerging field of science promises to yield revolutionary new approaches to computing, sensing and communication. NSF should remain committed to developing and supporting systems that facilitate tremendous leaps in computational simulation, including artificial intelligence, storage, quantum computing, and data analyses that enable a broad range of scientific research. Leading edge high-performance computing infrastructure is vital for continued U.S. world leadership and international scientific competitiveness, particularly given computational investments and technical achievements in high-performance computing by other nations. The recommendation provides no less than the fiscal year 2019 level for these activities.

*Geospatial data.*—The Committee commends NSF for its commitment to provide high-performance computing capacity to advance global topographic mapping. The Foundation's support to produce geospatial products is contributing significantly to the advancement of Earth science and adding critical benefits to Federal agencies needing to access unclassified geospatial data.

*International Ocean Discovery Program (IODP).*—The recommendation provides \$48,000,000 for the IODP. The Committee notes that in addition to this funding, the IODP program derives funding from international and/or industry partners to maximize operating time on the Joint Oceanographic Institutions for Deep Earth Sampling (JOIDES) Resolution ocean research vessel. The Committee supports the goal of operating five research missions a year on the JOIDES Resolution.

*High Energy Physics (HEP).*—The Committee continues to provide funding for the HEP program to support scientific research at university and national laboratories throughout the nation and advance Particle Physics Project Prioritization Panel projects, operations of existing large facilities, and completion of small and medium-sized projects. The exploration of the nature of neutrinos, the Higgs Boson, dark matter, dark energy, and yet-to-be-discovered forces that govern the origin and evolution of our universe will greatly enhance the nation's scientific knowledge.

*Harmful Algal Blooms (HABs).*—The Committee supports the work of the Oceans and Human Health program to better understand the public health risks of environmental exposures and encourages NSF to continue its research into the human health impacts of HABs in the Great Lakes Basin and marine coastal regions. HABs jeopardize the integrity of drinking water resources in these regions.

*Social, Behavioral, and Economic (SBE) Sciences.*—The Committee supports SBE and recognizes the fundamental importance of its research for advancing our understanding of human behavior

and its application to a wide range of human systems, including public health, national defense and security, education and learning, and the integration of human and machine. SBE funds over half of our nation's university-based social and behavioral science research but remains the smallest of NSF directorates. The Committee believes this research provides an evidence-based understanding of the human condition, resulting in more-informed policymaking and better-informed spending on a full range of national issues. The recommendation includes no less than the fiscal year 2019 level for SBE.

*Low-energy nuclear reactions (LENR).*—The Committee encourages the NSF to evaluate the various theories, experiments, and scientific literature surrounding the field of LENR. It shall also provide a set of recommendations as to whether future Federal investment into LENR research would be prudent, and if so, a plan for how that investment would be best utilized.

*Scientific collaboration.*—NSF is encouraged to improve the understanding of scientific collaboration and how scientists work together.

*Plant Genome Research Program (PGRP).*—The Committee finds that NSF's PGRP advances research into crop-based genomics and phenomics that address challenging economic and societal questions and directs NSF to continue to fund the PGRP program and to focus the program on research related to crops of economic importance.

*Algorithmic bias research.*—The Committee encourages NSF to partner with non-government organizations, academic institutions, and other government agencies including the National Institute of Standards and Technology, to fund research on algorithmic bias in artificial intelligence, machine learning and intelligent systems and its impacts on decisions related to employment, housing, and creditworthiness and to develop methods, tools, and programs for resolving bias within an algorithm. The Committee recognizes that the science sponsored through such collaboration is important for studying the impact that algorithms have on protected classes and for developing an understanding of what kinds of discrimination and bias protected classes face in these particular activities.

#### MAJOR RESEARCH EQUIPMENT AND FACILITIES CONSTRUCTION

The Committee recommends \$223,230,000 for Major Research Equipment and Facilities Construction, as requested. The recommendation includes \$1,000,000, as requested, for enhanced oversight. NSF shall continue to provide quarterly briefings to the Committee on the activities funded in this account.

*Antarctica Infrastructure Modernization for Science (AIMS).*—The recommendation includes \$97,890,000 for AIMS to replace major facilities at McMurdo Station, Antarctica, as requested. The Committee supports the AIMS program and the recommendations for increased efficiencies included in the U.S. Antarctic Program Blue Ribbon Panel report, *More and Better Science in Antarctica through Increased Logistical Effectiveness*.

*Large Synoptic Survey Telescope (LSST).*—The recommendation includes \$46,340,000 for LSST, as requested. LSST, which was ranked as the top large ground-based astronomy project by the National Research Council 2010 Decadal Survey, will produce the

deepest, widest-field sky image ever and issue alerts for moving and transient objects within 60 seconds of discovery.

*High Luminosity-Large Hadron Collider Upgrade (HL-LHC).*—The recommendation includes \$33,000,000 for upgrades to the detectors at the Large Hadron Collider, as requested.

*Mid-scale research infrastructure.*—The recommendation includes \$45,000,000 in the MREFC account for mid-scale research infrastructure, as requested. The Committee commends NSF for its planned investments in mid-scale research infrastructure, including the provision of larger mid-scale instrumentation and the facility operation transition program to better enable support for facilities over their complete lifespan.

*Infrastructure planning.*—The Committee is concerned about the NSF's planning for the construction and development of the next-generation of competitive large-scale facilities to support NSF-funded science disciplines, including ground-based telescopes. Failure to plan for the next generation of facilities handicaps the U.S. science community and risks our nation's global leadership in science. The Committee encourages NSF to develop a comprehensive and prioritized list of large-scale facilities requested by NSF-supported science disciplines.

#### EDUCATION AND HUMAN RESOURCES

The Committee recommends \$950,000,000 for Education and Human Resources, which is \$40,000,000 above fiscal year 2019 and \$126,530,000 above the request.

*Broadening participation programs.*—To broaden the participation of underrepresented populations in STEM education programs and, ultimately, the STEM workforce, the recommendation provides no less than \$48,500,000 for the Louis Stokes Alliance for Minority Participation; no less than \$67,000,000 for the Robert Noyce Teacher Scholarship Program; and no less than \$15,000,000 for the Tribal Colleges and Universities Program.

*Hispanic Serving Institutions (HSIs).*—Hispanic Serving Institutions and the HSI grant program play an important role in increasing the recruitment, retention, and graduation rates of Hispanic students pursuing STEM degrees, particularly at institutions of higher education that typically do not receive high levels of NSF funding. The recommendation includes no less than \$45,000,000 for the HSI program.

*Historically Black Colleges and Universities Undergraduate Program (HBCU-UP).*—The recommendation provides no less than \$38,000,000 for the HBCU-UP. Within amounts provided, the recommendation includes an increase of \$3,000,000 for the Historically Black Colleges and Universities Excellence in Research program. This initiative provides strategic programs and opportunities for Historically Black Colleges and Universities (HBCUs) that stimulate sustainable improvement in their research and development capacity and competitiveness. The Committee encourages NSF to continue to use research infrastructure improvement grants, co-funding programs, and other innovative mechanisms to boost HBCU participation and capacity throughout NSF research programs.

*Inclusion across the Nation of Communities of Learners of Underrepresented Discoverers in Engineering and Science (NSF IN-*

*CLUDES*).—The Committee supports the NSF INCLUDES program, which is a comprehensive national initiative designed to enhance U.S. leadership in science, technology, engineering and mathematics discoveries and innovations focused on NSF's commitment to diversity, inclusion, and broadening participation in these fields. The recommendation includes no less than the fiscal year 2019 level for NSF INCLUDES.

*Asian American and Native American Pacific Islander-Serving Institutions (AANAPISIs)*.—The Committee notes that among the minority-serving institutions with whom NSF provides grant opportunities, AANAPISIs are not designated. The Committee urges NSF to increase grant funding opportunities for AANAPISIs, and to reach out to these institutions to raise awareness regarding these grants.

*Early Childhood STEM Education*.—The Committee urges NSF, in awarding grants under its Discovery Research PreK–12 program, to consider age distribution in order to more equitably allocate funding for research studies with a focus on early childhood.

*Cybersecurity research*.—The Committee encourages NSF to form partnerships with Hispanic Serving Institutions and Historically Black Colleges and Universities with respect to cybersecurity research.

*CyberCorps*.—The Committee provides no less than the fiscal year 2019 level for CyberCorps: Scholarships for Service program and urges NSF to use the CyberCorps Faculty Fellows pilot program to address the critical shortage of cybersecurity faculty in U.S. institutions of higher education. In addition, the Committee urges NSF to continue work with qualified community colleges including through providing scholarships and apprenticeship opportunities.

*Bioprocessing workforce development*.—The Committee is aware of the shortage in trained bioprocessing engineers, scientists and technicians in the workforce and supports expanded capacity and partnerships at NSF to address these shortfalls. The lack of proper bioprocessing training facilities in the United States, particularly those that have integrated hands-on academic education, industry training, and workforce development, is crippling this vital source of ingenuity in the labor force. The Committee strongly urges NSF to make investments in support of transdisciplinary workforce development, training and education programs in the bioprocessing field. When providing resources for these initiatives, NSF is encouraged to look to institutions of higher education that have successfully demonstrated national and international collaborations in this arena.

#### AGENCY OPERATIONS AND AWARD MANAGEMENT

The Committee recommends \$336,890,000 for Agency Operations and Award Management, which is \$7,350,000 above fiscal year 2019 and the same as the request.

#### OFFICE OF THE NATIONAL SCIENCE BOARD

The Committee recommends \$4,370,000 for the National Science Board, which is the same as fiscal year 2019 and \$270,000 above the request.



## OFFICE OF INSPECTOR GENERAL

The Committee recommends \$15,350,000 for the Office of Inspector General, which is the same as fiscal year 2019 and the request.

## ADMINISTRATIVE PROVISIONS

## (INCLUDING TRANSFER OF FUNDS)

The bill includes a provision that establishes thresholds for the transfer of funds.

The bill includes a provision regarding notification prior to acquisition or disposal of certain assets.

## TITLE IV

## RELATED AGENCIES

## COMMISSION ON CIVIL RIGHTS

## SALARIES AND EXPENSES

The Committee recommends \$10,500,000 for the Commission on Civil Rights, which is \$435,000 above fiscal year 2019 and \$1,300,000 above the request.

*Field Hearings.*—The Committee encourages the Commission to conduct field hearings on priority civil rights topics such as fair housing and the Census.

*Donations.*—The Committee includes bill language granting the Commission the authority to accept donations to carry out its mission, similar to authority provided to 45 other Federal agencies. The Commission shall provide to the Committee quarterly updates on all gifts and donations, as well as the terms of, and specific activities funded by, the gift or donation. Additionally, anticipated funding from gifts or donations shall be included in the Commission's annual spend plan.

## EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

## SALARIES AND EXPENSES

The Committee recommends \$399,500,000 for the Equal Employment Opportunity Commission (EEOC), which is \$20,000,000 above fiscal year 2019 and \$43,700,000 above the request. The recommendation continues the increase provided in fiscal year 2018 to address sexual harassment claims. The recommended additional funding is provided to increase front-line and investigative staff to reduce wait times for intake appointments, modernize information technology, and to collect information required by the revised EEO-1 form.

*Summary pay data.*—The Committee supports EEOCs's September 2016 revisions to the EEO-1 form. This strengthened pay data collection will shine a light on pay practices, reveal trends, and support employers in proactively evaluating their systems and closing pay gaps.

*Charge Quotas.*—The Committee is concerned about EEOC's handling of A, B, and C charges and directs EEOC to submit a report to the Committee, not later than 120 days after the date of enactment of this Act, documenting any formal or informal quotas EEOC

has used for the handling of A, B, and C charges, respectively, as defined in the EEOC's Priority Charge Handling Procedures, for fiscal years 2018 and 2019, as well as any projected quotas for Fiscal Year 2020.

#### INTERNATIONAL TRADE COMMISSION

##### SALARIES AND EXPENSES

The Committee recommends \$101,000,000 for the International Trade Commission (ITC), which is \$6,000,000 above fiscal year 2019 and \$9,900,000 above the request.

*American Manufacturing Competitiveness Act of 2016*—In fiscal year 2020, the ITC will begin the second cycle for the consideration of product items for potential inclusion in future miscellaneous tariff bills (MTBs) no later than October 15, 2019, in compliance with the American Manufacturing Competitiveness Act of 2016. As part of the first cycle in fiscal year 2016, the ITC received over 5,000 petitions and comments and recommended roughly 1,700 products for inclusion in an MTB. In order to deliver a final MTB report to Congress by August 2020, the ITC will require a temporary surge in staffing to prepare, process, and analyze a second round of petitions. The recommendation supports the ITC's request to ensure adequate staffing to support this effort.

#### LEGAL SERVICES CORPORATION

##### PAYMENT TO THE LEGAL SERVICES CORPORATION

The Committee recommends \$550,000,000 for the Legal Services Corporation (LSC), which is \$135,000,000 above fiscal year 2019 and \$531,800,000 above the request.

LSC is a nonprofit corporation established to promote equal access to justice and to provide grants for high-quality civil legal assistance to low-income persons. LSC grants help the most vulnerable people, including families facing unlawful evictions or foreclosures and women seeking protection from abuse. With State, local, pro bono, and private sources underfunded, LSC is critical to closing the access-to-justice gap.

*Evictions.*—The Committee is concerned with the high rate of evictions in certain States and territories and the limited available legal aid. The recommendation includes funding for LSC to conduct and publish an analysis regarding areas within States and territories with high rates of unmet legal needs involving evictions and with consideration of variations in local laws. LSC should use data regarding eviction rates, availability of legal aid or other free legal advocates, and differences among laws and procedures affecting evictions in different areas. In addition, LSC is urged to explore opportunities to explore increasing access to eviction-related legal aid in such States and territories including through LSC's Pro Bono Innovation Fund.

##### ADMINISTRATIVE PROVISION—LEGAL SERVICES CORPORATION

The bill continues certain restrictions on the uses of LSC funding.

## MARINE MAMMAL COMMISSION

## SALARIES AND EXPENSES

The Committee was disappointed by the proposal to close the Marine Mammal Commission and rejects that proposal. Instead the recommendation includes \$3,616,000 for the critical work of the commission to protect the important species in our oceans.

## OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE

The Committee recommends \$72,000,000 for the Office of the U.S. Trade Representative (USTR), which is \$4,000,000 above fiscal year 2019 and \$3,000,000 above the request. The Committee recognizes the continued growth in USTR's mission, but the Committee is concerned that USTR is not executing its available funding with the ferocity the Committee would anticipate given USTR's growing workload. In support of better oversight and transparency of both Salaries and Expenses and the Trade Enforcement Trust Fund, the Committee directs the submission of a quarterly expenditure report outlining actual and planned obligations through the fiscal year by account and source year as well as USTR's target and actual staffing levels. Recognizing USTR expenses are largely personnel-related, USTR is directed to categorize expenses by object class code and the program areas supported. The report is due no later than 30 days after the end of each quarter in the fiscal year.

## SALARIES AND EXPENSES

The Committee recommends \$57,000,000 for the salaries and expenses of USTR, which is \$4,000,000 above fiscal year 2019 and \$2,000,000 below the request. The Committee recommendation supports current staffing and includes the requested \$1,100,000 towards FIRRMA implementation. USTR is encouraged to maintain staff who can translate trade documents that USTR receives from China. The Committee directs USTR to continue its reporting requirement related to free trade agreements, as directed in House Report 115-704.

*U.S.-India Bilateral Trade.*—The Committee notes the importance of U.S.-India bilateral trade and investment. However, the Committee is concerned that India has been enacting a series of policies to increase domestic manufacturing and protect domestic industries and agricultural production that discriminate against U.S. exports and investment, including unfair treatment by India of U.S. exports of American-produced boric acid and the illegal re-branding and smuggling of U.S.-grown almonds into India. In March 2019, USTR announced it intends to terminate India's designation as a beneficiary developing country under the Generalized System of Preferences (GSP) program primarily because India has (1) failed to provide the United States with assurances that it will provide equitable and reasonable access to its markets in numerous sectors and (2) has implemented a wide array of trade barriers that create serious negative effects on U.S. commerce. Accordingly, the Committee supports USTR's work to provide equitable market access for U.S. exports to India and encourages USTR to continue to work to address the aforementioned trade practices and market access issues with the Indian government.

TRADE ENFORCEMENT TRUST FUND  
(INCLUDING TRANSFER OF FUNDS)

The Committee recommends \$15,000,000, which is to be derived from the Trade Enforcement Trust Fund, for trade enforcement activities authorized by the Trade Facilitation and Trade Enforcement Act of 2015 (TFTEA). The recommendation is \$5,000,000 above the request and equal to the amount for fiscal year 2019.

The recommendation does not include proposed bill language to change the TFTEA. USTR is encouraged to work with the appropriate committees for technical fixes to the legislation. Further, the Committee understands that USTR is interested in extending the availability of any unused balances within the Trust Fund until such funds are expended. While the Committee appreciates USTR's challenges of executing this authority on an annual basis, USTR has typically not executed against its full budget authority nor has it shown plans for how the carryover funding could be allocated if such flexibility were granted. USTR should consider this in its submission of the quarterly expenditure report and future congressional justifications.

STATE JUSTICE INSTITUTE  
SALARIES AND EXPENSES

The Committee recommends \$6,555,000 for the State Justice Institute, which is \$584,000 above fiscal year 2019 and the same as the request.

The additional funding is provided to enhance the Institute's efforts to help State courts address the opioid epidemic. The Committee expects the Institute to make addressing the opioid epidemic a priority.

TITLE V  
GENERAL PROVISIONS  
(INCLUDING RESCISSIONS)

(INCLUDING TRANSFER OF FUNDS)

Section 501 prohibits the use of funds for publicity or propaganda purposes unless expressly authorized by law.

Section 502 prohibits any appropriation contained in this Act from remaining available for obligation beyond the current fiscal year unless expressly authorized.

Section 503 provides that the expenditure of any appropriation contained in this Act for any consulting service through procurement contracts shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection, except where otherwise provided under existing law or under existing Executive order issued pursuant to existing law.

Section 504 provides that if any provision of this Act or the application of such provision to any person or circumstance shall be held invalid, the remainder of the Act and the application of other provisions shall not be affected.

Section 505 prohibits a reprogramming of funds that: (1) creates or initiates a new program, project, or activity; (2) eliminates a program, project, or activity; (3) increases funds or personnel by any means for any project or activity for which funds have been denied or restricted; (4) relocates an office or employees; (5) reorganizes or renames offices, programs, or activities; (6) contracts out or privatizes any function or activity presently performed by Federal employees; (7) augments funds for existing programs, projects, or activities in excess of \$500,000 or 10 percent, whichever is less, or reduces by 10 percent funding for any program, project, or activity, or numbers of personnel by 10 percent; or (8) results from any general savings, including savings from a reduction in personnel, which would result in a change in existing programs, projects, or activities as approved by Congress, unless the House and Senate Committees on Appropriations are notified 15 days in advance of such reprogramming of funds.

Section 506 provides that if it is determined that any person intentionally affixes a "Made in America" label to any product that was not made in America that person shall not be eligible to receive any contract or subcontract made with funds made available in this Act. The section further provides that to the extent practicable, with respect to purchases of promotional items, funds made available under this Act shall be used to purchase items manufactured, produced, or assembled in the United States or its territories or possessions.

Section 507 requires quarterly reporting on the status of balances of appropriations.

Section 508 provides that any costs incurred by a department or agency funded under this Act resulting from, or to prevent, personnel actions taken in response to funding reductions in this Act, or, for the Department of Commerce, from actions taken for the care and protection of loan collateral or grant property, shall be absorbed within the budgetary resources available to the department or agency, and provides transfer authority between appropriation accounts to carry out this provision, subject to reprogramming procedures.

Section 509 prohibits funds made available in this Act from being used to promote the sale or export of tobacco or tobacco products or to seek the reduction or removal of foreign restrictions on the marketing of tobacco products, except for restrictions that are not applied equally to all tobacco or tobacco products of the same type. This provision is not intended to impact routine international trade services to all U.S. citizens, including the processing of applications to establish foreign trade zones.

Section 510 limits the obligation of receipts deposited into the Crime Victims Fund to \$2,838,000,000 during fiscal year 2020. The language also provides for a tribal set-aside.

Section 511 prohibits the use of Department of Justice funds for programs that discriminate against or denigrate the religious or moral beliefs of students participating in such programs.

Section 512 prohibits the transfer of funds made available in this Act to any department, agency or instrumentality of the United States Government, except for transfers made by, or pursuant to authorities provided in, this Act or any other appropriations Act.

Section 513 requires the Inspectors General of the Departments of Commerce and Justice, the National Aeronautics and Space Administration, the National Science Foundation, and the Legal Services Corporation to conduct reviews of activities funded in this Act and requires certifications regarding conflicts of interest.

Section 514 prohibits funds for acquisition of certain information systems unless the acquiring department or agency has reviewed and assessed certain risks. Any acquisition of such an information system is contingent upon the development of a risk mitigation strategy and a determination that the acquisition is in the national interest. Each department or agency covered by this section shall consult with the Federal Bureau of Investigation (FBI) and other relevant agencies when reviewing supply chain risks and making a determination that the acquisition is in the national interest. Each department or agency covered by this section is directed to ensure it is following the criteria established by the FBI and the National Institute of Standards and Technology when acquiring or renewing certain information systems. Each department or agency covered under this section shall submit a quarterly report to the Committees on Appropriations of the House and Senate describing reviews and assessments of risk made pursuant to this section and any associated findings or determinations.

Section 515 prohibits the use of funds made available in this Act to support or justify the use of torture by any official or contract employee of the United States Government.

Section 516 prohibits the use of funds made available in this Act to include certain language in trade agreements.

Section 517 prohibits the use of funds made available in this Act to authorize or issue a national security letter (NSL) in contravention of certain laws authorizing the FBI to issue NSLs.

Section 518 requires congressional notification regarding any project within the Departments of Commerce or Justice, the National Science Foundation or the National Aeronautics and Space Administration totaling more than \$75,000,000 that has cost increases of 10 percent or more.

Section 519 deems funds for intelligence or intelligence related activities as authorized by Congress during fiscal year 2020 until the enactment of the Intelligence Authorization Act for fiscal year 2020.

Section 520 prohibits contracts or grant awards in excess of \$5,000,000 unless the prospective contractor or grantee certifies that the organization has filed all Federal tax returns, has not been convicted of a criminal offense under the Internal Revenue Code of 1986, and has no unpaid Federal tax assessment.

(RESCISSIONS)

Section 521 provides for rescissions of unobligated balances from the Department of Justice.

Section 522 prohibits the use of funds made available in this Act for the purchase of first class or premium air travel in contravention of certain Federal regulations.

Section 523 prohibits the use of funds made available in this Act to pay for the attendance of more than 50 department or agency employees, who are stationed in the United States, at any single conference outside the United States, unless the conference is a law

enforcement training or operational event where the majority of Federal attendees are law enforcement personnel stationed outside the United States.

Section 524 requires tracking and reporting of undisbursed balances in expired grant accounts.

Section 525 requires funds, to the extent practicable, to be used to purchase light bulbs that are “Energy Star” qualified or have the “Federal Energy Management Program” designation.

Section 526 prohibits the use of funds made available in this Act by the National Aeronautics and Space Administration (NASA), the Office of Science and Technology Policy (OSTP) or the National Space Council (NSC) to engage in bilateral activities with China or a Chinese-owned company unless the activities are authorized by subsequent legislation or NASA, OSTP or NSC after consultation with the Federal Bureau of Investigation have made a certification pursuant to subsections (c) and (d) of this section.

Section 527 prohibits the use of funds made available in this Act to establish or maintain a computer network that does not block pornography, except for law enforcement or victim assistance purposes.

Section 528 requires each department and agency funded in the bill to submit spending plans.

Section 529 prohibits funds to pay for award or incentive fees for contractors with below satisfactory performance or performance that fails to meet the basic requirements of the contract.

Section 530 prohibits funds from being used by the Department of Justice or Drug Enforcement Administration in contravention of section 7606 of the Agricultural Act of 2014.

Section 531 prohibits the Department of Justice from preventing certain States and territories from implementing State or territory laws regarding the use of medical marijuana.

Section 532 requires a quarterly report from the Department of Commerce, the National Aeronautics and Space Administration, and the National Science Foundation on official travel to China.

Section 533 requires not less than 10 percent of the funds provided for certain programs be provided to persistent poverty counties.

Section 534 prohibits the use of funds to include any question on the 2020 Census that was not included in the 2018 End-to-End Census Test in Providence County, Rhode Island.

Section 535 prohibits funds to move a Bureau of Alcohol, Tobacco, Firearms and Explosives facility.

#### HOUSE OF REPRESENTATIVES REPORTING REQUIREMENTS

The following materials are submitted in accordance with various requirements of the Rules of the House of Representatives:

## FULL COMMITTEE VOTES

Pursuant to the provisions of clause 3(b) of rule XIII of the House of Representatives, the results of each roll call vote on an amendment or on the motion to report, together with the names of those voting for and those voting against, are printed below:

## Roll Call 1

Date: May 22, 2019

Measure: Commerce, Justice, and Science, and Related Agencies Appropriations Bill, FY20

Motion by: Mr. Diaz-Balart

Description of Motion: Prohibits funds to move Guantanamo detainees to the U.S. or its territories, or to construct or modify U.S. facilities to house Guantanamo detainees.

Results: Defeated 21 yeas to 30 nays

*Members Voting Yea*

Mr. Aderholt  
 Mr. Amodei  
 Mr. Calvert  
 Mr. Carter  
 Mr. Cole  
 Mr. Diaz-Balart  
 Mr. Fleischmann  
 Mr. Fortenberry  
 Ms. Granger  
 Mr. Graves  
 Dr. Harris  
 Mr. Hurd  
 Mr. Joyce  
 Mr. Moolenaar  
 Mr. Newhouse  
 Mr. Palazzo  
 Mrs. Roby  
 Mr. Rogers  
 Mr. Rutherford  
 Mr. Simpson  
 Mr. Stewart

*Members Voting Nay*

Mr. Aguilar  
 Mr. Bishop  
 Mrs. Bustos  
 Mr. Cartwright  
 Mr. Case  
 Ms. Clark  
 Mr. Crist  
 Mr. Cuellar  
 Ms. DeLauro  
 Ms. Frankel  
 Ms. Kaptur  
 Mr. Kilmer  
 Mrs. Kirkpatrick  
 Mrs. Lawrence  
 Ms. Lee  
 Mrs. Lowey  
 Ms. McCollum  
 Ms. Meng  
 Ms. Pingree  
 Mr. Pocan  
 Mr. Price  
 Mr. Quigley  
 Ms. Roybal-Allard  
 Mr. Ruppberger  
 Mr. Ryan  
 Mr. Serrano  
 Mrs. Torres  
 Mr. Visclosky  
 Ms. Wasserman Schultz  
 Mrs. Watson Coleman



## FULL COMMITTEE VOTES

Pursuant to the provisions of clause 3(b) of rule XIII of the House of Representatives, the results of each roll call vote on an amendment or on the motion to report, together with the names of those voting for and those voting against, are printed below:

## Roll Call 2

Date: May 22, 2019

Measure: Commerce, Justice, and Science, and Related Agencies Appropriations Bill, FY20

Motion by: Mr. Graves

Description of Motion: Makes modifications to report language regarding National Instant Criminal Background Check System notification procedures.

Results: Defeated 21 yeas to 30 nays

*Members Voting Yea*

Mr. Aderholt  
Mr. Amodei  
Mr. Calvert  
Mr. Carter  
Mr. Cole  
Mr. Diaz-Balart  
Mr. Fleischmann  
Mr. Fortenberry  
Ms. Granger  
Mr. Graves  
Dr. Harris  
Mr. Hurd  
Mr. Joyce  
Mr. Moolenaar  
Mr. Newhouse  
Mr. Palazzo  
Mrs. Roby  
Mr. Rogers  
Mr. Rutherford  
Mr. Simpson  
Mr. Stewart

*Members Voting Nay*

Mr. Aguilar  
Mr. Bishop  
Mrs. Bustos  
Mr. Cartwright  
Mr. Case  
Ms. Clark  
Mr. Crist  
Mr. Cuellar  
Ms. DeLauro  
Ms. Frankel  
Ms. Kaptur  
Mr. Kilmer  
Mrs. Kirkpatrick  
Mrs. Lawrence  
Ms. Lee  
Mrs. Lowey  
Ms. McCollum  
Ms. Meng  
Ms. Pingree  
Mr. Pocan  
Mr. Price  
Mr. Quigley  
Ms. Roybal-Allard  
Mr. Ruppberger  
Mr. Ryan  
Mr. Serrano  
Mrs. Torres  
Mr. Visclosky  
Ms. Wasserman Schultz  
Mrs. Watson Coleman

## FULL COMMITTEE VOTES

Pursuant to the provisions of clause 3(b) of rule XIII of the House of Representatives, the results of each roll call vote on an amendment or on the motion to report, together with the names of those voting for and those voting against, are printed below:

## Roll Call 3

Date: May 22, 2019

Measure: Commerce, Justice, and Science, and Related Agencies Appropriations Bill, FY20

Motion by: Ms. McCollum

Description of Motion: To report the Commerce, Justice, Science, and Related Agencies Appropriations Bill to the House, as amended.

Results: Approved 30 yeas to 22 nays

*Members Voting Yea*

Mr. Aguilar  
Mr. Bishop  
Mrs. Bustos  
Mr. Cartwright  
Mr. Case  
Ms. Clark  
Mr. Crist  
Mr. Cuellar  
Ms. DeLauro  
Ms. Frankel  
Ms. Kaptur  
Mr. Kilmer  
Mrs. Kirkpatrick  
Mrs. Lawrence  
Ms. Lee  
Mrs. Lowey  
Ms. McCollum  
Ms. Meng  
Ms. Pingree  
Mr. Pocan  
Mr. Price  
Mr. Quigley  
Ms. Roybal-Allard  
Mr. Ruppertsberger  
Mr. Ryan  
Mr. Serrano  
Mrs. Torres  
Mr. Visclosky  
Ms. Wasserman Schultz  
Mrs. Watson Coleman

*Members Voting Nay*

Mr. Aderholt  
Mr. Amodei  
Mr. Calvert  
Mr. Carter  
Mr. Cole  
Mr. Diaz-Balart  
Mr. Fleischmann  
Mr. Fortenberry  
Ms. Granger  
Mr. Graves  
Dr. Harris  
Mr. Hurd  
Mr. Joyce  
Mr. Moolenaar  
Mr. Newhouse  
Mr. Palazzo  
Mrs. Roby  
Mr. Rogers  
Mr. Rutherford  
Mr. Simpson  
Mr. Stewart  
Mr. Womack

STATEMENT OF GENERAL PERFORMANCE GOALS AND OBJECTIVES

Pursuant to clause 3(c)(4) of rule XIII of the Rules of the House of Representatives, the following is a statement of general performance goals and objectives for which this measure authorizes funding: The Committee on Appropriations considers program performance, including a program’s success in developing and attaining outcome-related goals and objectives, in developing funding recommendations.

RESCISSION OF FUNDS

Pursuant to clause 3(f)(2) of rule XIII of the Rules of the House of Representatives, the following table is submitted describing the rescissions recommended in the accompanying bill:

Department of Justice:	
Working Capital Fund .....	\$100,000,000
Federal Bureau of Investigation, Salaries and Expenses .....	\$60,000,000
Office of Justice Programs .....	\$85,000,000

TRANSFERS OF FUNDS

Pursuant to clause 3(f)(2) of rule XIII of the Rules of the House of Representatives, the following is submitted describing the transfers of funds provided in the accompanying bill:

In title I, under Bureau of the Census, Periodic Censuses and Programs, language is included to transfer funds to the Department of Commerce, Office of Inspector General.

Under U.S. Patent and Trademark Office, Salaries and Expenses, language is included to transfer funds to the Civil Service Retirement and Disability Fund, the Federal Employees Health Benefit Fund, the Federal Employees Group Life Insurance Fund, and the Department of Commerce, Office of Inspector General.

Under National Institute of Standards and Technology, Scientific and Technical Research and Services, language is included allowing for transfers to the Working Capital Fund.

Under National Oceanic and Atmospheric Administration, Operations, Research, and Facilities, language is included to transfer funds from the Promote and Develop Fishery Products and Research Pertaining to American Fisheries fund.

Under National Oceanic and Atmospheric Administration, Procurement, Acquisition, and Construction, language is included to transfer funds to the Department of Commerce, Office of the Inspector General.

Under Office of the Inspector General, language is included to transfer funds from the Public Safety Trust Fund.

In title II, under General Administration, Justice Information Sharing Technology, language is included allowing for the transfer of funds.

Under General Administration, Executive Office for Immigration Review, language is included to transfer funds to the Executive Office for Immigration Review from fees deposited in the Immigration Examinations Fee account.

Under Legal Activities, Salaries and Expenses, Community Relations Service, language is included allowing for the transfer of funds in certain circumstances.

Under National Security Division, Salaries and Expenses, language is included to allow the transfer of funds in certain circumstances.

Under Federal Prison System, Salaries and Expenses, language is included to allow the transfer of funds to the Department of Health and Human Services.

Under State and Local Law Enforcement Activities, Office on Violence Against Women, Violence Against Women Prevention and Prosecution Programs, language is included to allow the transfer of funds in certain circumstances.

Under State and Local Law Enforcement Activities, State and Local Law Enforcement Assistance, language is included to allow the transfer of funds in certain circumstances.

Under State and Local Law Enforcement Activities, Public Safety Officer Benefits, language is included to allow the transfer of funds in certain circumstances.

Under Community Oriented Policing Services, Community Oriented Policing Services Programs, language is included to allow the transfer of funds to the Office of Justice Programs.

Section 205 provides language for the transfer of funds between Department of Justice appropriations in certain circumstances.

Section 212 provides language for the transfer of funds between certain grant funds and the National Institute of Justice and the Bureau of Justice Statistics.

In title III, under National Aeronautics and Space Administration, Administrative Provisions, language is included allowing for the transfer of funds between appropriations.

Under National Science Foundation, Administrative Provisions, language is included allowing for the transfer of funds among appropriations.

Under United States Trade Representative, Trade Enforcement Trust Fund, language is included providing for the transfer of funds.

Under General Provisions, Section 508 provides for the transfer of funds in certain circumstances.

Under General Provisions, Section 510 provides for the transfer of funds to the Department of Justice, Office of Inspector General.

#### DISCLOSURE OF EARMARKS AND CONGRESSIONALLY DIRECTED SPENDING ITEMS

Neither the bill nor the report contain any Congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI of the Rules of the House of Representatives.

#### COMPLIANCE WITH RULE XIII, CL. 3(e) (RAMSEYER RULE)

In compliance with clause 3(e) of rule XIII of the Rules of the House of Representatives, the Committee notes that the accompanying bill does not propose to repeal or amend a statute or part thereof.

#### CHANGES IN THE APPLICATION OF EXISTING LAW

Pursuant to clause 3(f)(1)(A) of rule XIII of the Rules of the House of Representatives, the following statements are submitted

describing the effect of provisions in the accompanying bill that directly or indirectly change the application of existing law.

Language is included for a number of accounts placing limitations on representation and reception allowances in order to restrict the amount of money that would otherwise be spent on these activities. The bill also provides that a number of appropriations shall remain available for obligation beyond the current fiscal year. While these provisions are not specifically authorized for all of the items, it is deemed desirable to include such language for certain programs in order to provide for orderly administration and effective use of funds.

In title I, Department of Commerce, under International Trade Administration, Operations and Administration, language is included providing that funds may be used for engaging in trade promotion activities abroad, including facilitating business investments, expenses of grants and cooperative agreements, for the purposes of promoting exports of U.S. firms. Language is also provided allowing for full medical coverage for dependent members of immediate families of employees stationed overseas and employees temporarily posted overseas; travel and transportation of employees of the International Trade Administration; employment of Americans and aliens by contract for services; rental of space abroad and expenses of alteration, repair, or improvement; purchase or construction of temporary demountable exhibition structures for use abroad; and payment of tort claims. In addition, language is included regarding official representation expenses abroad, purchase of passenger motor vehicles for official use abroad, obtaining insurance on official motor vehicles, and rental of tie lines. Language is also recommended deriving a portion of available funds from fees. Furthermore, language is included designating funding for China antidumping and countervailing duty enforcement and compliance activities. Moreover, language is included providing for two-year availability of funds. Finally, language is included regarding the contributions under the Mutual Educational and Cultural Exchange Act of 1961.

Under Bureau of Industry and Security, Operations and Administration, the language provides for no-year availability of funds. Language is included regarding the costs associated with the performance of export administration field activities both domestically and abroad; full medical coverage for dependent members of immediate families of employees stationed overseas; employment of Americans and aliens by contract for services abroad; payment of tort claims; official representation expenses abroad; awards of compensation to informers; and purchase of passenger motor vehicles for official use and motor vehicles for law enforcement use without regard to any price limitation established by law. In addition, language is included regarding the Mutual Educational and Cultural Exchange Act of 1961. Finally, language is recommended providing that payments and contributions collected and accepted for materials or services may be retained for use in covering the cost of those activities and other communications.

Under Economic Development Administration, Economic Development Assistance Programs, the language provides for no-year availability of funds.

Also, under Salaries and Expenses, language is included regarding the monitoring of approved projects.

Under Minority Business Development Agency, Minority Business Development, language is included making funds available for fostering, promoting, and developing minority business enterprises, including expenses of grants, contracts and other agreements.

Under Economic and Statistical Analysis, Salaries and Expenses, language is included providing for two-year availability of funds.

Under Bureau of the Census, Current Surveys and Programs, language is included providing that funds may be used for collecting, compiling, analyzing, preparing and publishing statistics and for promotion, outreach and marketing activities.

Also, under Periodic Censuses and Programs, language is included providing three-year availability of funds. Language is also included providing that funds may be used for collecting, compiling, analyzing, preparing and publishing statistics and for promotion, outreach and marketing activities. In addition, language is included providing for a transfer to the "Office of Inspector General" account for activities associated with carrying out investigations and audits related to the Bureau of the Census. Finally, language is included making appropriations available under the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

Under National Telecommunications and Information Administration (NTIA), Salaries and Expenses, language is included permitting the Secretary of Commerce to charge Federal agencies for costs in spectrum management, analysis, operations, and related services; and to use such collections in telecommunications research. The language also allows the Secretary to retain and use as offsetting collections all funds transferred, or previously transferred for telecommunications research, engineering and activities by the Institute for Telecommunication Sciences of NTIA. Finally, language is included providing that funds so transferred shall remain available until expended.

Also, under Public Telecommunications Facilities, Planning and Construction, language is included allowing recoveries and unobligated balances of funds previously appropriated to be available for the administration of all open grants until their expiration.

Under United States Patent and Trademark Office, Salaries and Expenses, language is included providing that appropriated funds be reduced as offsetting collections are assessed and collected. Language is including making funds available until expended and providing that funds received in excess of appropriations be deposited in a Patent and Trademark Fee Reserve Fund, to be available until expended pursuant to the Director submitting a spending plan subject to section 505 of this Act, after which the funds shall be transferred to the Salaries and Expenses account. In addition, language is included limiting representation expenses. Language is also included regarding basic pay and certain retirement benefits. Additional language is included regarding USPTO's financial statements. Furthermore, language is included providing that fees and surcharges charged are available to USPTO pursuant to section 42(c) of title 35, United States Code. Finally, the language provides that an amount be transferred to the Office of Inspector General (OIG).

Under National Institute of Standards and Technology (NIST), Scientific and Technical Research and Services, language is included providing for no-year availability of funds. In addition, language is included allowing transfers to the Working Capital Fund. Language is included limiting funds for official reception and representation expenses. Finally, language is included allowing NIST to provide local transportation for a certain fellowship program.

Also, under Industrial Technology Services, language is included providing no-year availability of funds. The language also designates an amount for the Manufacturing Extension Partnership and the National Network for Manufacturing Innovation.

In addition, under Construction of Research Facilities, language is included providing for no-year availability of funds. Language is also included regarding the submission of certain materials in support of construction budget requests.

Under National Oceanic and Atmospheric Administration (NOAA), Operations, Research, and Facilities, language is included allowing for two-year availability for funds. Language is also included allowing maintenance, operation, and hire of aircraft and vessels; grants, contracts, or other payments to nonprofit organizations for the purposes of conducting activities pursuant to cooperative agreements; and relocation of facilities. Language is included allowing fees and donations received by a particular office to be retained and used for expenses related to certain activities. In addition, language is included that provides that certain funds be derived from various sources and restricting their use to certain activities. Moreover, language is included specifying that deviations from amounts included in the report accompanying the Act shall be subject to section 505 of this Act. Finally, language is included providing for retired pay expenses.

Also, under Procurement, Acquisition and Construction, language is included providing for three-year availability for funds, except for construction funds, which are available until expended. Language is also included providing that certain funds be derived from various sources. In addition, language is included specifying that deviations from amounts included in the report accompanying the Act shall be subject to section 505 of this Act. Language is included regarding the submission of certain materials in support of construction budget requests. Language is included transferring an amount to the OIG.

In addition, under Pacific Coastal Salmon Recovery, language is included providing for two-year availability of funds. Language is also included allowing the Secretary of Commerce to issue grants to specific States and Federally recognized tribes for conservation projects for listed endangered or threatened salmon and steelhead populations, populations at risk to be so listed, and for maintaining populations necessary for the exercise of tribal treaty fishing rights, and for conservation of Pacific coastal salmon and steelhead habitat, to be allocated under scientific and merit principles and not available for marketing activities; and requiring a State match.

Furthermore, under Fishermen's Contingency Fund, language is included providing for the appropriation of funds to be derived from receipts collected pursuant to Title IV of Public Law 95-372 and provides that these funds are available until expended.

Additionally, under Fishery Disaster Assistance language is included providing no year availability of funds.

Moreover, under Fisheries Finance Program Account, language is included placing limitations on individual fishing quota loans and traditional direct loans.

Under Departmental Management, Salaries and Expenses, language is included limiting funds for official reception and representation expenses. Further, language is included withholding funds until the Department submits an expenditure plan.

In addition, under Renovation and Modernization, language is included making available funds for expenses towards Department of Commerce facilities. The language provides no-year availability.

Under Department of Commerce, General Provisions, the following general provisions that fall within the rule are recommended:

Section 101 makes funds available for advanced payments only upon certification of officials designated by the Secretary that such payments are considered to be in the public interest.

Section 102 makes appropriations for the Department available for hire of passenger motor vehicles, for services, and for uniforms and allowances as authorized by law.

Section 103 requires the Secretary of Commerce to notify the Committee of certain actions.

Section 104 extends Congressional notification requirements for NOAA satellite programs and includes life cycle cost amounts for certain satellites.

Section 105 provides for reimbursement for services within Department of Commerce buildings.

Section 106 clarifies that grant recipients under the Department of Commerce may continue to deter child pornography, copyright infringement, or any other unlawful activity over their networks.

Section 107 provides the Administrator with the authority to avail NOAA of needed resources, with the consent of those supplying the resources, to carry out responsibilities of any statute administered by NOAA.

Section 108 prohibits the National Technical Information Service from charging customers for certain publications, except under certain conditions and requires charges be limited to recovering costs.

Section 109 authorizes NOAA to receive payments from other entities to defray some costs of permitting and regulatory activities.

Section 110 provides authority for the programs of the Bureau of Economic Analysis and the Bureau of the Census to enter into cooperative agreements in order to assist in improving statistical methodology and research.

Section 111 includes travel authority for the Office of the Secretary of Commerce.

In title II, Department of Justice, under General Administration, Salaries and Expenses, language is included providing for an amount for security and construction of Department of Justice facilities, which shall remain available until expended.

Also, under Justice Information Sharing Technology, language is included providing that funds be available until expended. Language is also included allowing transfers up to a certain amount to this account for information technology initiatives, and that



these funds may be transferred subject to requirements in this Act and shall be available until expended.

In addition, under Executive Office for Immigration Review, language is included providing that an amount shall be derived by transfer from the Executive Office for Immigration Review fees deposited in the "Immigration Examinations Fee" account. Language is also included making an amount available until expended for certain purposes.

Moreover, under Office of Inspector General, language is included providing for not to exceed \$10,000 to meet unforeseen emergencies of a confidential character.

Under United States Parole Commission, Salaries and Expenses, language is included providing that upon the expiration of a term of office of a Commissioner, the Commissioner may continue to act until a successor has been appointed.

Under Legal Activities, Salaries and Expenses, General Legal Activities, language is included providing not to exceed a certain amount for expenses of collecting evidence, to be expended under the direction of, and to be accounted for solely under the certificate of, the Attorney General. Language is also included providing for the administration of pardons and clemency petitions. Language is also included providing for rental of space in the District of Columbia. Language is included making an amount available until expended for litigation support contracts. In addition, language is included making certain funds available to INTERPOL available until expended. Also, language is included limiting the amount of funds for official representation and reception expenses available to INTERPOL Washington. Furthermore, language is included providing funds to the Civil Rights Division for expenses associated with election monitoring, authority to reimburse the Office of Personnel Management for such expenses, and availability of such funds until expended. Finally, language is included for expenses associated with processing cases under the National Childhood Vaccine Injury Act of 1986.

Also, under Salaries and Expenses, Antitrust Division, language is included providing for no-year availability of funds and the use of offsetting collections. The language also provides that fees collected for premerger notification filings, regardless of the year of collection, shall be retained and used for necessary expenses in this appropriation, and shall remain available until expended.

In addition, under Salaries and Expenses, United States Attorneys, language is included regarding inter-governmental and cooperative agreements and limiting funds for official reception and representation expenses. Language is also included extending the availability of certain funds. Finally, language is included requiring each United States Attorney to establish or participate in a task force on human trafficking.

Furthermore, under United States Trustee System Fund, language is included regarding refunds due depositors. Language is also included providing for the extended availability of certain funds and the use of offsetting collections.

Moreover, under Fees and Expenses of Witnesses, language is included regarding contracts for the procurement and supervision of expert witnesses. In addition, language is included regarding funds for construction of buildings for safesites, armored and other vehi-

cles, and telecommunication equipment. The language also provides for no-year availability of funds. In addition, language is included providing no funds may be transferred pursuant to section 205 of this Act.

And under Salaries and Expenses, Community Relations Service, language is included regarding the transfer of funds for conflict resolution and violence prevention activities, which shall be subject to the provisions of section 505 of this Act.

Under United States Marshals Service, Salaries and Expenses, language is included limiting official reception and representation expenses, and providing for no-year availability for part of the appropriation.

Also, under Construction, language is included providing for no-year availability of funds.

In addition, under Federal Prisoner Detention, language is included providing for no-year availability of funds. Language is included limiting the amount of funds considered "funds appropriated for State and local law enforcement assistance". Language is also included providing that the United States Marshals Service shall be responsible for managing the Justice Prisoner and Alien Transportation System.

Under National Security Division, Salaries and Expenses, language is included providing for the no-year availability of funds for IT systems. Language is also included providing that upon a determination by the Attorney General that emergent circumstances require additional funding for the activities of the National Security Division, the Attorney General may transfer such amounts to this heading from available appropriations for the current fiscal year for the Department of Justice, as may be necessary to respond to such circumstances. The language provides that such a transfer shall be treated as a reprogramming under section 505 of this Act.

Under Interagency Law Enforcement, Interagency Crime and Drug Enforcement, language is included providing for no-year availability for some of the funds. Language is also included regarding authorities under which funds may be used.

Under Federal Bureau of Investigation, Salaries and Expenses, language is included providing for no-year availability of certain funds. Language is included providing for a limitation on representational expenses.

Under Construction, language is included specifying the purpose of the appropriation and making it available until expended.

Under Drug Enforcement Administration, Salaries and Expenses, language is included providing for funds to meet unforeseen emergencies of a confidential character. Language is also included allowing conduct of drug education and training programs, including travel and related expenses for participants in such programs and the distribution of items of token value that promote the goals of such programs. In addition, language is included providing for no-year availability of certain funds. Finally, language is included providing for a limitation on representational expenses.

Under Bureau of Alcohol, Tobacco, Firearms and Explosives, Salaries and Expenses, language is included allowing training of State and local law enforcement agencies with or without reimbursement, including training in connection with the training and acquisition of canines for explosives and fire accelerants detection, and

allowing provision of laboratory assistance to State and local law enforcement agencies, with or without reimbursement. Language is also included limiting official reception and representation expenses. In addition, language is included providing funds for the payment of attorneys' fees. Additional language is included prohibiting expenses to investigate or act upon applications for relief from Federal firearms disabilities under section 925(c) of title 18, United States Code. Language is further included regarding expenses to investigate applications filed by corporations for relief from section 925(c) of title 18, United States Code. In addition, language is included providing for no-year availability of certain funds. Moreover, language is included that prohibits funds to transfer the functions, missions or activities of ATF to other agencies or departments.

Under Federal Prison System, Salaries and Expenses, language is included that provides for the transfer to the Department of Health and Human Services funds necessary for medical relief for inmates. Language is also included that provides authority to the Director to enter into contracts to furnish health care. In addition, language is included placing a limitation on funds for reception and representation expenses. Furthermore, language is included extending the availability of certain funds. Finally, language is included providing authority for the Federal Prison System to accept donated property and services.

Also, in Building and Facilities, language is included providing for no-year availability of funds. Language is also included stating labor of prisoners may be used for work under this heading.

Additionally, under Federal Prison Industries, Incorporated, language is included authorizing Federal Prison Industries, Incorporated, to make such expenditures, within the limits of funds and borrowing authority available, and in accord with the law, and to make such contracts and commitments, without regard to fiscal year limitations, as may be necessary in carrying out the program set forth in the budget for the current fiscal year for such corporation.

Furthermore, under Limitation on Administrative Expenses, Federal Prison Industries, Incorporated, language is included making available funds for its administrative expenses, and for certain services, to be computed on an accrual basis to be determined in accordance with the corporation's current prescribed accounting system, and such amounts shall be exclusive of depreciation, payment of claims, and expenditures that such accounting system requires to be capitalized or charged to cost of commodities acquired or produced, including selling and shipping expenses, and expenses in connection with acquisition, construction, operation, maintenance, improvement, protection, or disposition of facilities and other property belonging to the corporation or in which it has an interest.

Under State and Local Law Enforcement Activities, Office on Violence Against Women, Violence Against Women Prevention and Prosecution Programs, language is included making funds available until expended. Language is also included placing a limitation on funds to be made available for expenses related to evaluation, training, and technical assistance. In addition, language is included providing for specific appropriations for various programs within the Office on Violence Against Women. Furthermore, language is

included making available certain unobligated balances for specified programs. The language also applies certain conditions to specified grants. It provides for certain funds to be transferred to "Research, Evaluation and Statistics" for administration by the Office of Justice Programs.

Under Office of Justice Programs, Research, Evaluation and Statistics, language is included to provide for no-year availability of funds. Language is also included to provide for specific appropriations for various programs within the Office of Justice Programs.

Also, under State and Local Law Enforcement Assistance, language is included to provide for no-year availability of funds. Language is also included regarding an Officer Robert Wilson III Memorial Initiative on Preventing Violence Against Law Enforcement Officer Resilience and Survivability Initiative, Smart Policing, Smart Prosecution, juvenile indigent defense, Convention Security, a National Missing and Unidentified Persons System, a training program to improve response for those with mental illness, the John R. Justice grant program, Capital Litigation and Wrongful Conviction Review, Prison Rape Prevention and Prosecution, Kevin and Avonte's Law, Emergency Federal Law Enforcement Assistance, managed access systems, regional law enforcement technology, and Community Based Violence Prevention and the application of certain sections and special rules. In addition, language is included regarding Federal immigration and other detainees housed in State and local detention facilities. Language is included for an immigration legal aid pilot. Furthermore, language is included regarding local government use of funds to increase the number of law enforcement officers. Language is also included regarding DNA training and education for law enforcement, correctional personnel, and court officers. There is further language regarding certain time limitations under the Second Chance Act. Furthermore, language is included waiving a provision of law that terminated the COPS Hiring Program after September 2000. Language is also included regarding smart policing, smart prosecution, tribal law enforcement, regional information sharing activities, and certain police training. The language also provides for certain funds to be transferred to "Research, Evaluation and Statistics". Finally, the language specifies appropriations for various programs within the Office of Justice Programs.

In addition, under Juvenile Justice Programs, language is included providing for no-year availability of funds. Language is also included waiving a provision of law with respect to funding for missing and exploited children programs. Finally, the language delineates certain amounts for various programs under this heading.

Furthermore, under Public Safety Officer Benefits, language is included providing for no-year availability of funds. Language is also included providing for the transfers of funds in emergent circumstances, which shall be subject to the provisions of section 505 of this Act.

Under Department of Justice, General Provisions, the following general provisions that fall within the rule are recommended:

Section 201 makes available additional reception and representation funding for the Attorney General from the amounts provided in this title.

Section 202 prohibits the use of funds to pay for an abortion, except in the case of incest, rape or to preserve the life of the mother.

Section 203 prohibits the use of funds to require any person to perform or facilitate the performance of an abortion.

Section 204 establishes the obligation of the Director of the Bureau of Prisons to provide escort services to an inmate receiving an abortion outside of a Federal facility, except where this obligation conflicts with the preceding section.

Section 205 establishes the Committee's requirements and procedures for transfer proposals.

Section 206 prohibits the use of certain funds for transporting prisoners classified as maximum or high security, other than to a facility certified by the Bureau of Prisons as appropriately secure.

Section 207 prohibits the use of funds for the purchase or rental by Federal prisons of audiovisual equipment, services and materials used primarily for recreational purposes, except for those items and services needed for inmate training, religious, or educational purposes.

Section 208 requires review by the Deputy Attorney General and the Department Investment Review Board prior to the obligation or expenditure of funds for major information technology projects.

Section 209 requires the Department to follow reprogramming procedures prior to any deviation from the program amounts specified in this title or the reuse of specified deobligated funds provided in previous years.

Section 210 prohibits funding from being used for certain public-private partnerships.

Section 211 prohibits U.S. Attorneys from holding dual or additional responsibilities that exempt U.S. Attorneys from statutory residency requirements.

Section 212 permits up to 3 percent of grant and reimbursement program funds made available to OJP to be used for training and technical assistance, up to 3 percent of grant or reimbursement funds made available to that office to be used for criminal justice research, evaluation and statistics, and up to 7 percent for grants to Indian tribes.

Section 213 waives the requirement that the Attorney General reserve certain funds from amounts provided for offender incarceration.

Section 214 places limitation on the obligation of funds from certain Department of Justice accounts and funding sources.

Section 215 prohibits funds, other than funds for the National Instant Criminal Background Check System established under the Brady Handgun Violence Prevention Act, from being used to facilitate the transfer of an operable firearm to a known or suspected agent of a drug cartel where law enforcement personnel do not continuously monitor or control such firearm. This language is made permanent.

Section 216 places certain restrictions on the uses of Department of Justice unobligated balances.

Section 217 provides authority to use certain grant funding for Performance Partnership Pilots.

Section 218 prohibits the use of case closure metrics for immigration judge performance evaluations.

In title III, Science, under Office of Science and Technology Policy, language is included providing that certain funds be available for reception and representation expenses, and rental of conference rooms.

Under National Space Council, language is included providing that certain funds be available for reception and representation expenses.

Under National Aeronautics and Space Administration, Science, language is included providing for the two year availability of funds. Language is also included regarding a limitation on formulation and development costs of a certain program with an associated notification requirement and language is also included concerning a planetary science mission.

Also, under Aeronautics, language is included providing for the two-year availability of funds.

In addition, under Space Technology, language is included providing for the two-year availability of funds.

Under Exploration, language is included providing for the multi-year availability of funds. Language is also included that delineates amounts for program components. Language is also included describing certain reports and requiring the inclusion of estimates in future budget requests.

In Space Operations, language is included providing for the multi-year availability of funds.

Additionally, under Science, Technology, Engineering, and Mathematics Engagement, language is included providing for the multi-year availability of funds. Language is also included delineating amounts for program components.

Under Safety, Security and Mission Services, language is included providing for the multi-year availability of funds. Language is also included to limit official reception and representation expenses.

Under Construction and Environmental Compliance and Restoration, language is included providing for the multi-year availability of funds. Language is also included restricting receipts and expenditures made pursuant to enhanced use lease arrangements and requiring the inclusion of estimates in future budget requests.

Under Office of Inspector General, language is included providing for the multi-year availability of certain funds.

In the Administrative Provisions, language is included regarding: availability of funds for announced prizes; limitations on transfers of funds among NASA accounts; the submission of a spending plan; and language limiting obligation of certain funds pending submission of certain reports.

Under National Science Foundation, Research and Related Activities, language is included that provides for the multi-year availability of funds. Language is also included that governs funding availability for polar research and operation support. In addition, language is included providing that certain receipts may be credited to this appropriation.

Also, under Major Research Equipment and Facilities Construction, language is included providing for no-year availability of funds.

In addition, under Education and Human Resources, language is included providing for the multi-year availability of funds.

Furthermore, under Agency Operations and Award Management, language is included regarding contracts for maintenance and operation of facilities and other services. Language is also included limiting representation expenses.

Under Office of the National Science Board, language is included limiting funds for official reception and representation.

Under Office of Inspector General, language is included providing for the multi-year availability of certain funds.

Under Administrative Provision, language is included regarding transfers of funds. Also, language is included requiring the Director to submit notification of certain activities 30 days in advance.

In title IV, Related Agencies, under Commission on Civil Rights, Salaries and Expenses, language is included prohibiting expenses to employ in excess of a specific level of full-time individuals or to reimburse Commissioners for certain billable days. Language is also included prohibiting certain unauthorized activities. Finally, language is included authorizing the Chair to accept donations or gifts to carry out the work of the Commission.

Under Equal Employment Opportunity Commission, Salaries and Expenses, language is included designating an amount for payments to State and local enforcement agencies. Language is also included limiting funds for official reception and representation expenses. Finally, language is included authorizing the Chair to accept donations or gifts to carry out the work of the Commission.

Under International Trade Commission, Salaries and Expenses, language is included limiting funds for official reception and representation expenses. Language is also included providing for no-year availability of funds.

Under Legal Services Corporation, Payment to the Legal Services Corporation, language is included regarding pay for officers and employees. Language is also included delineating amounts for specific programs and regarding authorities to transfer funds. In addition, language is included designating the Legal Services Corporation as an agency of the Federal Government for the purposes of reprogramming.

Under Administrative Provision, Legal Services Corporation, language is included that prohibits the use of funds for certain activities.

Under Office of the United States Trade Representative, Salaries and Expenses, language is included providing for the no-year availability of some funds. Language is also included limiting funds for official reception and representation expenses.

Also, under Trade Enforcement Trust Fund, language is included regarding certain notifications.

Under State Justice Institute, Salaries and Expenses, language is included limiting funds for reception and representation expenses. Language is also included providing for multi-year availability of certain funds. In addition, language is included designating the State Justice Institute as an agency of the Federal Government for the purposes of reprogramming.

In title V, General Provisions, the following general provisions that fall within the rule are recommended:

Section 501 prohibits the use of funds for publicity or propaganda purposes unless expressly authorized by law.

Section 502 prohibits any appropriation contained in this Act from remaining available for obligation beyond the current fiscal year unless expressly authorized.

Section 503 provides that the expenditure of any appropriation contained in this Act for any consulting service through procurement contracts shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection, except where otherwise provided under existing law or under existing Executive order issued pursuant to existing law.

Section 504 provides that if any provision of this Act or the application of such provision to any person or circumstance shall be held invalid, the remainder of the Act and the application of other provisions shall not be affected.

Section 505 prohibits a reprogramming of funds that: (1) creates or initiates a new program, project, or activity; (2) eliminates a program, project, or activity; (3) increases funds or personnel by any means for any project or activity for which funds have been denied or restricted; (4) relocates an office or employees; (5) reorganizes or renames offices, programs, or activities; (6) contracts out or privatizes any function or activity presently performed by Federal employees; (7) augments funds for existing programs, projects, or activities in excess of \$500,000 or 10 percent, whichever is less, or reduces by 10 percent funding for any program, project, or activity, or numbers of personnel by 10 percent; or (8) results from any general savings, including savings from a reduction in personnel, which would result in a change in existing programs, projects, or activities as approved by Congress, unless the House and Senate Committees on Appropriations are notified 15 days in advance of such reprogramming of funds.

Section 506 provides that if it is determined that any person intentionally affixes a "Made in America" label to any product that was not made in America that person shall not be eligible to receive any contract or subcontract made with funds made available in this Act. The section further provides that to the extent practicable, with respect to purchases of promotional items, funds made available under this Act shall be used to purchase items manufactured, produced, or assembled in the United States or its territories or possessions.

Section 507 requires quarterly reporting on the status of balances of appropriations.

Section 508 provides that any costs incurred by a department or agency funded under this Act resulting from, or to prevent, personnel actions taken in response to funding reductions in this Act, or, for the Department of Commerce, from actions taken for the care and protection of loan collateral or grant property, shall be absorbed within the budgetary resources available to the department or agency, and provides transfer authority between appropriation accounts to carry out this provision, subject to reprogramming procedures.

Section 509 prohibits funds made available in this Act from being used to promote the sale or export of tobacco or tobacco products or to seek the reduction or removal of foreign restrictions on the marketing of tobacco products, except for restrictions that are not applied equally to all tobacco or tobacco products of the same type. This provision is not intended to impact routine international trade



services to all U.S. citizens, including the processing of applications to establish foreign trade zones.

Section 510 limits the obligation of receipts deposited into the Crime Victims Fund to \$2,838,000,000 during fiscal year 2020, and provides for a transfer of \$10,000,000 to the Department of Justice, Office of Inspector General for oversight and auditing of the fund. It also provides for a tribal set-aside.

Section 511 prohibits the use of Department of Justice funds for programs that discriminate against or denigrate the religious or moral beliefs of students participating in such programs.

Section 512 prohibits the transfer of funds made available in this Act to any department, agency or instrumentality of the United States Government, except for transfers made by, or pursuant to authorities provided in, this Act or any other appropriations Act.

Section 513 requires certain timetables of audits performed by Inspectors General of the Departments of Commerce and Justice, the National Aeronautics and Space Administration, the National Science Foundation and the Legal Services Corporation and sets limits and restrictions on the awarding and use of grants or contracts funded by amounts appropriated by this Act.

Section 514 prohibits funds for acquisition of certain information systems unless the acquiring department or agency has reviewed and assessed certain risks. Any acquisition of such an information system is contingent upon the development of a risk mitigation strategy and a determination that the acquisition is in the national interest. Each department or agency covered by this section shall consult with the Federal Bureau of Investigation (FBI) and other relevant agencies when reviewing supply chain risks and making a determination that the acquisition is in the national interest. Each department or agency covered by this section is directed to ensure it is following the criteria established by the FBI and the National Institute of Standards and Technology when acquiring or renewing certain information systems. Each department or agency covered under this section shall submit a quarterly report to the Committees on Appropriations of the House and Senate describing reviews and assessments of risk made pursuant to this section and any associated findings or determinations.

Section 515 prohibits the use of funds made available in this Act to support or justify the use of torture by any official or contract employee of the United States Government.

Section 516 prohibits the use of funds made available in this Act to include certain language in trade agreements.

Section 517 prohibits the use of funds made available in this Act to authorize or issue a national security letter (NSL) in contravention of certain laws authorizing the FBI to issue NSLs.

Section 518 requires congressional notification regarding any project within the Departments of Commerce or Justice, the National Science Foundation or the National Aeronautics and Space Administration totaling more than \$75,000,000 that has cost increases of 10 percent or more.

Section 519 deems funds for intelligence or intelligence related activities as authorized by Congress during fiscal year 2019 until the enactment of the Intelligence Authorization Act for fiscal year 2019.

Section 520 prohibits contracts or grant awards in excess of \$5,000,000 unless the prospective contractor or grantee certifies that the organization has filed all Federal tax returns, has not been convicted of a criminal offense under the Internal Revenue Code of 1986, and has no unpaid Federal tax assessment.

Section 521 provides for rescissions of unobligated balances from the Departments of Commerce and Justice.

Section 522 prohibits the use of funds made available in this Act for the purchase of first class or premium air travel in contravention of certain Federal regulations.

Section 523 prohibits the use of funds made available in this Act to pay for the attendance of more than 50 department or agency employees, who are stationed in the United States, at any single conference outside the United States, unless the conference is a law enforcement training or operational event where the majority of Federal attendees are law enforcement personnel stationed outside the United States.

Section 524 requires tracking and reporting of undisbursed balances in expired grant accounts.

Section 525 requires, when practicable, the use of funds in this Act to purchase light bulbs that have the “Energy Star” or “Federal Energy Management Program” designation.

Section 526 prohibits the use of funds made available in this Act by the National Aeronautics and Space Administration (NASA), the Office of Science and Technology Policy (OSTP) or the National Space Council (NSC) to engage in bilateral activities with China or a Chinese-owned company unless the activities are authorized by subsequent legislation or NASA, OSTP or NSC after consultation with the Federal Bureau of Investigation have made a certification pursuant to subsections (c) and (d) of this section.

Section 527 prohibits the use of funds made available in this Act to establish or maintain a computer network that does not block pornography, except for law enforcement or victim assistance purposes.

Section 528 requires each department and agency funded in the bill to submit spending plans.

Section 529 prohibits the use of funds to pay for unsatisfactory contractor performance.

Section 530 prohibits the use of funds by the Department of Justice or the Drug Enforcement Administration in contravention of a certain section of the Agricultural Act of 2014.

Section 531 prohibits the Department of Justice from preventing certain States or territories from implementing their laws regarding the use of medical marijuana.

Section 532 requires quarterly reports from the Department of Commerce, the National Aeronautics and Space Administration, and the National Science Foundation on official travel to China.

Section 533 requires not less than 10 percent of the funds provided for certain programs be provided to persistent poverty counties.

Section 534 prohibits funds to incorporate into the 2020 Decennial Census any question that was not included in the 2018 End-to-End Census Test.

Section 535 prohibits funds to move a Bureau of Alcohol, Tobacco, Firearms, and Explosives facility.

## APPROPRIATIONS NOT AUTHORIZED BY LAW

The Committee, in a number of instances, has found it necessary to recommend funding for ongoing activities and programs for which authorizations have not been enacted to date. Pursuant to clause 3(f)(1)(B) of rule XIII of the Rules of the House of Representatives, the following table lists the appropriations in the accompanying bill that are not authorized by law for the period concerned:

UNAUTHORIZED APPROPRIATIONS  
(IN THOUSANDS OF DOLLARS)

Program	Last year of authorization	Authorization level in year of authorizations	Appropriations in last year of authorization	Appropriations in this bill
Department of Commerce:				
International Trade Commission:				
Operations and Administration:				
Export Promotion Activities	1996	Such sums	264,885	*
Bureau of Industry and Security:				
Operations and Administration	1994	Such sums	34,747	127,652
Economic Development Administration:				
Salaries and Expenses	2008	Such sums	30,832	41,650
Economic Development Assistance Programs		Various		498,350
Public Works and Economic Development Act Programs	2008	500,000	349,100	(396,350)
Minority Business Development Agency:				
Minority Business Development	n/a	n/a	n/a	44,000
Economics and Statistics Administration:				
Salaries and Expenses	n/a	n/a	n/a	107,990
National Telecommunications and Information Administration:				
Salaries and Expenses	1993	17,900	18,493	42,441
National Institute of Standards and Technology:				
Scientific and Technical Research and Services	2013	676,700	609,514	751,000
Industrial technology services	2013	241,709	140,316	169,172
Manufacturing extension partnerships	2013	(165,100)	(126,088)	(154,000)
Construction of research facilities	2013	121,300	58,874	120,000
National Oceanic and Atmospheric Administration:				
Operations, Research and Facilities:				
National Ocean Service	1993	121,183	150,864	642,000
Integrated Ocean Observing System Regional Observations	2013	Such sums	(334,932)	(40,500)
Coastal Science, Assessment, Response and Restoration		Various		(84,500)
Competitive External Research		Various		(20,000)
Coastal Zone Management and Services	n/a	n/a	n/a	(46,500)
Coastal Zone Management Grants	1999	(50,500)	(52,700)	(81,000)
Title IX Fund	2019	Such sums	(30,000)	(60,000)
Coral Reef Program	2004	(16,000)	(26,100)	(33,000)
Sanctuaries and Marine Protected Areas	2005	(40,000)	(58,750)	(56,500)
National Estuarine Research Reserve System	1999	(4,600)	(4,300)	(29,000)
National Marine Fisheries Services				944,650

Marine Mammals, Sea Turtles and Other Species	1992	†	†	(124,000)
Species Recoveries Grants	1992	†	†	(7,500)
Atlantic Salmon	1992	†	†	(6,500)
Pacific Salmon	1992	†	†	(66,420)
2018 Recertification of the Pacific Salmon Treaty	n/a	n/a	n/a	(30,000)
Fisheries and Ecosystem Science Programs and Services		Various		(150,000)
Fisheries Data Collections, Surveys and Assessments		Various		(171,000)
Observers and Training		Various		(45,100)
Fisheries Management Programs and Services		Various		(124,000)
Salmon Management Activities		Various		(37,000)
Regional Councils and Fisheries Commissions		Various		(41,500)
Interjurisdictional Fisheries Grants	2012	3,400	1,157	(3,500)
Enforcement		Various		(73,500)
Habitat Conservation and Restoration		Various		(61,625)
Oceanic and Atmospheric Research	1993	1,589,081	202,172	†
Climate Laboratories and Cooperative Institutes	1993	(109,877)	(79,948)	(73,000)
Regional Climate Data and Information		Various		(41,500)
Climate Competitive Research	n/a	n/a	n/a	(71,000)
Ocean and Coastal Laboratories and Cooperative Institutes		Various		(35,345)
National Sea Grant College Program	2014	†	(62,800)	(73,000)
Marine Aquaculture Program	2014	†	(4,500)	(41,500)
Ocean Exploration and Research	2015	(59,436)	(28,000)	(12,000)
Integrated Ocean Acidification	2012	(20,000)	(6,359)	(44,000)
Sustained Ocean Observations and Monitoring	n/a	n/a	n/a	(20,000)
High Performance Computing Initiatives	1996	(4,500)	6,500	(48,500)
National Weather Service	1993	395,822	†	(22,235)
Observations		Various		†
Central Processing	1993	†	†	(230,770)
Analyze, Forecast and Support		†	†	(99,797)
Dissemination	1993	†	†	(546,300)
Science and Technology Integration		Various		(75,482)
National Environmental Satellite, Data and Information Service		Various		(147,200)
Office of Satellite and Production Operations	1993	†	†	281,790
Product Development, Readiness and Application	1993	†	†	(186,790)
Commercial Remote Sensing Regulatory Affairs	n/a	n/a	n/a	(28,500)
Office of Space Commerce	n/a	n/a	n/a	(1,800)
Group on Earth Observations	1993	n/a	n/a	(1,800)
National Centers for Environmental Information	1993	n/a	n/a	(500)
Mission Support:		39,596	32,646	(62,400)
Mission Support Services	1993	75,750	71,433	260,166

UNAUTHORIZED APPROPRIATIONS—Continued  
(IN THOUSANDS OF DOLLARS)

Program	Last year of authorization	Authorization level in year of authorizations	Appropriations in last year of authorization	Appropriations in this bill
NOAA Office of Education .....	n/a	n/a	n/a	34,500
Office of Marine and Aviation Operations:				
Marine Operations and Maintenance .....	1993	68,518	61,222	195,547
Aviation Operations .....	1993	10,336	9,872	37,250
Unmanned Systems Operations .....	n/a	n/a	n/a	15,062
Procurement, Acquisition and Construction:				
National Ocean Service:				
National Estuarine Research Reserve Construction .....	n/a	n/a	n/a	3,000
Marine Sanctuaries Construction .....	2005	6,000	10,000	5,000
Office of Oceanic and Atmospheric Research:				
Research Supercomputing/CCRI .....	n/a	n/a	n/a	49,000
National Weather Service:				
Observations .....	1993	†	84,516	21,129
Central Processing .....	n/a	n/a	n/a	67,000
Dissemination .....	n/a	n/a	n/a	10,000
Weather Forecast Office Construction .....	n/a	n/a	n/a	15,000
National Environmental Satellite, Data and Information Service:				
GOES-R .....	n/a	n/a	n/a	304,056
Space Weather Follow-on .....	n/a	n/a	n/a	38,600
Polar Weather Satellites .....	n/a	n/a	n/a	755,038
CDARS .....	1993	2,300	n/a	14,850
Low Earth Orbit .....	n/a	n/a	n/a	33,202
Geostationary Earth Orbit .....	n/a	n/a	n/a	25,219
System Architecture and Advanced Planning .....	n/a	n/a	n/a	44,822
Satellite CDA Facility .....	n/a	n/a	n/a	2,450
Mission Support:				
NOAA Construction .....	1993	94,500	64,500	21,000
Office of Marine and Aviation Operations:				
Fleet Capital Improvements and Technology Infusion .....	n/a	n/a	n/a	24,634
Pacific Coastal Salmon Recovery .....	2009	90,000	80,000	65,000
Fishermen's Contingency Fund .....	n/a	n/a	n/a	349
Fisheries Disaster Assistance .....	2013	Such sums	5,000	15,000
Fisheries Finance Program Account .....	n/a	n/a	n/a	-8,000

Departmental Management:									
Salaries and Expenses .....	n/a	n/a	n/a	n/a	n/a	50,000			
Renovation and Modernization .....	n/a	n/a	n/a	n/a	n/a	1,100			
Office of Inspector General .....	n/a	n/a	n/a	n/a	n/a	35,043			
Department of Justice:									
General Administration:									
Salaries and Expenses .....	2009	181,561	105,805	114,740	105,805				
Justice Information Sharing Technology .....	2009	204,152	80,000	33,875	80,000				
Executive Office for Immigration Review .....	2009	n/a	n/a	672,966	n/a				
Office of Inspector General .....	2009	81,922	80,681	105,500	80,681				
United States Parole Commission:									
Salaries and Expenses .....	2009	12,711	12,570	12,672	12,570				
Legal Activities:									
Salaries and Expenses, General Legal Activities .....	2009	764,526	805,655	934,600	805,655				
Salaries and Expenses, Antitrust Division .....	2009	162,488	157,788	166,755	157,788				
Salaries and Expenses, United States Attorneys .....	2009	1,829,194	1,851,336	2,329,800	1,851,336				
Salaries and Expenses, Foreign Claims Settlement Commission .....	2009	1,429	1,823	2,335	1,823				
Fee and Expenses of Witnesses .....	2009	203,755	168,300	270,000	168,300				
Salaries and Expenses, Community Relations Service .....	2009	10,977	9,873	17,000	9,873				
Assets Forfeiture Fund (discretionary) .....	2009	22,000	20,990	20,514	20,990				
United States Marshals Service .....	2009	900,178	954,000	3,252,061	954,000				
Salaries and Expenses .....		\$	(960,000)	(1,444,600)	(960,000)				
Construction .....		\$	(4,000)	(15,000)	(4,000)				
Federal Prison Detention# .....	2009	1,858,509	1,355,319	(1,792,461)	1,355,319				
National Security Division:									
Salaries and Expenses .....	n/a	n/a	n/a	109,585	n/a				
Interagency Law Enforcement:									
Interagency Crime and Drug Enforcement .....	2009	744,593	515,000	570,000	515,000				
Federal Bureau of Investigation .....	2009	6,480,608	7,301,191	9,507,823	7,301,191				
Salaries and Expenses .....		\$	(7,182,700)	(9,455,928)	(7,182,700)				
Construction .....		\$	(153,491)	(51,895)	(153,491)				
Drug Enforcement Administration:									
Salaries and Expenses .....	2009	1,930,462	1,959,084	2,356,858	1,959,084				
Bureau of Alcohol, Tobacco, Firearms and Explosives:									
Salaries and Expenses .....	2009	1,038,939	1,078,215	1,439,000	1,078,215				
Federal Prison System .....	2009	5,698,292	6,171,561	7,475,000	6,171,561				
Salaries and Expenses .....		\$	(5,600,792)	(7,325,000)	(5,600,792)				
Building and Facilities .....		\$	(575,807)	(150,000)	(575,807)				

UNAUTHORIZED APPROPRIATIONS—Continued  
(IN THOUSANDS OF DOLLARS)

Program	Last year of authorization	Authorization level in year of authorizations	Appropriations in last year of authorization	Appropriations in this bill
<b>Office on Violence Against Women:</b>				
Violence Against Women Prevention and Prosecution Programs:				
STOP Grants	2018	215,000	215,000	222,000
Transitional Housing Assistance	2018	35,000	35,000	41,000
Research and Evaluation on Violence against Women	n/a	n/a	n/a	3,000
Consolidated Youth-oriented Program		Various		20,000
Engaging Men and Youth in Prevention	n/a	n/a	n/a	††
Grants to Assist Children and Youth Exposed to Violence	n/a	n/a	n/a	††
Supporting Teens Through Education Program	2011	5,000	**	††
Services to Advocate and Respond to Youth	n/a	n/a	n/a	††
Grants to Encourage Arrest Policies	2018	53,000	53,000	62,000
Homicide Reduction Initiative	n/a	n/a	n/a	(4,000)
Sexual Assault Victims Services	2018	40,000	35,000	50,000
Rural Domestic Violence and Child Abuse Enforcement	2018	50,000	40,000	50,000
Violence on College Campuses	2018	12,000	20,000	26,000
Civil Legal Assistance	2018	57,000	45,000	57,000
Elder Abuse Grant Program	2018	9,000	5,000	9,000
Family Civil Justice		Various		22,000
Court Training and Improvements Program	2011	5,000	**	
Safe Havens Program	2011	5,000	**	
Education and Training for Disabled Female Victims	2018	9,000	6,000	9,000
National Resource Center on Workplace Responses	2018	1,000	500	1,000
Research on Violence Against Indian Women	2015	1,000	940	1,000
Indian Country—Sexual Assault Clearinghouse	n/a	n/a	n/a	1,000
Tribal Special Domestic Violence Criminal Jurisdiction	2018	n/a	n/a	5,000
Rape Survivor Child Custody Act	2019	5,000	1,500	3,500
<b>Office on Justice Programs:</b>				
Research Evaluation and Statistics:				
Bureau of Justice Statistics	1995	33,000	32,335	43,000
NCS-X Implementation Program	n/a	n/a	n/a	(5,000)
National Institute of Justice	1995	33,000	58,879	37,000
Domestic Radicalization Research	n/a	n/a	n/a	(5,000)
State and Local Law Enforcement Assistance:				
Byrne Memorial Justice Assistance Grants	2012	1,095,000	470,000	530,250



Officer Robert Wilson III VALOR Initiative	n/a	n/a	(15,000)
Smart Policing	n/a	n/a	(7,500)
Smart Prosecution	n/a	n/a	(10,000)
Juvenile Indigent Defense	n/a	n/a	(4,000)
Convention Security	n/a	n/a	(100,000)
NAMUS	n/a	n/a	(3,600)
Training Program to Improve Responses to People with Mental Illness	n/a	n/a	(2,500)
John R. Justice Grant	2014	Such sums	(2,000)
Prison Rape Prevention and Prosecution	2010	40,000	(15,500)
Emergency Federal Law Enforcement Assistance	2016	20,000	(2,000)
Managed Access	n/a	n/a	(2,000)
Regional Law Enforcement Training Initiative	n/a	n/a	(3,000)
State Criminal Alien Assistance Program	2011	950,000	260,000
Adam Walsh Act Implementation	2009	Such sums	20,000
National Sex Offender Public Website	n/a	n/a	1,000
Community Teams to Reduce the Sexual Assault Kit (SAK) Backlog	n/a	n/a	49,000
CASA-Special Advocates	2018	12,000	12,000
Community Trust Initiative	n/a	n/a	60,000
Body-worn Camera Partnership	n/a	n/a	(25,000)
Justice Reinvestment Initiative	n/a	n/a	(35,000)
Immigration Representation Pilot	n/a	n/a	10,000
Community Policing Development/Training and Technical Assistance	n/a	n/a	(10,000)
POLICE Act	n/a	n/a	(20,000)
Juvenile Justice Programs:	2007	Such sums	100,000
Youth Mentoring Grants			
Juvenile Accountability Block Grant:			
Missing and Exploited Children Programs	2018	Various	84,000
Missing and Exploited Children grants		*	*
Training for Judicial Personnel	2018	2,300	2,000
Community Oriented Policing Services:			
COPS Hiring Grants	2009	1,047,117	239,750
Regional information sharing activities	2003	100,000	(38,000)
Tribal Access Program	n/a	29,000	(3,000)
Community Policing Development/Training and Technical Assistance	n/a	n/a	(6,500)
POLICE Act	n/a	n/a	12,000
Anti-Methamphetamine Task Forces	n/a	n/a	8,000
Anti-Heroin Task Forces	n/a	n/a	32,000
Science:			
National Aeronautics and Space Administration:	2017	5,500,000	7,161,300
Science		5,764,900	

UNAUTHORIZED APPROPRIATIONS—Continued  
(IN THOUSANDS OF DOLLARS)

Program	Last year of authorization	Authorization level in year of authorizations	Appropriations in last year of authorization	Appropriations in this bill
Aeronautics .....	2017	640,000	660,000	700,000
Space Technology .....	2017	686,000	686,500	1,291,600
Exploration .....	2017	4,330,000	4,324,000	5,129,900
Space Operations .....	2017	5,023,000	4,950,700	4,285,700
Education .....	2017	115,000	100,000	123,000
Safety, Security and Mission Services .....	2017	2,788,600	2,768,600	3,084,600
Construction and Environmental Compliance and Remediation .....	2017	388,000	360,700	497,200
Office of Inspector General .....	2017	37,400	37,900	41,700
National Science Foundation:				
Research and Related Activities .....	2013	6,637,879	5,983,280	7,106,301
Major Research Equipment and Facilities Construction .....	2013	236,764	196,170	223,230
Education and Human Resources .....	2013	1,041,762	895,610	950,000
Agency Operations and Award Management .....	2013	363,670	299,400	336,890
Office of the National Science Board .....	2013	4,906	4,440	4,370
Office of Inspector General .....	2013	15,049	14,200	15,350
Related Agencies:				
Commission on Civil Rights:				
Salaries and Expenses .....	1995	9,500	8,904	10,500
International Trade Commission:				
Salaries and Expenses .....	2004	57,240	58,925	101,000
Legal Services Corporation:				
Payment to the Legal Services Corporation .....	1980	205,000	300,000	550,000
Marine Mammal Commission:				
Salaries and Expenses .....	1999	1,750	1,240	3,616
Office of the U.S. Trade Representative:				
Salaries and Expenses .....	2004	33,108	41,552	57,000
State Justice Institute:				
Salaries and Expenses .....	2008	7,000	3,760	6,555

\*The recommendation does not provide a specific amount for this program.  
 † Authorization provides a single amount for activities spread across multiple NOAA Control Table lines.  
 ‡ The National Integrated Drought Information System Reauthorization Act of 2018 (Public Law 115-423) authorized Weather and Air Chemistry Research Programs. Other programs are unauthorized.  
 § The last time the NWS was comprehensively authorized was 1993. Though specific programs, like the Tsunami Warning and Education Program, are currently authorized the recommendation does not provide a specific amount for those programs.

¶¶ The authorization authorizes funding for the "Administrative Review and Appeals" account, which encompassed the activities of the Executive Office for Immigration Review and the Office of Pardon Attorney. The recommendation separates these into different accounts.

§ Authorization does not provide amounts for specific accounts within this agency.

# This was formerly the "General Administration, Detention Trustee" account.

\*\* The authorization for this program expired in FY 2011. Since the government was funded by a full-year continuing resolution, the Committee did not provide a specific appropriation for this program.

†† These programs have been combined into the Consolidated Youth-oriented Program.

§§ The authorization for this program expired in FY 2007. Since the government was funded by a full-year continuing resolution, the Committee did not provide a specific appropriation for this program.

¶¶¶ Within the Research and Related Activities account, funding for Dyslexia and windstorm research are authorized.

COMPARISON WITH THE BUDGET RESOLUTION

Section 308(a)(1)(A) of the Congressional Budget Act requires the report accompanying a bill providing new budget authority to contain a statement comparing the levels in the bill to the suballocations submitted under section 302(b) of the Act for the most recently agreed to concurrent resolution on the budget for the applicable fiscal year.

[In millions of dollars]

	302(b) Allocation		This Bill	
	Budget Authority	Outlays	Budget Authority	Outlays
Comparison of amounts in the bill with Committee allocations to its subcommittees: Subcommittee on Commerce, Justice, Science, and Related Agencies:				
Discretionary .....	66,395	72,000	73,895	<sup>1</sup> 76,399
Mandatory .....	336	329	336	<sup>1</sup> 329

<sup>1</sup> Includes outlays from prior-year budget authority.

NOTE.—Consistent with the funding recommended in the bill for the 2020 Census, in accordance with section 1(g) of House Resolution 293 of the 116th Congress, and after the bill is reported to the House, the Chairman of the Committee on the Budget will provide a revised section 302(a) allocation reflecting an additional \$7,500,000,000 in discretionary budget authority and \$5,400,000,000 in outlays. That new allocation will eliminate the technical difference prior to Floor consideration.

FIVE-YEAR OUTLAY PROJECTIONS

In compliance with section 308(a)(1)(B) of the Congressional Budget and Impoundment Control Act of 1974 (Public Law 93–344), as amended, the following table contains five-year projections associated with the budget authority provided in the accompanying bill:

[In millions of dollars]

	Outlays
Projection of outlays associated with the recommendation:	
2020 .....	<sup>1</sup> 50,080
2021 .....	18,055
2022 .....	5,671
2023 .....	2,640
2024 and future years .....	3,457

<sup>1</sup> Excludes outlays from prior-year budget authority.

ASSISTANCE TO STATE AND LOCAL GOVERNMENTS

In accordance with section 308(a)(1)(C) of the Congressional Budget Act of 1974, as amended, the Congressional Budget Office has provided the following estimates of new budget authority and outlays provided by the accompanying bill for financial assistance to State and local governments:

[In millions of dollars]

	Budget Authority	Outlays
Financial assistance to State and local governments for 2020 .....	–2,832	<sup>1</sup> 84

<sup>1</sup> Excludes outlays from prior-year budget authority.

PROGRAM DUPLICATION

No provision of this bill establishes or reauthorizes a program of the Federal Government known to be duplicative of another Federal program, a program that was included in any report from the

Government Accountability Office to Congress pursuant to section 21 of Public Law 111–139, or a program related to a program identified in the most recent Catalog of Federal Domestic Assistance.

#### COMMITTEE HEARINGS

For the purposes of section 103(i) of H. Res. 6 of the 116th Congress—

The following hearings were used to develop or consider the Commerce, Justice, Science, and Related Agencies Appropriations Act, 2020:

The Subcommittee on Commerce, Justice, Science, and Related Agencies held an oversight hearing on February 26, 2019, entitled “Understanding the Changing Climate System and the Role of Climate Research.” The Subcommittee received testimony from:

Dr. Michael Freilich, Director of NASA’s Earth Science Division; and

Dr. Neil Jacobs, Assistant Secretary of Commerce for Environmental Observation and Prediction.

The Subcommittee on Commerce, Justice, Science, and Related Agencies held a budget hearing on March 7, 2019, entitled “Executive Office for Immigration Review.” The Subcommittee received testimony from:

James McHenry, Executive Office for Immigration Review.

The Subcommittee on Commerce, Justice, Science, and Related Agencies held an oversight hearing on March 12, 2019, entitled “Department of Justice Civil Rights Division.” The Subcommittee received testimony from:

Eric Dreiband, Assistant Attorney General for the Civil Rights Division, U.S. Department of Justice.

The Subcommittee on Commerce, Justice, Science, and Related Agencies held an oversight hearing on March 13, 2019, entitled “Gun Violence Prevention and Enforcement.” The Subcommittee received testimony from:

Thomas E. Brandon, Deputy Director, Bureau of Alcohol, Tobacco, Firearms and Explosives; and

Christine Halvorsen, Acting Assistant Director for Criminal Justice Information Services, Federal Bureau of Investigation.

The Subcommittee on Commerce, Justice, Science, and Related Agencies held a budget hearing on March 26, 2019, entitled “National Science Foundation’s Budget Request for Fiscal Year 2020.” The Subcommittee received testimony from:

Dr. France A. Córdova, Director, National Science Foundation.

The Subcommittee on Commerce, Justice, Science, and Related Agencies held a budget hearing on March 26, 2019 entitled “Member Day Hearing.” The Subcommittee received testimony from:

The Honorable Mo Brooks, Member of Congress;

The Honorable Debra A. Haaland, Member of Congress;

The Honorable Sheila Jackson Lee, Member of Congress;

The Honorable Hakeem S. Jeffries, Member of Congress;

The Honorable Bill Posey, Member of Congress; and

The Honorable Peter J. Visclosky, Member of Congress.

The Subcommittee on Commerce, Justice, Science, and Related Agencies held a budget hearing on March 27, 2019, entitled “The National Oceanic and Atmospheric Administration’s Budget Re-

quest for Fiscal Year 2020.” The Subcommittee received testimony from:

Dr. Neil Jacobs, Acting Administrator, National Oceanic and Atmospheric Administration.

The Subcommittee on Commerce, Justice, Science, and Related Agencies held a budget hearing on March 27, 2019, entitled “NASA’s Budget Request for Fiscal Year 2020.” The Subcommittee received testimony from:

James Bridenstine, Administrator, National Aeronautics and Space Administration.

The Subcommittee on Commerce, Justice, Science, and Related Agencies held a budget hearing on April 4, 2019, entitled “Federal Bureau of Investigation Budget Request for FY 2020.” The Subcommittee received testimony from:

Christopher Wray, Director, Federal Bureau of Investigation.

The Subcommittee on Commerce, Justice, Science, and Related Agencies held a budget hearing on April 9, 2019, entitled “Department of Justice Budget Request for Fiscal Year 2020.” The Subcommittee received testimony from:

William P. Barr, Attorney General of the United States; and Lee J. Lofthus, Assistant Attorney General for Administration.

The Subcommittee on Commerce, Justice, Science, and Related Agencies held an oversight hearing on April 30, 2019, entitled “Oversight Hearing: 2020 Census Preparation.” The Subcommittee received testimony from:

Dr. Steven Dillingham, Director, U.S. Census Bureau.

Robert Goldenkoff, Director of Strategic Issues, Government Accountability Office.

Nicholas Marinos, Director, Information Technology and Cybersecurity, Government Accountability Office.

#### COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY

The following table provides a detailed summary, for each department and agency, comparing the amounts recommended in the bill with fiscal year 2019 enacted amounts and budget estimates presented for fiscal year 2020:

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2019  
 AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2020  
 (Amounts in thousands)

	FY 2019 Enacted	FY 2020 Request	Bill	Bill vs. Enacted	Bill vs. Request
<b>TITLE I - DEPARTMENT OF COMMERCE</b>					
International Trade Administration					
Operations and administration.....	495,000	471,096	530,000	+35,000	+58,904
Offsetting fee collections.....	-11,000	-11,000	-11,000	---	---
Direct appropriation.....	484,000	460,096	519,000	+35,000	+58,904
Bureau of Industry and Security					
Operations and administration.....	79,050	87,652	87,652	+8,602	---
Defense function.....	39,000	40,000	40,000	+1,000	---
Total, Bureau of Industry and Security.....	118,050	127,652	127,652	+9,602	---
Economic Development Administration					
Economic Development Assistance Programs.....	265,000	---	498,350	+233,350	+498,350
Salaries and expenses.....	39,000	29,950	41,650	+2,650	+11,700
Total, Economic Development Administration.....	304,000	29,950	540,000	+236,000	+510,050
Minority Business Development Agency					
Minority Business Development.....	40,000	10,000	44,000	+4,000	+34,000

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2019  
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2020  
(Amounts in thousands)

	FY 2019 Enacted	FY 2020 Request	Bill	Bill vs. Enacted	Bill vs. Request
Economic and Statistical Analysis					
Salaries and expenses.....	101,000	107,990	107,990	+6,990	---
Bureau of the Census					
Current Surveys and Programs.....	270,000	264,005	275,000	+5,000	+10,995
Periodic censuses and programs.....	3,551,388	5,885,400	675,000	-2,876,388	-5,210,400
2020 Census (H. Res. 293; HR 2021).....	---	---	7,500,000	+7,500,000	+7,500,000
Subtotal.....	3,551,388	5,885,400	8,175,000	+4,623,612	+2,289,600
Total, Bureau of the Census.....	3,821,388	6,149,405	8,450,000	+4,628,612	+2,300,595
National Telecommunications and Information Administration					
Salaries and expenses.....	39,500	42,441	42,441	+2,941	---
United States Patent and Trademark Office					
Salaries and expenses, current year fee funding.....	3,370,000	3,450,681	3,450,681	+80,681	---
Offsetting fee collections.....	-3,370,000	-3,450,681	-3,450,681	-80,681	---
Total, United States Patent and Trademark Office	---	---	---	---	---



COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2019  
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2020  
(Amounts in thousands)

	FY 2019 Enacted	FY 2020 Request	Bill	Bill vs. Enacted	Bill vs. Request
<b>National Institute of Standards and Technology</b>					
Scientific and Technical Research and Services.....	724,500	611,719	751,000	+26,500	+139,281
(transfer out).....	(-9,000)	(-9,000)	(-9,000)	---	---
Industrial Technology Services.....	155,000	15,172	169,172	+14,172	+154,000
Manufacturing extension partnerships.....	(140,000)	---	(154,000)	(+14,000)	(+154,000)
National Network for Manufacturing Innovation.....	(15,000)	(15,172)	(15,172)	(+172)	---
Construction of research facilities.....	106,000	40,690	120,000	+14,000	+79,310
(Legislative Proposal).....	---	288,000	---	---	-288,000
Working Capital Fund (by transfer).....	(9,000)	(9,000)	(9,000)	---	---
<b>Total, National Institute of Standards and Technology.....</b>	<b>985,500</b>	<b>955,581</b>	<b>1,040,172</b>	<b>+54,672</b>	<b>+84,591</b>
<b>National Oceanic and Atmospheric Administration</b>					
Operations, Research, and Facilities.....	3,596,997	3,058,383	3,920,625	+323,628	+862,242
(by transfer).....	(157,980)	(158,407)	(177,782)	(+19,802)	(+19,375)
Promote and Develop Fund (transfer out).....	(-157,980)	(-158,407)	(-177,782)	(-19,802)	(-19,375)
<b>Subtotal.....</b>	<b>3,596,997</b>	<b>3,058,383</b>	<b>3,920,625</b>	<b>+323,628</b>	<b>+862,242</b>

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2019  
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2020  
(Amounts in thousands)

	FY 2019 Enacted	FY 2020 Request	Bill	Bill vs. Enacted	Bill vs. Request
Procurement, Acquisition and Construction.....	1,755,349	1,406,236	1,496,000	-259,349	+89,764
Pacific Coastal Salmon Recovery.....	65,000	---	65,000	---	+65,000
Fishermen's Contingency Fund.....	349	349	349	---	---
Fishery Disaster Assistance.....	15,000	---	15,000	---	+15,000
Fisheries Finance Program Account.....	-8,000	-8,000	-8,000	---	---
Total, National Oceanic and Atmospheric Administration.....	5,424,695	4,456,968	5,488,974	+64,279	+1,032,006
Departmental Management					
Salaries and expenses.....	63,000	79,107	40,000	-23,000	-39,107
Renovation and Modernization.....	---	1,100	1,100	+1,100	---
Office of Inspector General.....	32,744	33,043	33,043	+299	---
Information Technology System Modernization and Working Capital Fund.....	---	22,000	---	---	-22,000
Total, Departmental Management.....	95,744	135,250	74,143	-21,601	-61,107
Total, title I, Department of Commerce.....	11,413,877	12,475,333	16,434,372	+5,020,495	+3,959,039
(by transfer).....	166,980	167,407	186,782	+19,802	+19,375
(transfer out).....	-166,980	-167,407	-186,782	-19,802	-19,375

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2019  
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2020  
(Amounts in thousands)

	FY 2019 Enacted	FY 2020 Request	Bill	Bill vs. Enacted	Bill vs. Request
<b>TITLE II - DEPARTMENT OF JUSTICE</b>					
General Administration					
Salaries and expenses.....	113,000	114,740	114,740	+1,740	---
Justice Information Sharing Technology.....	32,000	33,875	33,875	+1,875	---
<b>Total, General Administration.....</b>	<b>145,000</b>	<b>148,615</b>	<b>148,615</b>	<b>+3,615</b>	<b>---</b>
Executive Office for Immigration Review.....					
Transfer from immigration examinations fee account	563,407	672,966	672,966	+109,559	---
	-4,000	-4,000	-4,000	---	---
<b>Direct appropriation.....</b>	<b>559,407</b>	<b>668,966</b>	<b>668,966</b>	<b>+109,559</b>	<b>---</b>
Office of Inspector General.....	101,000	101,646	105,500	+4,500	+3,854
United States Parole Commission					
Salaries and expenses.....	13,000	13,308	13,308	+308	---
Legal Activities					
Salaries and expenses, general legal activities.....	904,000	927,453	934,600	+30,600	+7,147
Vaccine Injury Compensation Trust Fund.....	10,000	13,000	13,000	+3,000	---
Salaries and expenses, Antitrust Division.....	164,977	166,755	166,755	+1,778	---
Offsetting fee collections - current year.....	-136,000	-141,000	-141,000	-5,000	---
<b>Direct appropriation.....</b>	<b>28,977</b>	<b>25,755</b>	<b>25,755</b>	<b>-3,222</b>	<b>---</b>

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2019  
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2020  
(Amounts in thousands)

	FY 2019 Enacted	FY 2020 Request	Bill	Bill vs. Enacted	Bill vs. Request
Salaries and expenses, United States Attorneys.....	2,212,000	2,254,541	2,329,800	+117,800	+75,259
United States Trustee System Fund.....	226,000	227,229	227,229	+1,229	---
Offsetting fee collections.....	-360,000	-309,000	-309,000	+51,000	---
Direct appropriation.....	-134,000	-81,771	-81,771	+52,229	---
Salaries and expenses, Foreign Claims Settlement Commission.....	2,409	2,335	2,335	-74	---
Fees and expenses of witnesses.....	270,000	270,000	270,000	---	---
Salaries and expenses, Community Relations Service....	15,500	---	17,000	+1,500	+17,000
Assets Forfeiture Fund.....	20,514	20,514	20,514	---	---
Total, Legal Activities.....	3,329,400	3,431,827	3,531,233	+201,833	+99,406
United States Marshals Service					
Salaries and expenses.....	1,358,000	1,373,416	1,444,600	+86,600	+71,184
Construction.....	15,000	14,971	15,000	---	+29
Federal Prisoner Detention.....	1,552,397	1,867,461	1,792,461	+240,064	-75,000
Total, United States Marshals Service.....	2,925,397	3,255,848	3,252,061	+326,664	-3,787
National Security Division					
Salaries and expenses.....	101,369	109,585	109,585	+8,216	---

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2019  
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2020  
(Amounts in thousands)

	FY 2019 Enacted	FY 2020 Request	Bill	Bill vs. Enacted	Bill vs. Request
-----					
Interagency Law Enforcement					
Interagency Crime and Drug Enforcement.....	560,000	550,458	570,000	+10,000	+19,542
Federal Bureau of Investigation					
Salaries and expenses.....	3,729,250	3,755,738	3,836,270	+107,020	+80,532
Counterintelligence and national security.....	5,462,887	5,501,689	5,619,658	+156,771	+117,969
Subtotal, Salaries and expenses.....	9,192,137	9,257,427	9,455,928	+263,791	+198,501
Construction.....	385,000	51,895	51,895	-333,105	---
Total, Federal Bureau of Investigation.....	9,577,137	9,309,322	9,507,823	-69,314	+198,501
Salaries and expenses.....	2,687,703	2,722,295	2,800,000	+112,297	+77,705
Diversion control fund.....	-420,703	-443,142	-443,142	-22,439	---
Total, Drug Enforcement Administration.....	2,267,000	2,279,153	2,356,858	+89,858	+77,705
High Intensity Drug Trafficking Areas Program.....	---	254,000	---	---	-254,000

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2019  
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2020  
(Amounts in thousands)

	FY 2019 Enacted	FY 2020 Request	Bill	Bill vs. Enacted	Bill vs. Request
Bureau of Alcohol, Tobacco, Firearms and Explosives					
Salaries and expenses.....	1,316,678	1,368,440	1,439,000	+122,322	+70,560
Federal Prison System					
Salaries and expenses.....	7,250,000	7,061,953	7,325,000	+75,000	+263,047
Buildings and facilities.....	264,000	99,205	150,000	-114,000	+50,795
Limitation on administrative expenses, Federal Prison Industries, Incorporated.....	2,700	2,700	2,700	---	---
Total, Federal Prison System.....	7,516,700	7,163,858	7,477,700	-39,000	+313,842
State and Local Law Enforcement Activities					
Office on Violence Against Women:					
Prevention and prosecution programs.....	---	---	---	---	---
(by transfer).....	(497,500)	---	(582,500)	(+85,000)	(+582,500)
Crime Victims Fund (transfer out).....	(-497,500)	---	(-582,500)	(-85,000)	(-582,500)

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2019  
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2020  
(Amounts in thousands)

	FY 2019 Enacted	FY 2020 Request	Bill	Bill vs. Enacted	Bill vs. Request
<b>Office of Justice Programs:</b>					
Research, evaluation and statistics.....	80,000	94,500	80,000	---	-14,500
State and local law enforcement assistance.....	1,723,000	1,482,200	1,933,000	+210,000	+450,800
Juvenile justice programs.....	287,000	238,500	341,500	+54,500	+103,000
<b>Public safety officer benefits:</b>					
Death benefits.....	104,000	117,000	117,000	+13,000	---
Disability and education benefits.....	24,800	24,800	24,800	---	---
Subtotal.....	128,800	141,800	141,800	+13,000	---
Total, Office of Justice Programs.....	2,218,800	1,957,000	2,496,300	+277,500	+539,300
<b>Community Oriented Policing Services:</b>					
COPS programs.....	303,500	---	323,000	+19,500	+323,000
Total, State and Local Law Enforcement Activities.....	2,522,300	1,957,000	2,819,300	+297,000	+862,300
Total, title II, Department of Justice.....	30,934,388	30,612,026	31,999,949	+1,065,561	+1,387,923

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2019  
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2020  
(Amounts in thousands)

	FY 2019 Enacted	FY 2020 Request	Bill	Bill vs. Enacted	Bill vs. Request
TITLE III - SCIENCE					
Office of Science and Technology Policy.....	5,544	5,000	5,000	-544	---
National Space Council.....	1,965	1,870	1,870	-95	---
National Aeronautics and Space Administration					
Science.....	6,905,700	6,303,700	7,161,300	+255,600	+857,600
Aeronautics.....	725,000	666,900	700,000	-25,000	+33,100
Space Technology.....	926,900	---	1,291,600	+364,700	+1,291,600
Exploration Technology.....	---	1,014,300	---	---	-1,014,300
Exploration.....	5,050,800	---	5,129,900	+79,100	+5,129,900
Deep Space Exploration Systems.....	---	5,021,700	---	---	-5,021,700
Space Operations.....	4,639,100	---	4,285,700	-353,400	+4,285,700
LEO and Spaceflight Operations.....	---	4,285,700	---	---	-4,285,700
Science, Technology Engineering, and Mathematics Engagement.....	110,000	---	123,000	+13,000	+123,000



COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2019  
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2020  
(Amounts in thousands)

	FY 2019 Enacted	FY 2020 Request	Bill	Bill vs. Enacted	Bill vs. Request
Safety, Security and Mission Services.....	2,755,000	3,084,600	3,084,600	+329,600	---
Construction and environmental compliance and restoration.....	348,200	600,400	497,200	+149,000	-103,200
Office of Inspector General.....	39,300	41,700	41,700	+2,400	---
Total, National Aeronautics and Space Administration.....	21,500,000	21,019,000	22,315,000	+815,000	+1,296,000
National Science Foundation					
Research and related activities.....	6,449,000	5,591,960	7,035,301	+586,301	+1,443,341
Defense function.....	71,000	71,000	71,000	---	---
Subtotal.....	6,520,000	5,662,960	7,106,301	+586,301	+1,443,341
Major Research Equipment and Facilities Construction..	295,740	223,230	223,230	-72,510	---
Education and Human Resources.....	910,000	823,470	950,000	+40,000	+126,530
Agency Operations and Award Management.....	329,540	336,890	336,890	+7,350	---
Office of the National Science Board.....	4,370	4,100	4,370	---	+270
Office of Inspector General.....	15,350	15,350	15,350	---	---
Total, National Science Foundation.....	8,075,000	7,066,000	8,636,141	+561,141	+1,570,141
Total, title III, Science.....	29,582,509	28,091,870	30,958,011	+1,375,502	+2,866,141

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2019  
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2020  
(Amounts in thousands)

	FY 2019 Enacted	FY 2020 Request	Bill	Bill vs. Enacted	Bill vs. Request
TITLE IV - RELATED AGENCIES					
Commission on Civil Rights					
Salaries and expenses.....	10,065	9,200	10,500	+435	+1,300
Equal Employment Opportunity Commission					
Salaries and expenses.....	379,500	355,800	399,500	+20,000	+43,700
International Trade Commission					
Salaries and expenses.....	95,000	91,100	101,000	+6,000	+9,900
Legal Services Corporation					
Payment to the Legal Services Corporation.....	415,000	18,200	550,000	+135,000	+531,800
Marine Mammal Commission					
Salaries and expenses.....	3,516	2,449	3,616	+100	+1,167
Office of the U.S. Trade Representative					
Salaries and expenses.....	53,000	59,000	57,000	+4,000	-2,000
Trade Enforcement Trust Fund.....	15,000	10,000	15,000	---	+5,000

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2019  
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2020  
(Amounts in thousands)

	FY 2019 Enacted	FY 2020 Request	Bill	Bill vs. Enacted	Bill vs. Request
-----					
State Justice Institute					
Salaries and expenses.....	5,971	6,555	6,555	+584	---
=====					
Total, title IV, Related Agencies.....	977,052	552,304	1,143,171	+166,119	+590,867
=====					

TITLE V - GENERAL PROVISIONS

Crime Victims Fund (transfer out) (Sec. 510).....	---	---	(-10,000)	(-10,000)	(-10,000)
Department of Justice OIG (by transfer).....	---	---	(10,000)	(+10,000)	(+10,000)
DOC National Institute of Standards and Technology, Technology Innovation Program (rescission).....	-2,000	---	---	+2,000	---
Economic Development Assistance Programs (rescission). DOC International Trade Administrations, Operations and Administrations Program (rescission).....	-10,000	-35,000	---	+10,000	+35,000
DOJ, Working Capital Fund (rescission).....	---	-3,000	---	---	+3,000
DOJ, Assets Forfeiture Fund (rescission, permanent)....	-151,000	-100,000	-100,000	+51,000	---
FBI, Salaries and Expenses: nondefense (rescission).....	-674,000	---	---	+674,000	---
defense (rescission).....	-50,439	-24,342	-24,342	+26,097	---
FBI, Construction (rescission).....	-73,887	-35,658	-35,658	+38,229	---
Federal Prison System, Buildings and Facilities (rescission).....	---	-159,000	---	---	+159,000
Violence against women prevention and prosecution programs (rescission).....	---	-505,000	---	---	+505,000
Office of Justice programs (rescission).....	-10,000	---	---	+10,000	---
COPS (rescission).....	-70,000	-85,000	-85,000	-15,000	---
	-16,500	---	---	+16,500	---

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2019  
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2020  
(Amounts in thousands)

	FY 2019 Enacted	FY 2020 Request	Bill	Bill vs. Enacted	Bill vs. Request
NASA closeouts (rescission).....	-3,000	---	---	+3,000	---
Total, title V, General Provisions.....	-1,060,826	-947,000	-245,000	+815,826	+702,000
OTHER APPROPRIATIONS					
BUDGET AMENDMENTS MAY 13, 2019					
National Aeronautics and Space Administration					
Science.....	---	90,000	---	---	-90,000
Exploration Technology.....	---	132,000	---	---	-132,000
Deep Space Exploration Systems.....	---	1,374,700	---	---	-1,374,700
Total, Other Appropriations.....	---	1,596,700	---	---	-1,596,700
Grand total.....	71,847,000	72,381,233	80,290,503	+8,443,503	+7,909,270
Appropriations.....	(72,907,826)	(73,325,233)	(73,035,503)	(+127,677)	(-289,730)
Rescissions.....	(-1,060,826)	(-944,000)	(-245,000)	(+815,826)	(+699,000)
Census Cap Adjustment.....	664,480	167,407	(7,500,000)	(+7,500,000)	(+7,500,000)
(by transfer).....	-664,480	-167,407	779,282	+114,802	+611,875
(transfer out).....			-779,282	-114,802	-611,875

## MINORITY VIEWS

We appreciate the efforts of the Majority in producing a Commerce, Justice, Science and Related Agencies (CJS) Appropriations bill that addresses priorities of Members on both sides of the aisle. We also want to thank Chairman Serrano and his staff for their diligent efforts to incorporate many of our Members' proposed bill modifications into his Manager's Amendment. This bill is a testament to the commitment the Chairman made to work together with the Minority.

We are also pleased that the bill funds NASA at levels necessary to work toward completion of the Space Launch System and the Exploration Upper Stage, and provides strong funding to continue developing deep space exploration technologies, like nuclear thermal propulsion. The bill's investment in nuclear thermal propulsion is critical as NASA works toward the design of a flight demonstration by 2024.

The bill also includes the funding needed for the critical missions of our Federal law enforcement components, as well as the agencies that ensure compliance with our trade laws and agreements. In addition, it provides valuable resources for our law enforcement entities back home, by helping to eliminate the sexual assault kit backlog and supporting critical drug court programs and other vital initiatives that address the opioid epidemic.

Still, we have many unaddressed concerns with this bill. The bill does not provide the resources for NASA necessary to achieve the Administration's goal of establishing a permanent, U.S. human presence on and around the Moon within the next decade.

The bill also contravenes existing law by funding lawyers for aliens arriving at our Southern border. Current immigration law affirms an alien's right to counsel, but only at no expense to taxpayers.

It also eliminates several long-standing Second Amendment protections that have enjoyed historical, bipartisan support. The elimination of freedoms that are not even associated with the criminal misuse of firearms is unfortunately an all-too-predictable outgrowth of an unabashed gun control agenda with no basis in the science of criminal justice.

We are also disappointed to see language that ties the hands of the Administration. For example, the bill restricts the ability of the Secretary of Commerce to reorganize agencies and transfer and reprogram funds. These changes will hinder the Secretary's ability to improve operational efficiencies and respond quickly to changing resource needs, including with respect to the 2020 Census.

Additionally, the bill prohibits the incorporation of case completion benchmarks as one metric of the Executive Office for Immigration Review (EOIR)'s multidimensional performance review of its immigration judges. As the Director of EOIR has noted, "using

metrics to evaluate performance is neither novel nor unique to EOIR.” It is an understatement to say that EOIR’s pending caseload—888,000 and growing—is a matter of concern to the Minority. The net effect of EOIR’s untenable backlog is to delay due process, not to mention justice—in many cases for years—for those who have a valid claim to immigration benefits.

A final area of concern is the funding level in the absence of any topline budget agreement that begins to tackle our national debt. In addition to a \$7,500,000,000 adjustment for the 2020 Census, this bill is \$2,300,000,000 above the fiscal year 2019 enacted level. No doubt there are critical programs in this bill deserving of strong Congressional support, but that sentiment in no way negates the need for an over-arching plan for fiscal responsibility. The House Democrats’ budget framework would raise the discretionary spending caps by more than \$350,000,000,000 in fiscal years 2020 and 2021 and does not reflect a House-passed budget resolution or a bipartisan, bicameral agreement. This would put the Federal government on track to add to the national debt, which is already above \$22,000,000,000,000 and rising. We fear this is setting us up for a scenario that could end in a year-long continuing resolution at best—or another protracted government shutdown at worst.

We do pledge to work with the Majority in good faith as we proceed through the legislative process. Working together, we have passed this bill through the Congress and avoided a year-long continuing resolution for the past four years. It is our sincere hope we can do so again this year.

KAY GRANGER.  
ROBERT ADERHOLT.

○

116TH CONGRESS  
1ST SESSION

**S.** \_\_\_\_\_

To establish a regulatory system for sustainable offshore aquaculture in the United States exclusive economic zone, and for other purposes.

---

IN THE SENATE OF THE UNITED STATES

---

Mr. WICKER introduced the following bill; which was read twice and referred to the Committee on \_\_\_\_\_

---

## A BILL

To establish a regulatory system for sustainable offshore aquaculture in the United States exclusive economic zone, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

4 (a) **SHORT TITLE.**—This Act may be cited as the  
5 “Advancing the Quality and Understanding of American  
6 Aquaculture Act” or the “AQUAA Act”.

7 (b) **TABLE OF CONTENTS.**—The table of contents for  
8 this Act is as follows:

- Sec. 1. Short title; table of contents.
- Sec. 2. Purposes.
- Sec. 3. Definitions.

## 2

## TITLE I—NATIONAL STANDARDS

Sec. 101. National standards for sustainable offshore aquaculture.

## TITLE II—CORE ACTIVITIES

Sec. 201. Offshore aquaculture permits.

Sec. 202. Enterprise zones.

Sec. 203. Research and development grant program.

## TITLE III—REFINEMENTS

Sec. 301. Protection of offshore aquaculture facilities.

Sec. 302. Recordkeeping and access to information.

Sec. 303. Marine feed standards.

## TITLE IV—ADMINISTRATIVE PROVISIONS

Sec. 401. Office of Aquaculture.

Sec. 402. Support for industry.

Sec. 403. Outreach and education.

Sec. 404. Administration.

Sec. 405. Report and permit terms.

Sec. 406. Federal coordination.

Sec. 407. Prohibited acts.

Sec. 408. Enforcement.

Sec. 409. Authorization of appropriations.

1 **SEC. 2. PURPOSES.**

2 The purposes of this Act are—

3 (1) to support the development of a sustainable  
4 offshore aquaculture industry in the United States  
5 and enhance access to investment capital;

6 (2) to develop sustainable offshore aquaculture  
7 as a tool to support sustainable marine fisheries and  
8 ecosystem-based management;

9 (3) to simplify the Federal regulatory regime  
10 for sustainable offshore aquaculture and safeguard  
11 the marine environment, wild fish stocks, and our  
12 coastal communities;



1 (4) to support research and technology develop-  
2 ment to further these goals;

3 (5) to create new jobs, and support existing  
4 jobs within the seafood industry of the United  
5 States, including jobs for traditional fishing industry  
6 partners; and

7 (6) to reduce the United States seafood trade  
8 deficit by expanding the domestic supply of seafood  
9 through the production of sustainable offshore aqua-  
10 culture.

11 **SEC. 3. DEFINITIONS.**

12 In this Act:

13 (1) **AQUACULTURE.**—The term “aquaculture”  
14 means any activity involved in the propagation,  
15 rearing, or attempted propagation or rearing, of cul-  
16 tured species.

17 (2) **AQUACULTURE STAKEHOLDER.**—The term  
18 “aquaculture stakeholder” means owners and opera-  
19 tors of offshore aquaculture facilities, Regional Fish-  
20 ery Management Councils, conservation organiza-  
21 tions, fisheries associations, State, county, and Trib-  
22 al governments, and other interested stakeholders.  
23 The term also includes other Federal agencies that  
24 have interests in aquaculture.

1           (3) COASTAL STATE.—Except as otherwise spe-  
2           cifically provided, the term “coastal State” has the  
3           meaning given the term “coastal state” in section  
4           304(4) of the Coastal Zone Management Act of  
5           1972 (16 U.S.C. 1453(4)).

6           (4) CULTURED SPECIES.—The term “cultured  
7           species” means any marine species propagated and  
8           reared for offshore aquaculture. The term includes  
9           marine species recruited from the wild and reared in  
10          an aquaculture facility, regardless of such facility’s  
11          location. The term excludes any member of the class  
12          aves or mammalia.

13          (5) EXCLUSIVE ECONOMIC ZONE.—

14                (A) IN GENERAL.—Unless otherwise speci-  
15                fied by the President in the public interest in  
16                a writing published in the Federal Register, the  
17                term “exclusive economic zone” means a zone,  
18                the outer boundary of which is 200 nautical  
19                miles from the baseline from which the breadth  
20                of the territorial sea is measured (except as es-  
21                tablished by a maritime boundary treaty in  
22                force or being provisionally applied by the  
23                United States or, in the absence of such a trea-  
24                ty, where the distance between the United  
25                States and another country is less than 400

1 nautical miles, a line equidistant between the  
2 United States and the other country).

3 (B) INNER BOUNDARY.—Without affecting  
4 any Presidential proclamation with regard to  
5 the establishment of the United States terri-  
6 torial sea or exclusive economic zone, the inner  
7 boundary of the exclusive economic zone is—

8 (i) in the case of the coastal States, a  
9 line coterminous with the seaward bound-  
10 ary of each such State, as described in sec-  
11 tion 4 of the Submerged Lands Act (43  
12 U.S.C. 1312);

13 (ii) in the case of the Commonwealth  
14 of Puerto Rico, a line 3 marine leagues  
15 from the coastline of the Commonwealth of  
16 Puerto Rico;

17 (iii) in the case of t, a line 3 geo-  
18 graphic miles from the coastlines of Amer-  
19 ican Samoa, the United States Virgin Is-  
20 lands, or Guam, respectively;

21 (iv) in the case of the Commonwealth  
22 of the Northern Mariana Islands—

23 (I) the coastline of the Common-  
24 wealth of the Northern Mariana Is-  
25 lands, until the Commonwealth of the

## 6

1 Northern Mariana Islands is granted  
2 authority by the United States to reg-  
3 ulate all fishing to a line seaward of  
4 its coastline; and

5 (II) upon the United States  
6 grant of such authority, the line es-  
7 tablished by such grant of authority;

8 or

9 (v) for any possession of the United  
10 States not under clause (ii), (iii), or (iv),  
11 the coastline of such possession.

12 (C) CONSTRUCTION.—Nothing in this defi-  
13 nition may be construed to diminish the author-  
14 ity of the Department of Defense, the Depart-  
15 ment of the Interior, or any other Federal de-  
16 partment or agency.

17 (6) HEALTHY TARGET STOCK.—The term  
18 “healthy target stock” means a component of a fish-  
19 ery targeted for harvest that is not overfished or ex-  
20 periencing overfishing and that is managed to  
21 achieve a target not to exceed a level consistent with  
22 maximum sustainable yield, taking into account any  
23 relevant economic, social, or ecological factor.

24 (7) LESSEE.—The term “lessee” means any  
25 party to a lease, right-of-use and easement, or right-

1 of-way, or an approved assignment thereof, issued  
2 pursuant to the Outer Continental Shelf Lands Act  
3 (43 U.S.C. 1331 et seq.).

4 (8) OFFSHORE AQUACULTURE.—The term “off-  
5 shore aquaculture” means aquaculture conducted in  
6 the exclusive economic zone.

7 (9) OFFSHORE AQUACULTURE FACILITY.—The  
8 term “offshore aquaculture facility” means—

9 (A) an installation or structure used, in  
10 whole or in part, for offshore aquaculture; or

11 (B) an area of the seabed, water column,  
12 or the sediment used for offshore aquaculture.

13 (10) SECRETARY.—Except as otherwise specifi-  
14 cally provided, the term “Secretary” means the Sec-  
15 retary of Commerce, acting through the Under Sec-  
16 retary of Commerce for Oceans and Atmosphere.

17 (11) SUSTAINABLY MANAGED FISHERY.—The  
18 term “sustainably managed fishery” means a fishery  
19 that is managed, under an institutional and oper-  
20 ational framework with sufficient enforcement in  
21 place by local authorities, in such a manner to main-  
22 tain healthy target stocks, to protect marine eco-  
23 system structure, productivity, function, and diver-  
24 sity, and to minimize impacts to nontarget stocks.

1 **TITLE I—NATIONAL STANDARDS**

2 **SEC. 101. NATIONAL STANDARDS FOR SUSTAINABLE OFF-**  
3 **SHORE AQUACULTURE.**

4 (a) IN GENERAL.—Any regulation promulgated to  
5 implement this Act, any permit issued under this Act, and  
6 any assessment or impact statement required by the Na-  
7 tional Environmental Policy Act of 1969 (42 U.S.C. 4321  
8 et seq.) for activities proposed under this Act shall be con-  
9 sistent with the following national standards for sustain-  
10 able offshore aquaculture:

11 (1) Sustainable offshore aquaculture shall  
12 strengthen coastal and marine ecosystems by reduc-  
13 ing pressure on fisheries, enhancing essential fish  
14 habitat, preserving water quality, or enhancing na-  
15 tive stocks.

16 (2) Sustainable offshore aquaculture shall be  
17 based on the best scientific information available.

18 (3) Sustainable offshore aquaculture shall avoid  
19 harm to coastal and marine ecosystems, especially  
20 with regard to habitat, water quality, disease,  
21 escapements, and introducing nonnative species.

22 (4) Sustainable offshore aquaculture shall use  
23 feeds from responsible agricultural practices, from  
24 sustainably managed fisheries, or from fish har-

1 vested in accordance with an or fish produced by  
2 sustainable aquaculture of an appropriate species.

3 (5) Sustainable offshore aquaculture shall be  
4 conducted to minimize impacts, to the extent prac-  
5 ticable, on other uses of the exclusive economic zone  
6 by Federal and non-Federal entities.

7 (6) Sustainable offshore aquaculture shall take  
8 into account the importance of fishery resources to  
9 fishing communities by using economic and social  
10 data that meet the requirements of paragraph (2),  
11 in order to, to the extent practicable, minimize ad-  
12 verse economic impacts on such communities.

13 (7) Sustainable offshore aquaculture manage-  
14 ment measures shall, where practicable, minimize  
15 costs and avoid unnecessary duplication.

16 (8) Sustainable offshore aquaculture manage-  
17 ment measures shall, to the extent practicable, pro-  
18 mote the safety of human life at sea.

19 (9) **【To be supplied.】**

20 (10) **【To be supplied.】**

21 (b) GUIDELINES.—The Secretary shall establish advi-  
22 sory guidelines (which shall not have the force and effect  
23 of law), based on the national standards, to assist in the  
24 preparation of any application for a permit under this Act,  
25 or assessment or impact statement required under the Na-

1 tional Environmental Policy Act of 1969 (42 U.S.C. 4321  
2 et seq.) for activities proposed under such Act.

## 3 **TITLE II—CORE ACTIVITIES**

### 4 **SEC. 201. OFFSHORE AQUACULTURE PERMITS.**

5 (a) IN GENERAL.—After the Secretary promulgates  
6 final regulations under section 404(a), the Secretary may  
7 issue an offshore aquaculture permit if the Secretary de-  
8 termines that—

9 (1) the proposed offshore aquaculture facility,  
10 type of aquaculture operation, and cultured species  
11 are consistent with the purposes in section 2 and the  
12 national standards for sustainable offshore aqua-  
13 culture in section 101;

14 (2) the applicant is able to comply with this Act  
15 and any terms and conditions prescribed under sec-  
16 tion 404(a), is financially responsible, and will oper-  
17 ate the offshore aquaculture facility using the best  
18 practicable technology and maintain it in good work-  
19 ing order; and

20 (3) issuance of the offshore aquaculture permit  
21 is not prohibited under section 407.

22 (b) AUTHORIZED ACTIVITIES.—An offshore aqua-  
23 culture permit holder shall be authorized to conduct off-  
24 shore aquaculture consistent with—



1 (1) this Act, including regulations promulgated  
2 to carry out this Act;

3 (2) other applicable provisions of law, including  
4 regulations; and

5 (3) any terms or conditions imposed by the Na-  
6 tional Oceanic and Atmospheric Administration.

7 (c) PERMIT PROCEDURE.—

8 (1) APPLICATION.—An applicant for an off-  
9 shore aquaculture permit shall submit an application  
10 to the Secretary. The application shall specify—

11 (A) the proposed location of the offshore  
12 aquaculture facility and the location of any on-  
13 shore facilities;

14 (B) the type of aquaculture operations that  
15 will be conducted at all facilities described in  
16 subparagraph (A);

17 (C) the cultured species, or a specified  
18 range of species, to be propagated or reared, or  
19 both, at the offshore aquaculture facility;

20 (D) the ways in which the permit holder  
21 will comply with the national standards for sus-  
22 tainable offshore aquaculture described in sec-  
23 tion 101;

24 (E) plans to respond to—

25 (i) a natural disaster;

1 (ii) an escapement; and

2 (iii) disease; and

3 (F) such other design, construction, and  
4 operational information as the Secretary may  
5 require to ensure the integrity of the applicant's  
6 operations and contingency planning;

7 (2) NOTICE.—Whenever the National Oceanic  
8 and Atmospheric Administration receives an offshore  
9 aquaculture permit application, the Secretary shall—

10 (A) provide notice and a copy of the appli-  
11 cation to the Governor of every State or terri-  
12 tory in the fisheries management region under  
13 the Magnuson-Stevens Fishery Conservation  
14 and Management Act (16 U.S.C. 1801 et seq.),  
15 where the proposed offshore aquaculture facility  
16 will be sited, and if the proposed site is within  
17 100 miles of another such fisheries manage-  
18 ment region, then the Secretary shall provide  
19 the same notice to the governor of every State  
20 and territory in that region, as well; and

21 (B) provide public notice and an oppor-  
22 tunity for public comment for each offshore  
23 aquaculture permit application.

24 (3) COMMENTS AND CONSULTATION.—The Sec-  
25 retary shall take any comments submitted by Gov-

1 errors and the public into consideration, and shall  
2 consult with interested parties as warranted before  
3 making a final decision on the disposition of an off-  
4 shore aquaculture permit application.

5 (4) DEADLINES FOR CONSIDERATION OF APPLI-  
6 CATIONS FOR PERMITS.—Not later than 30 days  
7 after the date on which the Secretary receives an  
8 offshore aquaculture permit application, the Sec-  
9 retary shall—

10 (A) notify the applicant that the applica-  
11 tion is complete; or

12 (B) notify the applicant that information is  
13 missing and specify any information that is re-  
14 quired to be submitted for the application to be  
15 complete.

16 (5) ISSUANCE OR DEFERRAL.—Not later than  
17 90 days after the period for public comments on a  
18 completed application has concluded, the Secretary  
19 shall—

20 (A) issue the permit, if the application  
21 complies with the national standards for sus-  
22 tainable offshore aquaculture in section 101, re-  
23 quirements under the National Environmental  
24 Policy Act of 1969 (42 U.S.C. 4321 et seq.),  
25 and other applicable law;

1 (B) defer the decision on the permit, if the  
2 Secretary determines that the application can  
3 be improved to meet the requirements of para-  
4 graph (1), and provide to the applicant a notice  
5 that specifies any steps that the applicant could  
6 take for the permit to be issued; or

7 (C) deny the permit, if the Secretary deter-  
8 mines that the application does not meet the re-  
9 quirements of paragraph (1), or any other ap-  
10 plicable law, and that these issues cannot be re-  
11 mediated.

12 (6) EXTENSION OF REVIEW.—The Secretary  
13 may extend the review period for an additional 90  
14 days if the Secretary determines that further time is  
15 needed to analyze the application. The Secretary  
16 may further extend the review period beyond the ex-  
17 tension provided in the preceding sentence if the  
18 Secretary determines that the Department of Com-  
19 merce needs more time to comply with applicable  
20 Federal law, provided that the Secretary's deter-  
21 mination states the specific actions the Department  
22 must undertake, together with deadlines for com-  
23 pleting such actions.

24 (d) PERMIT REQUIREMENTS.—

1 (1) IN GENERAL.—An offshore aquaculture per-  
2 mit holder shall be—

3 (A) a citizen or permanent resident of the  
4 United States; or

5 (B) a corporation, partnership, or other  
6 entity that—

7 (i) is organized and existing under the  
8 laws of a State or the United States; and

9 (ii) is not State-owned or majority-  
10 controlled by a State-owned enterprise.

11 (2) TERMS AND CONDITIONS.—Subject to sub-  
12 section (n), the Secretary shall—

13 (A) prescribe the terms and conditions that  
14 apply to each offshore aquaculture permit to  
15 achieve the national standards for sustainable  
16 offshore aquaculture in section 101; and

17 (B) specify in each offshore aquaculture  
18 permit the duration, size, and location of the  
19 offshore aquaculture facility.

20 (e) DURATION .—

21 (1) IN GENERAL.—Except as provided in para-  
22 graph (2), an offshore aquaculture permit shall have  
23 an initial 15-year duration, and may be renewed  
24 subject to the terms of this Act.

25 (2) EXCEPTIONS.—

1 (A) ENTERPRISE ZONE.—A permit issued  
2 for offshore aquaculture to be conducted in an  
3 enterprise zone as provided in section 202 shall  
4 have an initial 25-year duration.

5 (B) OUTER CONTINENTAL SHELF.—The  
6 Secretary shall develop the duration of an off-  
7 shore aquaculture permit subject to subsection  
8 (n)(1), in consultation with the Secretary of the  
9 Interior, except that the permit shall expire not  
10 later than the date that the lessee or the les-  
11 see's operator submits, to the Secretary of the  
12 Interior, a final application for the decommis-  
13 sioning and removal of an existing facility upon  
14 which an offshore aquaculture facility is lo-  
15 cated.

16 (f) RENEWAL.—The Secretary may renew an offshore  
17 aquaculture permit that has not been revoked for an addi-  
18 tional 15- or 25-year period, as provided in subsection (e),  
19 before the end of the original permit's duration, if—

20 (1) the permit or amended permit complies with  
21 existing requirements;

22 (2) the permit holder has not been subject to  
23 sanctions under section 408 or committed a prohib-  
24 ited act under such section; and

1           (3) the permit has not been modified because of  
2           emergency considerations.

3           (g) REVOCATION.—The Secretary may, pursuant to  
4 regulations issued under this Act, revoke an offshore  
5 aquaculture permit, if—

6           (1) the permit holder commits a prohibited act  
7           under section 408;

8           (2) the permit holder fails to begin offshore  
9 aquaculture operations within 2 years from the date  
10 the required Federal permits are obtained; or

11           (3) there is a interruption of offshore aqua-  
12 culture operations of at least 2 years in duration  
13 that is unrelated to best management practices.

14           (h) EXPIRATION OR REVOCATION.—Not later than 1  
15 year after the expiration or revocation of an offshore aqua-  
16 culture permit, a permit holder shall—

17           (1) remove all structures, gear, and other prop-  
18 erty from the offshore aquaculture facility site; and

19           (2) take such other measures to restore the site,  
20 as the Secretary considers necessary.

21           (i) EMERGENCY DETERMINATION.—If the Secretary  
22 determines that an emergency exists that poses a signifi-  
23 cant risk to the safety of humans, to the marine environ-  
24 ment, to cultured species, to a marine species, or to the  
25 security of the United States and that requires suspen-

1 sion, modification, or revocation of an offshore aqua-  
2 culture permit, the Secretary may suspend, modify, or re-  
3 voke the permit for such time as the Secretary determines  
4 is necessary to address the emergency. The Secretary shall  
5 afford the permit holder a prompt post-suspension, post-  
6 modification, or post-revocation opportunity to be heard  
7 regarding the suspension, modification, or revocation.

8 (j) FEES.—

9 (1) ESTABLISHMENT.—

10 (A) IN GENERAL.—The Secretary may es-  
11 tablish, by regulation, application fees and an-  
12 nual offshore aquaculture permit fees under  
13 this section.

14 (B) DEPOSIT AND COLLECTION.—The fees  
15 described in subparagraph (A) shall be depos-  
16 ited as offsetting collections in the operations,  
17 research, and facilities account of the National  
18 Oceanic and Atmospheric Administration. Fees  
19 may be collected and made available to the ex-  
20 tent provided in advance in appropriation Acts.

21 (C) SETTING OF FEES.—The fees de-  
22 scribed in subparagraph (A) shall—

23 (i) be set as an amount such that the  
24 total revenue from such fees does not ex-  
25 ceed the amount required to cover the



1 costs of management, data collection, anal-  
2 ysis, inspection, and enforcement activities  
3 related to permits under this section; and

4 (ii) provide adequate resources to  
5 cover the costs of the inspections required  
6 under section 302(f).

7 (2) WAIVERS.—The Secretary may waive, in  
8 whole or in part, any fee under this section if an off-  
9 shore aquaculture facility is used primarily for re-  
10 search.

11 (3) GUARANTEES.—The Secretary shall require  
12 a permit holder to post a bond or other form of fi-  
13 nancial guarantee in an amount determined by the  
14 Secretary, to be reasonable and commensurate with  
15 the aquaculture operation and as sufficient to cover,  
16 without duplication—

17 (A) any unpaid fees;

18 (B) the cost of removing an offshore aqua-  
19 culture facility at the expiration or revocation of  
20 an offshore aquaculture permit;

21 (C) the cost of site remediation for impacts  
22 arising from authorized activities; or

23 (D) any other financial risks identified by  
24 the Secretary.

1           (k) MAGNUSON-STEVEN'S FISHERY CONSERVATION  
2 AND MANAGEMENT ACT.—Beginning on the effective date  
3 of the final regulations promulgated under this section  
4 404, the conduct of offshore aquaculture that is in accord-  
5 ance with an offshore aquaculture permit issued under  
6 this section shall not be considered fishing for purposes  
7 of the Magnuson-Stevens Fishery Conservation and Man-  
8 agement Act (16 U.S.C. 1801 et seq.).

9           (l) COMPATIBILITY WITH OTHER USES.—Each Fed-  
10 eral agency implementing this section, person subject to  
11 this section, and coastal State seeking to review a permit  
12 application under this section shall comply with the appli-  
13 cable provisions of the Coastal Zone Management Act of  
14 1972 (16 U.S.C. 1451 et seq.), including regulations pro-  
15 mulgated to carry out such Act.

16           (m) STATUTORY CONSTRUCTION.—An offshore aqua-  
17 culture permit issued under this section shall not super-  
18 sede or substitute for any other authorization required  
19 under Federal or State laws.

20           (n) ACTIONS AFFECTING THE OUTER CONTINENTAL  
21 SHELF.—

22           (1) NOTIFICATION OF SECRETARY OF THE IN-  
23 TERIOR.—The Secretary shall notify the Secretary  
24 of the Interior for each application for an offshore

1 aquaculture permit that is located on the outer con-  
2 tinental shelf.

3 (2) PRIOR CONSENT REQUIRED.—An offshore  
4 aquaculture facility may not be located on a lease,  
5 right-of-use and easement, or right of way author-  
6 ized or permitted under the Outer Continental Shelf  
7 Lands Act (43 U.S.C. 1331 et seq.) without the  
8 prior consent of any lessee and other owner of oper-  
9 ating interest.

10 (3) COMPLIANCE REVIEW.—The Secretary of  
11 the Interior shall review each agreement between a  
12 prospective offshore aquaculture operator and a les-  
13 see. The Secretary of the Interior shall approve such  
14 agreement if it is consistent with the Federal lease  
15 terms, Department of the Interior regulations, and  
16 the Secretary of the Interior's role in the protection  
17 of the marine environment, property, and human life  
18 or health. An agreement under this subsection  
19 shall—

20 (A) be part of the information reviewed  
21 under paragraph (4); and

22 (B) not be subject to a separate Coastal  
23 Zone Management Act of 1972 (16 U.S.C.  
24 1451 et seq.) review.

1           (4) COORDINATED COASTAL ZONE MANAGE-  
2           MENT ACT REVIEW.—

3           (A) STATE REVIEW.—

4           (i) IN GENERAL.—A coastal State's  
5           review under the Coastal Zone Manage-  
6           ment Act of 1972 (16 U.S.C. 1451 et seq.)  
7           shall include any modification or change to  
8           a lessee's approved plan that results from,  
9           or is necessary for, the issuance of an off-  
10          shore aquaculture permit if the State si-  
11          multaneously receives—

12                   (I) the information related to the  
13                   modification or change; and

14                   (II) the offshore aquaculture per-  
15                   mit applicant's consistency certifi-  
16                   cation.

17          (ii) SIMULTANEOUS RECEIPT.—If the  
18          coastal State simultaneously receives the  
19          information related to a modification or  
20          change to a lessee's approved plan and the  
21          offshore aquaculture permit applicant's  
22          consistency certification, then—

23                   (I) a lessee shall not be required  
24                   to submit a separate consistency cer-  
25                   tification for the modification or

1 change under section 307(c)(3)(B) of  
2 the Coastal Zone Management Act of  
3 1972 (16 U.S.C. 1456(c)(3)(B)); and

4 (II) the coastal State's concu-  
5 rence (or presumed concurrence) or  
6 objection to the consistency certifi-  
7 cation for the offshore aquaculture  
8 permit under section 307(c)(3)(A) of  
9 such Act shall apply both—

10 (aa) to the offshore aqua-  
11 culture permit; and

12 (bb) to any related modifica-  
13 tion or change to a lessee's plan  
14 approved under the Outer Conti-  
15 nental Shelf Lands Act (43  
16 U.S.C. 1331 et seq.).

17 (B) STATE REVIEW UNDER SECTION  
18 307(C)(3)(B) OF THE COASTAL ZONE MANAGE-  
19 MENT ACT OF 1972.—To the extent that a  
20 coastal State is not authorized by section  
21 307(c)(3)(A) of the Coastal Zone Management  
22 Act of 1972 (16 U.S.C. 1456(c)(3)(A)) to re-  
23 view an offshore aquaculture permit application  
24 submitted under this Act, then a modification  
25 or change to a lessee's approved plan shall be

1 subject to coastal State review under section  
2 307(c)(3)(B) of such Act if a consistency cer-  
3 tification for the modification or change is re-  
4 quired under applicable Federal regulations.

5 (C) DEFINITIONS.—In this paragraph:

6 (i) LESSEE’S APPROVED PLAN.—The  
7 term “lessee’s approved plan” includes a  
8 document for which a consistency certifi-  
9 cation is required under applicable Federal  
10 regulations, such as a change to the ap-  
11 proved plan for decommissioning a facility.

12 (ii) OFFSHORE AQUACULTURE PERMIT  
13 APPLICANT.—The term “offshore aqua-  
14 culture permit applicant” means an appli-  
15 cant for an offshore aquaculture permit  
16 under this section that—

17 (I) will locate the proposed facil-  
18 ity in an area that would require con-  
19 sent from the lessee as described in  
20 paragraph (2); and

21 (II) is required to submit a con-  
22 sistency certification for its aqua-  
23 culture application under section  
24 307(c)(3)(A) of the Coastal Zone

1 Management Act of 1972 (16 U.S.C.  
2 1456(e)(3)(A)) to the coastal State.

3 (iii) OFFSHORE AQUACULTURE PER-  
4 MIT APPLICATION.—The term “offshore  
5 aquaculture permit application” means an  
6 application for an offshore aquaculture  
7 permit under this section that will locate  
8 the proposed facility in an area that would  
9 require consent from the lessee as de-  
10 scribed in paragraph (2).

11 (5) JOINT AND SEVERAL LIABILITY.—For off-  
12 shore aquaculture located on a facility described  
13 under this subsection, a permit holder and each  
14 party that is or was a lessee of the lease on which  
15 the facility is located during the term of the offshore  
16 aquaculture permit shall be jointly and severally lia-  
17 ble for the removal of any construction or modifica-  
18 tion related to the offshore aquaculture operations if  
19 a bond or other form of financial guarantee under  
20 subsection (j)(3) for aquaculture operations is insuf-  
21 ficient to cover those obligations. This paragraph  
22 shall not affect any obligation to decommission the  
23 facility under the Outer Continental Shelf Lands Act  
24 (43 U.S.C. 1331 et seq.).

25 (6) ADDITIONAL AUTHORITY.—

## 26

1 (A) IN GENERAL.—The Secretary of the  
2 Interior may, to carry out this subsection—

3 (i) promulgate rules and regulations  
4 as necessary and appropriate;

5 (ii) require and enforce any additional  
6 terms or conditions that the Secretary of  
7 the Interior considers necessary to ensure  
8 the compatibility of aquaculture operations  
9 with activities for which permits, author-  
10 izations, leases, negotiated agreements,  
11 right-of-way, or right-of-use and easement  
12 were issued under the Outer Continental  
13 Shelf Lands Act (43 U.S.C. 1331 et seq.);

14 (iii) issue an order to an offshore  
15 aquaculture permit holder to take any ac-  
16 tion the Secretary of the Interior considers  
17 necessary to ensure safe operations on the  
18 facility, and to protect the marine environ-  
19 ment, property, or human life or health;

20 (iv) require and enforce any additional  
21 terms or conditions that the Secretary of  
22 the Interior considers necessary—

23 (I) to protect the marine environ-  
24 ment, property, or human life or  
25 health; and



1 (II) to ensure the compatibility of  
2 aquaculture operations with activities  
3 for which permits were issued under  
4 the Outer Continental Shelf Lands  
5 Act (43 U.S.C. 1331 et seq.); and  
6 (v) enforce all requirements contained  
7 in the regulations, lease terms and condi-  
8 tions, and orders under the Outer Conti-  
9 nental Shelf Lands Act (43 U.S.C. 1331 et  
10 seq.).

11 (B) INTERPRETATION.—Failure to comply  
12 with any order issued under subparagraph  
13 (A)(iii) shall constitute a violation of the Outer  
14 Continental Shelf Lands Act (43 U.S.C. 1331  
15 et seq.).

16 (o) ASSURANCE OF ANIMAL HEALTH.—

17 (1) IN GENERAL.—Nothing in this section shall  
18 affect the authority of the Secretary of Agriculture  
19 to—

20 (A) carry out the Animal Health Protec-  
21 tion Act (7 U.S.C. 8301 et seq.) with respect to  
22 cultured species in the exclusive economic zone;  
23 or

1 (B) operate as the lead Federal agency for  
2 providing animal health oversight for cultured  
3 species in the exclusive economic zone.

4 (2) CRITERIA FOR PRACTICING VETERINARY  
5 MEDICINE IN WATERS OUTSIDE STATE JURISDIC-  
6 TION.—A veterinarian may practice veterinary medi-  
7 cine in waters outside State jurisdiction if the veteri-  
8 narian—

9 (A) is licensed and in good standing to  
10 practice veterinary medicine in any State;

11 (B) holds a category II veterinary accredi-  
12 tation from the Animal and Plant Health In-  
13 spection Service that includes completion of  
14 aquatic animal health modules of the Animal  
15 and Plant Health Inspection Service; and

16 (C) has a valid veterinarian client-patient  
17 relationship with the facility in which he or she  
18 is practicing veterinary medicine.

19 **SEC. 202. ENTERPRISE ZONES.**

20 (a) IN GENERAL.—

21 (1) DEVELOPMENT.—The Secretary shall de-  
22 velop, consistent with this section, enterprise zones  
23 for sustainable offshore aquaculture.

24 (2) CONSULTATION WITH STATES AND TERRI-  
25 TORIES.—The Secretary shall provide notice to the

1 Governor of every State or territory in the fisheries  
2 management region under the Magnuson-Stevens  
3 Fishery Conservation and Management Act (16  
4 U.S.C. 1801 et seq.), where an enterprise zone may  
5 be sited. If the proposed site is within 100 miles of  
6 another such fisheries management region, then the  
7 Secretary shall provide the same notice to the Gov-  
8 ernor of every State and territory in that region as  
9 well. Governors may submit comments to the Sec-  
10 retary, and the Secretary shall consult with inter-  
11 ested Governors in the development of enterprise  
12 zones under this section.

13 (3) REGIONAL SITING WORKSHOPS.—The Sec-  
14 retary shall, in each geographical region covered by  
15 a Regional Fishery Management Council under the  
16 Magnuson-Stevens Fishery Conservation and Man-  
17 agement Act (16 U.S.C. 1801 et seq.), conduct in-  
18 formal workshops as necessary or advisable to solicit  
19 public feedback on potential sites for enterprise  
20 zones for sustainable offshore aquaculture.

21 (4) PRELIMINARY DETERMINATION.—Based on  
22 public feedback under paragraph (3), the Secretary  
23 shall make a preliminary determination of areas of  
24 the exclusive economic zone that may be highly fa-

1 vorable for offshore aquaculture and likely compat-  
2 ible with other uses of such areas.

3 (5) PILOT PROJECTS.—In order to test the via-  
4 bility of sustainable offshore aquaculture in an en-  
5 terprise zone, the Secretary may support demonstra-  
6 tion projects in each enterprise zone as warranted  
7 and consistent with the national standards for sus-  
8 tainable offshore aquaculture in section 101. Such  
9 demonstration projects shall comply with this Act  
10 and all applicable Federal law.

11 (6) PROGRAMMATIC ENVIRONMENTAL IMPACT  
12 STATEMENTS.—If the Secretary determines that fur-  
13 ther sustainable offshore aquaculture is viable in a  
14 particular region, the Secretary shall consider and  
15 implement the most efficient process under the Na-  
16 tional Environmental Policy Act of 1969 (42 U.S.C.  
17 4321 et seq.), including programmatic environmental  
18 impact statements, to facilitate further sustainable  
19 offshore aquaculture, in accordance with the fol-  
20 lowing:

21 (A) Such programmatic environmental im-  
22 pact statements need not cover the entirety of  
23 the exclusive economic zone, but the Secretary  
24 shall attempt to provide coverage in each area  
25 of the exclusive economic zone, including the

1 East Coast, Gulf Coast, West Coast, and other  
2 areas of the Atlantic and Pacific in the jurisdic-  
3 tion of the United States.

4 (B) Nothing in this section shall be con-  
5 strued to change, alter, or supersede the re-  
6 quirements of the National Environmental Pol-  
7 icy Act of 1969 (42 U.S.C. 4321 et seq.).

8 (b) SPATIAL DATA.—To support the implementation  
9 of subsection (a), the National Oceanic and Atmospheric  
10 Administration shall collect and curate spatial data rel-  
11 evant to aquaculture, and make such data publicly avail-  
12 able.

13 (c) EFFECTS OF DESIGNATION.—The enterprise  
14 zones established under this section shall—

15 (1) offer a streamlined path forward for permit-  
16 ting aquaculture facilities;

17 (2) provide the ability to conduct research on  
18 the individual and cumulative impacts of such oper-  
19 ating facilities; and

20 (3) determine best practices for inclusion in the  
21 reports established in section 405.

22 **SEC. 203. RESEARCH AND DEVELOPMENT GRANT PRO-**  
23 **GRAM.**

24 (a) IN GENERAL.—The Secretary shall establish, in  
25 consultation with applicable Federal agencies, coastal

1 States, Tribal governments, Regional Fishery Manage-  
2 ment Councils, academic institutions, and interested  
3 stakeholders, a research and development grant program  
4 to further the purposes of this Act. In carrying out this  
5 subsection, the Secretary shall consider using existing pro-  
6 grams that leverage State and local partnerships and take  
7 advantage of the extramural research community, includ-  
8 ing the under the Saltonstall-Kennedy Act (15 U.S.C.  
9 713c-3), the National Sea Grant College Program under  
10 the National Sea Grant College Program Act (33 U.S.C.  
11 1121 et seq.), the National Oceanographic Partnership  
12 Program under section 8931 of title 10, United States  
13 Code, and consortium of institutions.

14 (b) COMPONENTS.—The research and development  
15 grant program described in subsection (a) shall award  
16 competitive, peer-reviewed grants to fund research and ex-  
17 tension services—

18 (1) to create innovative design and engineering  
19 solutions to common obstacles within the aqua-  
20 culture industry;

21 (2) to enable the transition of innovative aqua-  
22 culture technologies, including technologies focused  
23 on the commercialization of high-value marine spe-  
24 cies, from laboratory studies to commercial use;

1           (3) to evaluate the role of genetics in relation  
2 to brood stock production, disease management, and  
3 interactions between cultured species and wild  
4 stocks;

5           (4) to advance research into the management,  
6 mitigation, and prevention of cultured species dis-  
7 eases;

8           (5) to develop cost-effective feeds to optimize  
9 the use of wild fish, fish oil, plants, and sources of  
10 protein and lipids in aquaculture feeds and maintain  
11 the human health benefits of cultured seafood;

12          (6) to improve techniques for monitoring, as-  
13 ssuming, and addressing environmental impacts of  
14 aquaculture and develop and evaluate methodologies  
15 to prevent, minimize, and mitigate potential adverse  
16 environmental impacts;

17          (7) to evaluate the potential for aquaculture to  
18 serve as a tool for environmental management, in-  
19 cluding connections to water quality, watershed  
20 management, and fishery conservation and manage-  
21 ment;

22          (8) to evaluate the potential impact of offshore  
23 aquaculture on the economies of coastal commu-  
24 nities, particularly those dependent on traditional  
25 fishery resources;

1           (9) to identify barriers to entry in the offshore  
2           aquaculture industry and propose solutions to over-  
3           come them;

4           (10) to study the traditional aquaculture meth-  
5           ods and practices of Native Americans, Alaska Na-  
6           tives, and Native Hawaiians to evaluate economic,  
7           environmental, and sociological impacts; and

8           (11) to investigate other priority issues identi-  
9           fied by the Secretary.

10          (c) COORDINATION WITH OTHER FEDERAL PRO-  
11          GRAMS.—The Secretary shall—

12           (1) coordinate aquaculture research and devel-  
13           opment grants within the Department of Commerce  
14           and with other Federal programs that provide grant  
15           funding for purposes similar to those under sub-  
16           section (b), such as grants administered by the Na-  
17           tional Sea Grant College Program and the National  
18           Institute of Standards and Technology; and

19           (2) coordinate the research and development  
20           grant program established in this section with the  
21           interagency aquaculture coordinating group estab-  
22           lished under section 6 of the National Aquaculture  
23           Act of 1980 (16 U.S.C. 2805) and with the research  
24           and development conducted through the Cooperative  
25           Extension System of the Department of Agriculture.



1 (d) COOPERATIVE RESEARCH AGREEMENT.—To  
2 carry out this section, the Secretary may enter into a coop-  
3 erative agreement with a State, institution of higher edu-  
4 cation, or other private institution or research center.

### 5 **TITLE III—REFINEMENTS**

#### 6 **SEC. 301. PROTECTION OF OFFSHORE AQUACULTURE FA-** 7 **CILITIES.**

8 (a) IN GENERAL.—The Secretary may promulgate  
9 regulations that the Secretary determines are reasonable  
10 and necessary to protect an offshore aquaculture facility.  
11 When appropriate, the Secretary shall request the Sec-  
12 retary of the department in which the Coast Guard is op-  
13 erating to establish a navigational safety zone around an  
14 offshore aquaculture facility.

15 (b) NAVIGATIONAL SAFETY ZONE.—The Secretary of  
16 the department in which the Coast Guard is operating—

17 (1) shall consult with the Secretary of the Inte-  
18 rior before designating a navigational safety zone  
19 around an offshore aquaculture facility;

20 (2) after consultation with the Secretary, the  
21 Secretary of State, and the Secretary of Defense,  
22 may designate a zone of appropriate size around  
23 (and including) an offshore aquaculture facility for  
24 the purpose of navigational safety; and

1           (3) may define, by regulation, permissible ac-  
2           tivities within a navigational safety zone.

3           (c) LIMITATIONS.—No installation, structure, or use  
4           will be allowed in a navigational safety zone that is incom-  
5           patible with the operation of the offshore aquaculture fa-  
6           cility.

7           **SEC. 302. RECORDKEEPING AND ACCESS TO INFORMATION.**

8           (a) REGULATIONS.—The Secretary, after consulta-  
9           tion with other interested Federal departments and agen-  
10          cies, shall prescribe by regulation—

11           (1) the records that an offshore aquaculture  
12          permit holder is required to establish and maintain;

13           (2) the reports that an offshore aquaculture  
14          permit holder is required to make;

15           (3) the information that an offshore aqua-  
16          culture permit holder is required to provide, which  
17          shall include—

18                   (A) data regarding escape events;

19                   (B) the prevalence of disease in the off-  
20          shore aquaculture facility, including a descrip-  
21          tion of veterinary services provided for treat-  
22          ment; and

23                   (C) other information, as the Secretary  
24          may require; and

1           (4) any other recordkeeping that an offshore  
2           aquaculture permit holder is required to satisfy, as  
3           necessary to carry out this Act.

4           (b) **REGULATORY CONSISTENCY.**—The regulations  
5           under subsection (a) may not amend, contradict, or dupli-  
6           cate regulations under any other Federal law.

7           (c) **RECORD KEEPING.**—An offshore aquaculture per-  
8           mit holder shall—

9                 (1) comply with the recordkeeping regulations  
10              under subsection (a); and

11                (2) submit such reports, and make such records  
12              and information available as the Secretary may re-  
13              quest.

14           (d) **PUBLIC ACCESS.**—The Secretary shall make re-  
15           ports and other information received under this Act avail-  
16           able to the public unless the Secretary determines it is  
17           necessary to withhold disclosure to protect confidential  
18           business information and sensitive personal information.  
19           The Secretary shall establish procedures to protect con-  
20           fidential business information and sensitive personal infor-  
21           mation from being disclosed.

22           (e) **GOVERNMENT ACCESS.**—Any Federal Govern-  
23           ment official with an official responsibility for imple-  
24           menting and enforcing Federal law applicable to maritime  
25           fishing, shipping, or conservation, shall have reasonable

1 access, at all times, to an offshore aquaculture facility for  
2 which a permit is issued under this Act for the purpose  
3 of enforcing the Federal law under the official's jurisdic-  
4 tion or otherwise carrying out the official's responsibilities.  
5 Such an official may inspect, at reasonable times, records,  
6 files, papers, permits, processes, controls, and the offshore  
7 aquaculture facility and may test any feature of the off-  
8 shore aquaculture facility. Each inspection shall be con-  
9 ducted with reasonable promptness. The permit holder  
10 shall receive timely notification, in writing, of the results  
11 of the inspection.

12 (f) INSPECTION.—

13 (1) FREQUENCY.—The Secretary shall con-  
14 duct—

15 (A) an annual inspection of offshore aqua-  
16 culture facilities for which a permit is issued  
17 under this Act for the first 5 years after  
18 issuance of the permit; and

19 (B) a biennial inspection of such facilities  
20 thereafter.

21 (2) NOTICE.—The Secretary shall provide rea-  
22 sonable notice prior to site inspections at offshore  
23 aquaculture facilities pursuant to paragraph (1).

24 (3) FACILITIES LOCATED ON THE OUTER CON-  
25 TINENTAL SHELF.—The Secretary of the Interior, or

1 a designee of such Secretary, is authorized with in-  
2 spection authority under this section for offshore  
3 aquaculture facilities located on the outer conti-  
4 nental shelf.

5 **SEC. 303. MARINE FEED STANDARDS.**

6 The Secretary shall require that any fisheries-derived  
7 marine feed ingredients (both first use and trimmings)  
8 used at offshore aquaculture facilities in the exclusive eco-  
9 nomic zone—

10 (1) are sourced from a sustainably managed  
11 fishery;

12 (2) employ traceability sufficient to credibly  
13 demonstrate the ingredients were sourced from a  
14 sustainably managed fishery; and

15 (3) are harvested and produced without convict,  
16 forced, or indentured labor.

17 **TITLE IV—ADMINISTRATIVE**  
18 **PROVISIONS**

19 **SEC. 401. OFFICE OF AQUACULTURE.**

20 (a) OFFICE OF AQUACULTURE, HEADQUARTERS.—

21 The Secretary shall establish and provide resources for an  
22 Office of Aquaculture within the National Marine Fish-  
23 eries Service at the National Oceanic and Atmospheric Ad-  
24 ministration headquarters.

1 (b) OFFICE OF AQUACULTURE, REGIONAL PRES-  
2 ENCE.—The Secretary shall establish and provide re-  
3 sources for the Office of Aquaculture to have a presence  
4 in each of the regional fisheries offices of the National  
5 Oceanic and Atmospheric Administration. Such presence  
6 shall, at a minimum, be sufficient to fulfill the duties  
7 under subsection (c), but may be increased to the extent  
8 warranted by the activity and interest of aquaculture  
9 stakeholders in the region.

10 (c) DUTIES.—The Office of Aquaculture shall—

11 (1) implement this Act;

12 (2) administer the research and development  
13 grant program under section 203;

14 (3) coordinate regulatory, scientific, outreach,  
15 and international issues related to aquaculture with-  
16 in the National Oceanic and Atmospheric Adminis-  
17 tration;

18 (4) conduct aquaculture outreach, education,  
19 extension services, and training efforts;

20 (5) engage with aquaculture stakeholders and,  
21 from time to time, convene conferences for aqua-  
22 culture stakeholders to exchange information and  
23 ideas;

24 (6) maintain aquaculture divisions in each of  
25 the regional fisheries offices of the National Oceanic

1 and Atmospheric Administration, including at least  
2 one Administration Regional Aquaculture Coordi-  
3 nator in each such office.

4 (d) AQUACULTURE SUBCOMMITTEE.—The Marine  
5 Fisheries Advisory Committee shall designate the “Aqua-  
6 culture Subcommittee” as a permanent, standing sub-  
7 committee to serve as an external board to advise the Sec-  
8 retary on aquaculture. The Aquaculture Subcommittee  
9 shall coordinate with the National Sea Grant Advisory  
10 Board, as appropriate.

11 (e) COORDINATION.—The Office of Aquaculture shall  
12 coordinate its activities with the Aquaculture Sub-  
13 committee,

14 (f) BUDGET PRESENTATION.—The National Oceanic  
15 and Atmospheric Administration shall transmit its budget  
16 request for the Office of Aquaculture as a separate line  
17 with the National Marine Fisheries Service.

18 **SEC. 402. SUPPORT FOR INDUSTRY.**

19 (a) IN GENERAL.—The Secretary shall support the  
20 development of sustainable offshore aquaculture, con-  
21 sistent with this Act and other applicable Federal law.

22 (b) MARKETING AND PROMOTION GRANTS.—The  
23 Secretary shall, in consultation with industry, establish  
24 and administer a grant program to support the sale of  
25 cultured species domestically and internationally.

1 (c) WORKFORCE DEVELOPMENT.—The Secretary  
2 shall, in consultation with industry and academic institu-  
3 tions, develop and manage a grant program to support the  
4 education and training of individuals with the skills need-  
5 ed to manage and operate aquaculture facilities.

6 (d) REGIONAL NETWORKS.—The Secretary shall or-  
7 ganize through each regional fisheries office of the Na-  
8 tional Oceanic and Atmospheric Administration a network  
9 of regional experts and Federal agency contacts, in coordi-  
10 nation with relevant organizations (including the National  
11 Sea Grant College Program under the National Sea Grant  
12 College Program Act (33 U.S.C. 1121 et seq.), the De-  
13 partment of Agriculture Regional Aquaculture Centers,  
14 land-grant universities, and the Cooperative Extension  
15 System of the Department of Agriculture) to provide tech-  
16 nical expertise and extension services on offshore aqua-  
17 culture and information on Federal permit requirements.

18 (e) AQUACULTURE DATABASE.—The Secretary shall  
19 establish and maintain within the Office of Aquaculture  
20 an aquaculture database. The aquaculture database shall  
21 include information on research, technologies, monitoring  
22 techniques, best practices, and advisory board rec-  
23 ommendations. The Secretary shall make the aquaculture  
24 database available in a manner that safeguards confiden-  
25 tial business information. The inclusion of information in



1 the database under this subsection shall not be considered  
2 to be publication for purposes of subsection (a) or (b) of  
3 section 102 of title 35, United States Code.

4 **SEC. 403. OUTREACH AND EDUCATION.**

5 The Secretary shall conduct outreach on sustainable  
6 offshore aquaculture to promote understanding, science-  
7 based decisionmaking, and commercial adoption. The Sec-  
8 retary shall use appropriate means to engage—

- 9 (1) the general public;
- 10 (2) community leaders;
- 11 (3) governmental officials;
- 12 (4) the business community;
- 13 (5) the academic community; and
- 14 (6) the nonprofit sector.

15 **SEC. 404. ADMINISTRATION.**

16 (a) REGULATIONS.—The Secretary—

- 17 (1) shall initiate a rulemaking process, not later  
18 than 1 year after the date of enactment of this Act,  
19 after consulting with relevant Federal agencies,  
20 coastal States, Indian tribal governments within the  
21 meaning of such term in Executive Order 13175 (65  
22 Fed. Reg. 67249), the Commonwealth of Puerto  
23 Rico, American Samoa, the United States Virgin Is-  
24 lands, Guam, the Commonwealth of the Northern  
25 Mariana Islands, and Regional Fishery Management

1 Councils as established under section 302 of the  
2 Magnuson-Stevens Fishery Conservation and Man-  
3 agement Act (16 U.S.C. 1852), to implement this  
4 Act, including—

5 (A) procedures to issue, modify, deny, re-  
6 voke, or suspend an offshore aquaculture per-  
7 mit in accordance with this Act;

8 (B) procedures to coordinate the offshore  
9 aquaculture permitting process, with similar or  
10 complementary activities administered by other  
11 Federal agencies, Tribal governments, and  
12 coastal States;

13 (C) procedures to monitor and evaluate  
14 permit compliance to verify and confirm compli-  
15 ance with the requirements of this Act;

16 (D) procedures to transfer an offshore  
17 aquaculture permit from an original permit  
18 holder to a person that meets the requirements  
19 under section 201;

20 (E) procedures to minimize, as much as  
21 practicable, conflicts with existing uses in the  
22 exclusive economic zone;

23 (F) procedures to consider public-private  
24 partnerships; and

1 (G) standards for determining what types  
2 of feed may be employed in an offshore aqua-  
3 culture facility in accordance with the require-  
4 ments of section 304;

5 (2) shall promulgate such additional regulations  
6 as are necessary and appropriate to carry out this  
7 Act; and

8 (3) may amend a regulation, at any time, and  
9 the amended regulation shall apply, as of its effec-  
10 tive date, to each offshore aquaculture permit issued  
11 under this Act, regardless of the date the permit was  
12 issued.

13 (b) AGREEMENTS.—The Secretary may enter into  
14 and perform such contracts, leases, or cooperative agree-  
15 ments, and make and receive such grants or funds, as may  
16 be necessary to carry out this Act.

17 (c) USE OF CONTRIBUTED GOVERNMENTAL RE-  
18 SOURCES.—For enforcement under this Act, the Secretary  
19 may use, with consent and with or without reimbursement,  
20 the land, services, equipment, personnel, and facilities of—

21 (1) any department, agency, or instrumentality  
22 of the United States;

23 (2) any State, local government, Indian Tribal  
24 government, Territory, or possession (or any polit-  
25 ical subdivision thereof);

1           (3) any foreign government; or

2           (4) international organization.

3           (d) AUTHORITY TO USE GRANT FUNDS.—

4           (1) IN GENERAL.—Except as provided under  
5 paragraph (2), the Secretary may apply for, accept,  
6 and obligate research grant funding from any Fed-  
7 eral source operating a competitive grant program if  
8 the funding furthers the purposes of this Act.

9           (2) EXCEPTION.—The Secretary may not apply  
10 for, accept, or obligate any research grant funding  
11 under paragraph (1) if the granting agency lacks au-  
12 thority to grant funds to Federal agencies or for any  
13 purpose, or subject to any condition, that is prohib-  
14 ited by law or regulation.

15           (3) MATCHING GRANT FUNDS.—Appropriated  
16 funds may be used to satisfy a requirement to match  
17 grant funds with recipient agency funds, except that  
18 no grant may be accepted that requires a commit-  
19 ment in advance of appropriations.

20           (4) ACCOUNTS.—Funds received from a grant  
21 shall be deposited in the National Oceanic and At-  
22 mospheric Administration account that serves to ac-  
23 complish the purpose for which the grant was  
24 awarded.

1 (e) RESERVATION OF AUTHORITY.—Nothing in this  
2 Act shall be construed to displace, supersede, or limit the  
3 jurisdiction, responsibilities, or rights of any Federal or  
4 State agency, or Indian Tribe or Alaska Native organiza-  
5 tion, under any Federal law or treaty.

6 **SEC. 405. REPORT AND PERMIT TERMS.**

7 (a) REPORT.—Not later than 5 years after the date  
8 of enactment of this Act, the Secretary shall issue a report  
9 to the Chairman and Ranking Member of the Committee  
10 on Commerce, Science, and Transportation of the Senate  
11 and the Committee on Natural Resources of the House  
12 of Representatives regarding implementation of this Act.

13 The report shall include—

14 (1) the number of offshore aquaculture permits  
15 applied for, granted, denied, and retired, together  
16 with a brief description of the circumstances of each;

17 (2) any and all enforcement actions undertaken,  
18 and the disposition of each;

19 (3) the number of enterprise zones established  
20 under section 202, together with a brief description  
21 of the circumstances of each;

22 (4) results from any grants awarded under this  
23 Act;

1 (5) the Secretary's assessment of the state of  
2 aquaculture and offshore aquaculture in the United  
3 States;

4 (6) the Secretary's assessment of United States  
5 aquaculture and offshore aquaculture in comparison  
6 to aquaculture in other nations; and

7 (7) the Secretary's recommendations to improve  
8 United States aquaculture and offshore aquaculture.

9 (b) DETERMINATION REGARDING PERMITS.—In ad-  
10 dition to the requirements of subsection (a), the Secretary  
11 may make the following determinations regarding permit  
12 terms for offshore aquaculture:

13 (1) The effect of shortening or lengthening per-  
14 mit terms on the risk of harm to the environment.

15 (2) The effect of shortening or lengthening per-  
16 mit terms on industry's access to capital markets.

17 (3) Whether a change to the permit terms es-  
18 tablished in this Act is warranted.

19 (c) RULEMAKING AUTHORIZED.—Upon a determina-  
20 tion by the Secretary that a change to permit terms estab-  
21 lished under this Act is warranted, the Chairman and  
22 Ranking Member of the Committee on Commerce,  
23 Science, and Transportation of the Senate and the Com-  
24 mittee on Natural Resources of the House of Representa-  
25 tives may object. If the Secretary receives no such objec-

1 tion within 60 days of such determination, the Secretary  
2 is authorized to extend the terms of offshore aquaculture  
3 permits as follows:

4 (1) An offshore aquaculture permit term under  
5 section 201(e)(1) may be extended to a maximum of  
6 15 years.

7 (2) An offshore aquaculture permit term under  
8 section 201(e)(2)(A) may be extended to a maximum  
9 of 25 years.

10 **SEC. 406. FEDERAL COORDINATION.**

11 (a) **IN GENERAL.**—The Secretary of Commerce shall  
12 coordinate with the Department of the Interior, the De-  
13 partment of Agriculture, the Environmental Protection  
14 Agency, the Army Corps of Engineers, and the depart-  
15 ment in which the U.S. Coast Guard is operating to sim-  
16 plify the Federal regulatory regime for sustainable off-  
17 shore aquaculture and safeguarding the marine environ-  
18 ment, wild fish stocks, and coastal communities. The Sec-  
19 retaries of the Interior, Agriculture, and the department  
20 in which the U.S. Coast Guard is operating, the Adminis-  
21 trator of the Environmental Protection Agency, and the  
22 Chief of Engineers shall cooperate with the Secretary of  
23 Commerce to implement this section.

24 (b) **UNIFIED PERMITTING AND REVIEW PROCESS.**—

1           (1) IN GENERAL.—Not later than 1 year after  
2           the date of enactment of this Act, the Secretaries of  
3           Commerce, Interior, Agriculture, and the depart-  
4           ment in which the U.S. Coast Guard is operating,  
5           the Administrator of the Environmental Protection  
6           Agency, and the Chief of Engineers shall, through  
7           the Secretary of Commerce, initiate a rulemaking for  
8           a unified permit application, public notice, public  
9           comment, and Federal agency comment period for  
10          all permits administered by such agency heads relat-  
11          ing to offshore aquaculture.

12          (2) OUTREACH.—The Secretary of Commerce,  
13          through the National Oceanic and Atmospheric Ad-  
14          ministration, shall serve as the lead Federal agency  
15          for purposes of providing information on Federal  
16          permitting requirements for aquaculture in Federal  
17          waters.

18          (3) INFORMAL REVIEW AND COMPATIBILITY  
19          ANALYSIS.—The Secretary of Commerce, acting  
20          through the National Oceanic and Atmospheric Ad-  
21          ministration, shall convene representatives of the  
22          Department of the Interior, the Department of Agri-  
23          culture, the Environmental Protection Agency, the  
24          Army Corps of Engineers, and the Department in  
25          which the U.S. Coast Guard is operating to provide



1 prospective permit applicants an opportunity for in-  
2 formal consultation with Federal agencies. The Sec-  
3 retary of Commerce may invite representatives from  
4 other Federal agencies as necessary or advisable.  
5 Nothing in this subsection shall preclude an appli-  
6 cant or a prospective applicant from contacting Fed-  
7 eral agencies directly.

8 (4) ENVIRONMENTAL ANALYSIS.—To the extent  
9 allowable under the National Environmental Policy  
10 Act of 1969 (42 U.S.C. 4321 et seq.), any environ-  
11 mental analysis or environmental impact statement  
12 required under such Act for offshore aquaculture ac-  
13 tivities shall be conducted through a single, consoli-  
14 dated environmental review and the National Oce-  
15 anic and Atmospheric Administration, through the  
16 Office of Aquaculture and associated divisions, shall  
17 serve as the lead Federal agency.

18 (5) COORDINATION OF PERMIT REVIEWS.—To  
19 the extent practicable under this Act and all other  
20 applicable laws and regulations, Federal agencies  
21 with permitting requirements applicable to offshore  
22 aquaculture facilities shall coordinate their review  
23 processes in order to provide a timely responses to  
24 applicants.

1 **SEC. 407. PROHIBITED ACTS.**

2 It is unlawful for any person—

3 (1) to violate any provision of this Act or any  
4 regulation or permit issued pursuant to this Act;

5 (2) to refuse to permit any officer authorized to  
6 enforce the provisions of this Act (in accordance  
7 with section 408) to access an offshore aquaculture  
8 facility, associated onshore facility, vessel, or other  
9 conveyance, subject to such person's control, for pur-  
10 poses of conducting any search or inspection in con-  
11 nection with the enforcement of this Act;

12 (3) to assault, resist, oppose, impede, intimi-  
13 date, or interfere with any such authorized officer in  
14 the conduct of any search or inspection described in  
15 paragraph (2);

16 (4) to resist a lawful arrest for any act prohib-  
17 ited by this section;

18 (5) to ship, transport, offer for sale, sell, pur-  
19 chase, import, export, or have custody, control, or  
20 possession of, any fish produced, taken, retained, or  
21 possessed in violation of this Act;

22 (6) to interfere with, delay, or prevent, by any  
23 means, the apprehension or arrest of another person,  
24 knowing that such other person has committed any  
25 act prohibited by this section;

1           (7) to make or submit to the Secretary or the  
2           Governor of a State false information regarding any  
3           matter that the Secretary or Governor is considering  
4           in the course of carrying out this Act; or

5           (8) without authorization, to remove, damage,  
6           or tamper with or attempt to remove, damage, or  
7           tamper with—

8                   (A) an offshore aquaculture facility owned  
9                   by another person, which is located in the exclu-  
10                  sive economic zone, including any component  
11                  thereof; or

12                   (B) cultured species contained in such fa-  
13                  cility or component thereof.

14 **SEC. 408. ENFORCEMENT.**

15           (a) **RESPONSIBILITY.**—The provisions of this Act  
16 shall be enforced by the Secretary and the Secretary of  
17 the department in which the Coast Guard is operating.  
18 In enforcing this Act, such Secretaries may by agreement  
19 utilize, on a reimbursable or nonreimbursable basis, the  
20 personnel, services, equipment (including aircraft and ves-  
21 sels), and facilities of any other Federal agency, including  
22 all elements of the Department of Defense, or of any State  
23 agency. Such Secretaries shall, and the head of any Fed-  
24 eral or State agency that has entered into an agreement  
25 with either such Secretary under this section may (if the

1 agreement so provides), authorize officers to enforce the  
2 provisions of this Act or any regulation promulgated under  
3 this Act.

4 (b) POWERS OF AUTHORIZED OFFICERS.—Any offi-  
5 cer who is authorized under subsection (a) to enforce the  
6 provisions of this Act may, with or without a warrant or  
7 other process, as authorized by law—

8 (1) arrest any person, if the officer has reason-  
9 able cause to believe that such person has committed  
10 an act prohibited by section 407;

11 (2) board, search or inspect, any offshore aqua-  
12 culture facility, associated onshore facility, vessel, or  
13 other conveyance (including its gear, furniture, ap-  
14 purtenances, stores, records, and cargo) which is  
15 subject to the provisions of this Act;

16 (3) seize any vessel, or other conveyance (to-  
17 gether with its gear, furniture, appurtenances,  
18 stores, records, and cargo) used or employed in, or  
19 with respect to which it reasonably appears that  
20 such vessel was used or employed in, the violation of  
21 any provision of this Act;

22 (4) seize any fish (wherever found) taken, pro-  
23 duced, imported, exported, transported, sold, re-  
24 ceived, acquired, or purchased in any manner, in

1 connection with or as a result of the violation of any  
2 provision of this Act;

3 (5) seize any evidence related to any violation  
4 of any provision of this Act;

5 (6) detain any fish or fish product to determine  
6 compliance with this Act;

7 (7) search and seize, in accordance with any  
8 guidelines which may be issued by the Attorney Gen-  
9 eral;

10 (8) access, directly or indirectly, for enforce-  
11 ment purposes any data or information required to  
12 be provided under this Act or regulations promul-  
13 gated under this Act, including data from vessel or  
14 facility monitoring systems, automatic identification  
15 systems, long-range identification and tracking sys-  
16 tems, or any similar system;

17 (9) execute and serve any subpoena, arrest war-  
18 rant, search warrant issued in accordance with Rule  
19 41 of the Federal Rules of Criminal Procedure, or  
20 other warrant or civil or criminal process issued by  
21 any officer or court of competent jurisdiction; and

22 (10) exercise any other lawful authority.

23 (c) ISSUANCE OF CITATIONS.—If any authorized offi-  
24 cer finds that a person, offshore aquaculture facility, asso-  
25 ciated onshore facility, vessel, or other conveyance is en-

1 gaging or has been engaged in the violation of any provi-  
2 sion of this Act, such officer may issue a citation to the  
3 owner or operator of such vessel in lieu of proceeding  
4 under subsections (f), (g), or (h). If a permit has been  
5 issued pursuant to this Act for such facility or conveyance,  
6 such officer shall note the issuance of any citation under  
7 this subsection, including the date thereof and the reason  
8 therefor, on the permit. The Secretary shall maintain a  
9 record of all citations issued pursuant to this subsection.

10 (d) SUBPOENAS.—For the purposes of conducting  
11 any investigation or hearing under this Act, or any other  
12 marine resource law enforced by the Secretary, the Sec-  
13 retary may issue subpoenas for the attendance and testi-  
14 mony of witnesses and the production of relevant papers,  
15 photographs, records, books, and documents in any form,  
16 including those in electronic, optical or magnetic form, and  
17 may administer oaths. Witnesses summoned shall be paid  
18 the same fees and mileage that are paid to witnesses in  
19 the courts of the United States. In case of contempt or  
20 refusal to obey a subpoena served upon any person pursu-  
21 ant to this subsection, the district court of the United  
22 States for any district in which such person is found, re-  
23 sides, or transacts business, upon application by the  
24 United States and after notice to such person, shall have  
25 jurisdiction to issue an order requiring such person to ap-

1 pear and give testimony before the Secretary or to appear  
2 and produce documents before the Secretary, or both, and  
3 any failure to obey such order of the court may be pun-  
4 ished by such court as a contempt thereof.

5 (e) DISTRICT COURT JURISDICTION.—The several  
6 district courts of the United States shall have jurisdiction  
7 over any actions arising under this Act. For purposes of  
8 this section, for Hawaii or any possession of the United  
9 States in the Pacific Ocean, the appropriate court is the  
10 United States District Court for the District of Hawaii,  
11 except that in the case of Guam and Wake Island, the  
12 appropriate court is the United States District Court for  
13 the District of Guam, and in the case of the Northern  
14 Mariana Islands, the appropriate court is the United  
15 States District Court for the District of the Northern  
16 Mariana Islands. Each violation shall be a separate of-  
17 fense and the offense shall be deemed to have been com-  
18 mitted not only in the district where the violation first oc-  
19 curred, but also in any other district as authorized by law.  
20 Any offenses not committed in any district are subject to  
21 the venue provisions of section 3238 of title 18, United  
22 States Code.

23 (f) CIVIL ENFORCEMENT.—

24 (1) CIVIL ADMINISTRATIVE PENALTIES.—

1           (A) IN GENERAL.—Any person who is  
2 found by the Secretary, after notice and oppor-  
3 tunity for a hearing in accordance with section  
4 554 of title 5, United States Code, to have com-  
5 mitted an act prohibited by section 407 shall be  
6 liable to the United States for a civil penalty.  
7 The amount of the civil penalty shall not exceed  
8 \$200,000 for each violation. Each day of a con-  
9 tinuing violation shall constitute a separate of-  
10 fense. The amount of such civil penalty shall be  
11 assessed by the Secretary, by written notice. In  
12 determining the amount of such penalty, the  
13 Secretary shall take into account the nature,  
14 circumstances, extent, and gravity of the pro-  
15 hibited acts committed and, with respect to the  
16 violator, the degree of culpability, any history of  
17 prior offenses, and such other matters as jus-  
18 tice may require. In assessing such penalty the  
19 Secretary may also consider any information  
20 provided by the violator relating to the ability  
21 of the violator to pay, provided that the infor-  
22 mation is served on the Secretary at least 30  
23 days prior to an administrative hearing.

24           (B) COMPROMISE OR OTHER ACTION BY  
25 SECRETARY.—The Secretary may compromise,



1           modify, or remit, with or without conditions,  
2           any civil administrative penalty which is or may  
3           be imposed under this subsection and that has  
4           not been referred to the Attorney General for  
5           further enforcement action.

6           (2) IN REM JURISDICTION.—An offshore aqua-  
7           culture facility, associated onshore facility, vessel, or  
8           other conveyance (including its gear, furniture, ap-  
9           purtenances, stores, records, and cargo) used in the  
10          commission of an act prohibited by section 407 shall  
11          be liable in rem for any civil penalty assessed for  
12          such violation under this section and may be pro-  
13          ceeded against in any district court of the United  
14          States having jurisdiction thereof.

15          (3) COLLECTION OF ADMINISTRATIVE PEN-  
16          ALTIES.—If any person fails to pay an assessment  
17          of a civil penalty under paragraph (1) after it has  
18          become a final and unappealable order, the Sec-  
19          retary shall refer the matter to the Attorney Gen-  
20          eral, who shall recover the amount assessed (plus in-  
21          terest at current prevailing rates from the date of  
22          the final order) in any appropriate district court of  
23          the United States. In such action, the validity and  
24          appropriateness of the final order imposing the civil  
25          penalty shall not be subject to review. Any person

1 who fails to pay, on a timely basis, the amount of  
2 an assessment of a civil penalty shall be required to  
3 pay, in addition to such amount and interest, attor-  
4 ney's fees and costs for collection proceedings and a  
5 quarterly nonpayment penalty for each quarter dur-  
6 ing which such failure to pay persists. Such non-  
7 payment penalty shall be in an amount equal to 20  
8 percent of the aggregate amount of such person's  
9 penalties and nonpayment penalties that are unpaid  
10 as of the beginning of such quarter.

11 (4) PERMIT SANCTIONS.—

12 (A) IN GENERAL.—With respect to any  
13 case in which an offshore aquaculture facility,  
14 associated onshore facility, vessel, or other con-  
15 veyance was used in the commission of an act  
16 prohibited under section 407, the owner or op-  
17 erator of an offshore aquaculture facility, asso-  
18 ciated onshore facility, vessel, or other convey-  
19 ance, (or any other person who has been issued  
20 or has applied for a permit under this Act), has  
21 acted in violation of section 407, or any civil  
22 penalty, criminal fine, or amount in settlement  
23 of a civil forfeiture imposed under this Act on  
24 a person, offshore aquaculture facility, associ-  
25 ated onshore facility, vessel, or other convey-

1           ance that has been issued or has applied for a  
2           permit under this Act has not been paid and is  
3           overdue, the Secretary may—

4                   (i) revoke any permit issued with re-  
5                   spect to such person, offshore aquaculture  
6                   facility, associated onshore facility, vessel,  
7                   other conveyance, with or without preju-  
8                   dice to the issuance of subsequent permits;

9                   (ii) suspend such permit for a period  
10                  of time considered by the Secretary to be  
11                  appropriate;

12                  (iii) deny such permit; or

13                  (iv) impose additional conditions and  
14                  restrictions on such permit.

15           (B) CONSIDERATIONS.—In imposing a  
16           sanction under this paragraph, the Secretary  
17           shall take into account the nature, cir-  
18           cumstances, extent, and gravity of the prohib-  
19           ited acts for which the sanction is imposed and,  
20           with respect to the violator, the degree of culpa-  
21           bility, any history of prior offenses, and such  
22           other matters as justice may require.

23           (C) EFFECT OF TRANSFER OF OWNER-  
24           SHIP.—Transfer of ownership of an offshore  
25           aquaculture facility, associated onshore facility,

1 vessel, or other conveyance, by sale or other-  
2 wise, shall not extinguish any permit sanction  
3 that is in effect or is pending at the time of  
4 transfer of ownership. Before executing the  
5 transfer of ownership of a facility or convey-  
6 ance, by sale or otherwise, the owner shall dis-  
7 close in writing to the prospective transferee the  
8 existence of any permit sanction that will be in  
9 effect or pending with respect to the facility or  
10 conveyance at the time of the transfer.

11 (D) PAYMENT OF PENALTY OR FINE.—In  
12 the case of any permit that is suspended under  
13 this paragraph for nonpayment of a civil pen-  
14 alty or criminal fine, the Secretary shall rein-  
15 state the permit upon payment of the penalty  
16 or fine and interest thereon at the prevailing  
17 rate.

18 (E) HEARING.—No sanction shall be im-  
19 posed under this paragraph unless there has  
20 been a prior opportunity for a hearing on the  
21 facts underlying the violation for which the  
22 sanction is imposed, either in conjunction with  
23 a civil penalty proceeding under this section or  
24 otherwise.

1           (5) REVIEW OF CIVIL PENALTY.—Any person  
2           against whom a civil penalty is assessed under this  
3           subsection or against whom a permit sanction is im-  
4           posed under this subsection (other than a permit  
5           suspension for nonpayment of penalty or fine) may  
6           obtain review thereof in the United States district  
7           court for the appropriate district by filing a com-  
8           plaint against the Secretary in such court within 30  
9           days from the date of such order that constitutes a  
10          final agency action. The Secretary shall promptly  
11          file in such court a certified copy of the record upon  
12          which such violation was found or such penalty im-  
13          posed, as provided in section 2112 of title 28,  
14          United States Code. The findings and order of the  
15          Secretary shall be set aside by such court if they are  
16          not found to be supported by substantial evidence,  
17          as provided in section 706(2) of title 5, United  
18          States Code.

19          (6) INJUNCTIVE RELIEF.—Upon the request of  
20          the Secretary, the Attorney General of the United  
21          States may commence a civil action for appropriate  
22          relief, including a permanent or temporary injunc-  
23          tion, for any violation of this Act (including regula-  
24          tions).

25          (g) FORFEITURE.—

1 (1) CRIMINAL FORFEITURE.—

2 (A) IN GENERAL.—A person who is con-  
3 victed of an offense in violation of this Act shall  
4 forfeit to the United States—

5 (i) any property, real or personal, con-  
6 stituting or traceable to the gross proceeds  
7 taken, obtained, or retained, in connection  
8 with or as a result of the offense, includ-  
9 ing, without limitation, any fish (or the  
10 fair market value thereof); and

11 (ii) any property, real or personal,  
12 used or intended to be used, in any man-  
13 ner, to commit or facilitate the commission  
14 of the offense, including, without limita-  
15 tion, any vessel (including the vessel's  
16 equipment, stores, catch and cargo), vehi-  
17 cle, aircraft, or other means of transpor-  
18 tation.

19 (B) APPLICABILITY OF CONTROLLED SUB-  
20 STANCES ACT.—Pursuant to section 2461(e) of  
21 title 28, United States Code, the provisions of  
22 section 413 of the Controlled Substances Act  
23 (21 U.S.C. 853) other than subsection (d)  
24 thereof shall apply to criminal forfeitures under  
25 this section.

1 (2) CIVIL FORFEITURE.—

2 (A) IN GENERAL.—The property set forth  
3 below shall be subject to administrative or judi-  
4 cial forfeiture to the United States in accord-  
5 ance with the provisions of chapter 46 of title  
6 18, United States Code, and no property right  
7 shall exist in it:

8 (i) Any property, real or personal,  
9 constituting or traceable to the gross pro-  
10 ceeds taken, obtained, or retained, in con-  
11 nection with or as a result of a violation of  
12 this Act, including, without limitation, any  
13 fish (or the fair market value thereof).

14 (ii) Any property, real or personal,  
15 used or intended to be used, in any man-  
16 ner, to commit or facilitate the commission  
17 of a violation of this Act, including, with-  
18 out limitation, any vessel (including the  
19 vessel's equipment, stores, catch and  
20 cargo), vehicle, aircraft, or other means of  
21 transportation.

22 (B) APPLICATION OF THE CUSTOMS  
23 LAWS.—All provisions of law relating to seizure,  
24 summary judgment, and forfeiture and con-  
25 demnation for violation of the customs laws, the

1 disposition of the property forfeited or con-  
2 demned or the proceeds from the sale thereof,  
3 the remission or mitigation of such forfeitures,  
4 and the compromise of claims shall apply to sei-  
5 zures and forfeitures incurred, or alleged to  
6 have been incurred, under the provisions of this  
7 Act, insofar as applicable and not inconsistent  
8 with the provisions hereof. For seizures and for-  
9 feitures of property under this section by the  
10 Secretary, such duties as are imposed upon the  
11 customs officer or any other person with respect  
12 to the seizure and forfeiture of property under  
13 the customs law may be performed by such offi-  
14 cers as are designated by the Secretary or,  
15 upon request of the Secretary, by any other  
16 agency that has authority to manage and dis-  
17 pose of seized property.

18 (C) PRESUMPTION.—For the purposes of  
19 this section there is a rebuttable presumption  
20 that all fish, or components thereof, found in an  
21 offshore aquaculture facility or on board a ves-  
22 sel a vessel or other conveyance that is used or  
23 seized in connection with a violation of this Act  
24 were produced, taken, obtained, transported, or  
25 retained in violation of this Act.



1 (h) CRIMINAL ENFORCEMENT.—

2 (1) IMPRISONMENT.—Any person (other than a  
3 foreign government agency, or entity wholly owned  
4 and controlled by a foreign government) who know-  
5 ingly commits any act prohibited under section 407  
6 shall be imprisoned for not more than 5 years or  
7 fined not more than \$500,000 for individuals or  
8 \$1,000,000 for an organization, or both, except that,  
9 if in the commission of any such offense the indi-  
10 vidual uses a dangerous weapon, engages in conduct  
11 that causes bodily injury to any officer authorized to  
12 enforce the provisions of this Act, or places any such  
13 officer in fear of imminent bodily injury, the max-  
14 imum term of imprisonment is not more than 10  
15 years.

16 (2) FINE AND IMPRISONMENT.—Any person  
17 (other than a foreign government agency, or entity  
18 wholly owned and controlled by a foreign govern-  
19 ment) who violates a provision under section 407  
20 and who, in the exercise of due care should know  
21 that such person's conduct violates such provision,  
22 shall be fined under title 18, United States Code, or  
23 imprisoned not more than one year, or both.

24 (i) JOINT ENFORCEMENT AGREEMENTS.—

1           (1) IN GENERAL.—The Governor of an eligible  
2           State may apply to the Secretary for execution of a  
3           joint enforcement agreement with the Secretary that  
4           will authorize the deputation and funding of State  
5           law enforcement officers with marine law enforce-  
6           ment responsibilities to perform duties of the Sec-  
7           retary relating to law enforcement provisions under  
8           this title or any other marine resource law enforced  
9           by the Secretary. Upon receiving an application  
10          meeting the requirements of this subsection, the Sec-  
11          retary may enter into a joint enforcement agreement  
12          with the requesting State.

13          (2) ELIGIBLE STATE.—A State is eligible to  
14          participate in the cooperative enforcement agree-  
15          ments under this section if it is in, or bordering on,  
16          the Atlantic Ocean (including the Caribbean Sea),  
17          the Pacific Ocean, the Arctic Ocean, the Gulf of  
18          Mexico, Long Island Sound, or 1 or more of the  
19          Great Lakes.

20          (3) REQUIREMENTS.—Joint enforcement agree-  
21          ments executed under paragraph (1)—

22                  (A) shall be consistent with the purposes  
23                  and intent of this section to the extent applica-  
24                  ble to the regulated activities;

1 (B) may include specifications for joint  
2 management responsibilities as provided by the  
3 first section of Public Law 91–412 (15 U.S.C.  
4 1525); and

5 (C) shall provide for confidentiality of data  
6 and information submitted to the State under  
7 this Act.

8 (4) ALLOCATION OF FUNDS.—The Secretary  
9 shall include in each joint enforcement agreement an  
10 allocation of funds to assist in management of the  
11 agreement. The allocation shall be fairly distributed  
12 among all eligible States participating in cooperative  
13 enforcement agreements under this subsection, based  
14 upon consideration of Federal marine enforcement  
15 needs, the specific marine conservation enforcement  
16 needs of each participating eligible State, and the  
17 capacity of the State to undertake the marine en-  
18 forcement mission and assist with enforcement  
19 needs. The agreement may provide for amounts to  
20 be withheld by the Secretary for the cost of any  
21 technical or other assistance provided to the State  
22 by the Secretary under the agreement.

23 **SEC. 409. AUTHORIZATION OF APPROPRIATIONS.**

24 There are authorized to be appropriated to the Sec-  
25 retary for the purpose of carrying out this Act—

70

- 1 (1) \$60,000,000 for fiscal year 2020;
- 2 (2) \$65,000,000 for fiscal year 2021;
- 3 (3) \$70,000,000 for fiscal year 2022;
- 4 (4) \$75,000,000 for fiscal year 2023; and
- 5 (5) \$80,000,000 for fiscal year 2024.

116TH CONGRESS  
1ST SESSION

# H. R. 2236

To improve the management of forage fish.

---

## IN THE HOUSE OF REPRESENTATIVES

APRIL 10, 2019

Mrs. DINGELL (for herself, Mr. MAST, Mr. CARTWRIGHT, Mr. LONG, Mr. UPTON, and Mr. HUFFMAN) introduced the following bill; which was referred to the Committee on Natural Resources

---

## A BILL

To improve the management of forage fish.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the  
5 “Forage Fish Conservation Act”.

6 (b) TABLE OF CONTENTS.—The table of contents of  
7 this Act is as follows:

- Sec. 1. Short title; table of contents.
- Sec. 2. References to the Magnuson-Stevens Fishery Conservation and Management Act.
- Sec. 3. Findings.
- Sec. 4. Definitions.
- Sec. 5. Scientific advice.
- Sec. 6. Council functions.
- Sec. 7. Contents of fishery management plans.
- Sec. 8. Action by the Secretary.

Sec. 9. River herring and shad.

Sec. 10. Rule of construction.

1 **SEC. 2. REFERENCES TO THE MAGNUSON-STEVENSON FISHERY CONSERVATION AND MANAGEMENT ACT.**  
2

3 Except as otherwise expressly provided, wherever in  
4 this Act an amendment or repeal is expressed in terms  
5 of an amendment to, or repeal of, a section or other provi-  
6 sion, the reference shall be considered to be made to a  
7 section or other provision of the Magnuson-Stevens Fish-  
8 ery Conservation and Management Act (16 U.S.C. 1801  
9 et seq.).

10 **SEC. 3. FINDINGS.**

11 Section 2(a) (16 U.S.C. 1801(a)) is amended by add-  
12 ing at the end the following:

13 “(13) Forage fish are generally small to inter-  
14 mediate-sized species, occurring in schools or dense  
15 aggregations, and function as a main pathway for  
16 energy to flow from phyto- and zooplankton to high-  
17 er trophic level predators, such as tuna, Alaska pol-  
18 lock, and other wildlife, in marine ecosystems. While  
19 most species function as prey of others at some life  
20 stage, especially when small and young, forage fish  
21 maintain this important trophic role throughout  
22 their life. Further, fluctuations in their populations  
23 can result in significant changes in marine commu-  
24 nities and ecosystems. Therefore, particular atten-

1       tion to management of forage fish species, and ad-  
2       dressing their unique role in marine ecosystems, is  
3       critical to maintaining ecosystem function and sus-  
4       tainable fisheries.”.

5 **SEC. 4. DEFINITIONS.**

6       Section 3 (16 U.S.C. 1802) is amended—

7           (1) by redesignating the second paragraph (33)  
8       (relating to waters of a foreign nation) as paragraph  
9       (53);

10          (2) by redesignating paragraphs (28) through  
11       (50) as paragraphs (30) through (52), respectively;

12          (3) by redesignating paragraphs (19) through  
13       (27) as paragraphs (20) through (28), respectively;

14          (4) by inserting after paragraph (18) the fol-  
15       lowing:

16           “(19) The term ‘forage fish’ means—

17               “(A) any fish that, throughout its life  
18               cycle—

19                   “(i) is at a low trophic level;

20                   “(ii) contributes significantly to the  
21                   diets of other fish, marine mammals or  
22                   birds; and

23                   “(iii) serves as a conduit for energy  
24                   transfer to species at a higher trophic  
25                   level; or

1           “(B) any other fish specified as a forage  
2 fish for purposes of this paragraph in a fishery  
3 management plan or amendment that is trans-  
4 mitted by a Council and approved by the Sec-  
5 retary in accordance with section 304(a).”;

6           (5) by inserting after paragraph (28), as redes-  
7 igned by paragraph (3), the following:

8           “(29) The term ‘low trophic level’ means a posi-  
9 tion in the marine food web in which the fish gen-  
10 erally consume plankton.”; and

11           (6) in paragraph (35), as redesignated by para-  
12 graph (2)—

13           (A) in subparagraph (B), by striking  
14 “and”;

15           (B) in subparagraph (C), by striking the  
16 period and inserting “; and”; and

17           (C) by adding at the end the following:

18           “(D) in the case of a forage fish, is re-  
19 duced, pursuant to subparagraph (B), to pro-  
20 vide for the diet needs of fish species and other  
21 marine wildlife, such as marine mammals and  
22 birds, for which forage fish is a significant part  
23 of their diet.”.



1 **SEC. 5. SCIENTIFIC ADVICE.**

2 Section 302(g)(1)(B) (16 U.S.C. 1852(g)(1)(B)) is  
3 amended to read as follows:

4 “(B) Each scientific and statistical com-  
5 mittee shall provide its Council ongoing sci-  
6 entific advice for fishery management decisions,  
7 including recommendations for—

8 “(i) acceptable biological catch;

9 “(ii) preventing overfishing;

10 “(iii) maximum sustainable yield;

11 “(iv) achieving rebuilding targets;

12 “(v) maintaining a sufficient abun-  
13 dance, diversity, and localized distribution  
14 of forage fish populations to support their  
15 role in marine ecosystems; and

16 “(vi) reports on stock status and  
17 health, bycatch, habitat status, social and  
18 economic impacts of management meas-  
19 ures, and sustainability of fishing prac-  
20 tices.”.

21 **SEC. 6. COUNCIL FUNCTIONS.**

22 (a) RESEARCH PRIORITIES.—Section 302(h)(7) (16  
23 U.S.C. 1852(h)(7)) is amended, in the matter preceding  
24 subparagraph (A), by inserting “forage fish populations  
25 and distribution,” after “habitats,”.

1 (b) UNMANAGED FORAGE FISH.—Section 302(h) (16  
2 U.S.C. 1852(h)) is amended—

3 (1) in paragraph (8) by striking “; and” and in-  
4 serting “;”;

5 (2) by redesignating paragraph (9) as para-  
6 graph (10); and

7 (3) by inserting after paragraph (8) the fol-  
8 lowing:

9 “(9) develop a list of unmanaged forage fish oc-  
10 ccurring in the area under its authority and prohibit  
11 the development of any new directed forage fish fish-  
12 ery until the Council has—

13 “(A) considered the best scientific informa-  
14 tion available and evaluated the potential im-  
15 pacts of forage fish harvest on existing fish-  
16 eries, fishing communities, and the marine eco-  
17 system;

18 “(B) determined whether conservation and  
19 management of the forage fish fishery is need-  
20 ed;

21 “(C) if a determination is made that con-  
22 servation and management is needed, prepared  
23 and submitted to the Secretary a fishery man-  
24 agement plan or amendment consistent with  
25 section 303; and

1           “(D) received final, approved regulations  
2           from the Secretary pursuant to section  
3           304(b)(3); and”.

4           (c) EFFECTIVE DATE.—The amendments made by  
5 subsections (a) and (b) shall take effect 2 years after the  
6 date of enactment of this Act.

7 **SEC. 7. CONTENTS OF FISHERY MANAGEMENT PLANS.**

8           (a) FORAGE FISH MANAGEMENT.—Section 303(a)  
9 (16 U.S.C. 1853(a)) is amended—

10           (1) in paragraph (14) by striking “and;” and  
11           inserting “;”;

12           (2) in paragraph (15) by striking the period  
13           and inserting “; and”; and

14           (3) by adding at the end the following:

15           “(16) when setting annual catch limits for for-  
16           age fish fisheries, assess, specify, and reduce such  
17           limits by the diet needs of fish species and other ma-  
18           rine wildlife, such as marine mammals and birds, for  
19           which forage fish is a significant part of their diet.”.

20           (b) EFFECTIVE DATE.—The amendments made by  
21 subsection (a) shall take effect 5 years after the date of  
22 enactment of this Act.

23 **SEC. 8. ACTION BY THE SECRETARY.**

24           Section 304 (16 U.S.C. 1854) is amended—

1           (1) by redesignating the second subsection (i)  
 2           (relating to international overfishing) as subsection  
 3           (j); and

4           (2) by adding at the end the following:

5           “(k) FORAGE FISH MANAGEMENT GUIDELINES.—

6           “(1) IN GENERAL.—Not later than 18 months  
 7           after the date of enactment of the Forage Fish Con-  
 8           servation Act, the Secretary shall establish by regu-  
 9           lation guidelines to assist the Councils in imple-  
 10          menting sections 3(19), 302(h)(9), and 303(a)(16).

11          “(2) WORKSHOPS.—In developing the guide-  
 12          lines under paragraph (1), the Secretary shall con-  
 13          duct workshops with Councils and other scientific,  
 14          fisheries, and conservation interests.”.

15 **SEC. 9. RIVER HERRING AND SHAD.**

16          (a) DEFINITIONS.—In this section—

17           (1) RIVER HERRING.—The term “river herring”  
 18           means blueback herring (*Alosa aestivalis*) and ale-  
 19           wife (*Alosa pseudoharengus*).

20           (2) SHAD.—The term “shad” means American  
 21           shad (*Alosa sapidissima*) and hickory shad (*Alosa*  
 22           *mediocris*).

23          (b) AMENDMENTS OF PLANS.—Not later than 180  
 24          days after the date of enactment of this Act, the Secretary  
 25          of Commerce shall—

1           (1) amend the fishery management plans for  
2 the Atlantic Herring and Atlantic Mackerel, Squid,  
3 and Butterfish fisheries for the New England and  
4 Mid-Atlantic Regions to add shad and river herring  
5 as managed stocks in such plans consistent with sec-  
6 tion 302(h)(1) of the Magnuson-Stevens Fishery  
7 Conservation and Management Act (16 U.S.C.  
8 1852(h)(1));

9           (2) initiate additional fishery management plan  
10 amendments to be completed in not more than 1  
11 year from the date of the addition of the species  
12 identified in paragraph (1) in order to develop and  
13 implement all required conservation and manage-  
14 ment measures for such stocks consistent with the  
15 Magnuson-Stevens Fisheries Conservation and Man-  
16 agement Act (16 U.S.C. 1801 et seq.), and all other  
17 applicable law; and

18           (3) notwithstanding any other law, rule, or fish-  
19 ery management plan provision, including conserva-  
20 tion and management measures under section  
21 303(a)(11) of the Magnuson-Stevens Fishery Con-  
22 servation and Management Act (16 U.S.C.  
23 1853(a)(11)), reallocate existing resources to pro-  
24 vide, for not less than 60 percent of all relevant fish-  
25 ing trips, not fewer than one at-sea observer or an

1 on-board electronic or video means of producing  
2 equivalent at-sea monitoring information, for any  
3 vessel using mid-water trawl or paired mid-water  
4 trawl fishing gear in the Atlantic herring and Atlan-  
5 tic mackerel fisheries.

6 **SEC. 10. RULE OF CONSTRUCTION.**

7 Nothing in this Act shall be construed as—

8 (1) extending or diminishing the jurisdiction or  
9 authority of any State within its boundaries; or

10 (2) affecting—

11 (A) section 306 of the Magnuson-Stevens  
12 Fishery Conservation and Management Act (16  
13 U.S.C. 1856); or

14 (B) the Atlantic Coastal Fisheries Cooper-  
15 ative Management Act (16 U.S.C. 5107 et  
16 seq.).

○

116TH CONGRESS  
1ST SESSION

# H. R. 3697

To amend the Magnuson-Stevens Fishery Conservation and Management Act to provide flexibility for fishery managers and stability for fishermen, and for other purposes.

---

## IN THE HOUSE OF REPRESENTATIVES

JULY 11, 2019

Mr. YOUNG (for himself and Mr. VAN DREW) introduced the following bill;  
which was referred to the Committee on Natural Resources

---

## A BILL

To amend the Magnuson-Stevens Fishery Conservation and Management Act to provide flexibility for fishery managers and stability for fishermen, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Strengthening Fishing  
5 Communities and Increasing Flexibility in Fisheries Man-  
6 agement Act”.

7 **SEC. 2. TABLE OF CONTENTS.**

8 The table of contents for this Act is as follows:

Sec. 1. Short title.

Sec. 2. Table of contents.

Sec. 3. Definitions.

Sec. 4. References.

TITLE I—MAGNUSON-STEVENS ACT FINDINGS AND DEFINITIONS  
AMENDMENTS AND REAUTHORIZATION

Sec. 101. Amendments to findings.

Sec. 102. Amendments to definitions.

Sec. 103. Authorization of appropriations.

TITLE II—FISHERIES MANAGEMENT FLEXIBILITY AND  
MODERNIZATION

Sec. 201. Definitions.

Sec. 202. Process for allocation review for South Atlantic and Gulf of Mexico mixed-use fisheries.

Sec. 203. Alternative fishery management measures.

Sec. 204. Modifications to the annual catch limit requirement.

Sec. 205. Limitation on future catch share programs.

Sec. 206. Study of limited access privilege programs for mixed-use fisheries.

Sec. 207. Cooperative data collection.

Sec. 208. Recreational fishing data.

Sec. 209. Miscellaneous amendments relating to fishery management councils.

Sec. 210. Northeast regional pilot research trawl survey and study.

TITLE III—HEALTHY FISHERIES THROUGH BETTER SCIENCE

Sec. 301. Healthy fisheries through better science.

Sec. 302. Transparency and public process.

Sec. 303. Flexibility in rebuilding fish stocks.

Sec. 304. Exempted fishing permits.

Sec. 305. Cooperative research and management program.

Sec. 306. Federal Gulf of Mexico red snapper management.

TITLE IV—STRENGTHENING FISHING COMMUNITIES

Sec. 401. Estimation of cost of recovery from fishery resource disaster.

Sec. 402. Deadline for action on request by Governor for determination regarding fishery resource disaster.

Sec. 403. North Pacific Fishery management clarification.

Sec. 404. Limitation on harvest in North Pacific directed pollock fishery.

Sec. 405. Arctic community development quota.

Sec. 406. Reallocation of certain unused harvest allocation.

Sec. 407. Community Development Quota Program panel voting procedures.

Sec. 408. Prohibition on shark feeding off coast of Florida.

Sec. 409. Restoration of historically freshwater environment.

TITLE V—MISCELLANEOUS PROVISIONS

Sec. 501. Mitigation for impacts to submerged aquatic vegetation.

Sec. 502. Plan for electronic monitoring and reporting procedures for the Northeast Multispecies Fishery.

Sec. 503. Study of fees charged to lobster fishing industry.

Sec. 504. Limitation on application of prohibition on Atlantic striped bass fishing in Block Island Sound transit zone.

Sec. 505. Funding for monitoring implementation of Northeast Multispecies Fishery Management Plan.



## TITLE VI—REEF ASSASSIN ACT

Sec. 601. Short title.

Sec. 602. Encouraging elimination of lionfish.

1 **SEC. 3. DEFINITIONS.**

2 In this Act, any term used that is defined in section  
3 3 of the Magnuson-Stevens Fishery Conservation and  
4 Management Act (16 U.S.C. 1802) shall have the same  
5 meaning such term has under that section.

6 **SEC. 4. REFERENCES.**

7 Except as otherwise specifically provided, whenever in  
8 this Act an amendment or repeal is expressed in terms  
9 of an amendment to, or repeal of, a provision, the ref-  
10 erence shall be considered to be made to a provision of  
11 the Magnuson-Stevens Fishery Conservation and Manage-  
12 ment Act (16 U.S.C. 1801 et seq.).

13 **TITLE I—MAGNUSON-STEVENS**  
14 **ACT FINDINGS AND DEFINI-**  
15 **TIONS AMENDMENTS AND RE-**  
16 **AUTHORIZATION**

17 **SEC. 101. AMENDMENTS TO FINDINGS.**

18 Section 2(a) (16 U.S.C. 1801) is amended—

19 (1) in paragraph (1), by inserting “cultural  
20 well-being,” after “economy,”; and

21 (2) in paragraph (10), by inserting “and tradi-  
22 tional ways of life” after “economic growth”.

1 **SEC. 102. AMENDMENTS TO DEFINITIONS.**

2 (a) DEFINITIONS.—Section 3 (16 U.S.C. 1802) is  
3 amended—

4 (1) in paragraph (2), by striking “management  
5 program”;

6 (2) in paragraph (34), by striking “The terms  
7 ‘overfishing’ and ‘overfished’ mean” and inserting  
8 “The term ‘overfishing’ means”;

9 (3) by inserting after paragraph (8) the fol-  
10 lowing:

11 “(8a) The term ‘depleted’ means, with respect  
12 to a stock of fish or stock complex, that the stock  
13 or stock complex has a biomass that has declined  
14 below a level that jeopardizes the capacity of the  
15 stock or stock complex to produce maximum sustain-  
16 able yield on a continuing basis.”; and

17 (4) by inserting after paragraph (43) the fol-  
18 lowing:

19 “(43a)(A) The term ‘subsistence fishing’ means  
20 fishing in which the fish harvested are intended for  
21 customary and traditional uses, including for direct  
22 personal or family consumption as food or clothing;  
23 for the making or selling of handicraft articles out  
24 of nonedible byproducts taken for personal or family  
25 consumption, for barter, or sharing for personal or

1 family consumption; and for customary exchange or  
2 trade.

3 “(B) In this paragraph—

4 “(i) the term ‘family’ means all persons re-  
5 lated by blood, marriage, or adoption, or any  
6 person living within the household on a perma-  
7 nent basis; and

8 “(ii) the term ‘barter’ means the exchange  
9 of a fish or fish part—

10 “(I) for another fish or fish part; or

11 “(II) for other food or for nonedible  
12 items other than money if the exchange is  
13 of a limited and noncommercial nature.”.

14 (b) SUBSTITUTION OF TERM.—The Magnuson-Ste-  
15 vens Fishery Conservation and Management Act (16  
16 U.S.C. 1801 et seq.) is amended—

17 (1) in the heading of section 304(e), by striking  
18 “OVERFISHED” and inserting “DEPLETED”; and

19 (2) by striking “overfished” each place it ap-  
20 pears and inserting “depleted”.

21 (c) CLARITY IN ANNUAL REPORT.—Section  
22 304(e)(1) (16 U.S.C. 1854(e)(1)) is amended by adding  
23 at the end the following: “The report shall distinguish be-  
24 tween fisheries that are depleted (or approaching that con-  
25 dition) as a result of fishing and fisheries that are depleted

1 (or approaching that condition) as a result of factors other  
 2 than fishing. The report shall state, for each fishery iden-  
 3 tified as depleted or approaching that condition, whether  
 4 the fishery is the target of directed fishing.”.

5 **SEC. 103. AUTHORIZATION OF APPROPRIATIONS.**

6 Section 4 (16 U.S.C. 1803) is amended—

7 (1) by striking “this Act” and all that follows  
 8 through “(7)” and inserting “this Act”; and

9 (2) by striking “fiscal year 2013” and inserting  
 10 “each of fiscal years 2020 through 2024”.

11 **TITLE II—FISHERIES MANAGE-**  
 12 **MENT FLEXIBILITY AND MOD-**  
 13 **ERNIZATION**

14 **SEC. 201. DEFINITIONS.**

15 For the purposes of implementing this title:

16 (1) **APPROPRIATE COMMITTEES OF CON-**  
 17 **GRESS.**—The term “appropriate committees of Con-  
 18 gress” means—

19 (A) the Committee on Commerce, Science,  
 20 and Transportation of the Senate; and

21 (B) the Committee on Natural Resources  
 22 of the House of Representatives.

23 (2) **LIMITED ACCESS PRIVILEGE PROGRAM.**—

24 The term “limited access privilege program” means  
 25 a program that meets the requirements of section

1 303A of the Magnuson-Stevens Fishery Conserva-  
 2 tion and Management Act (16 U.S.C. 1853a).

3 (3) MIXED-USE FISHERY.—The term “mixed-  
 4 use fishery” means a Federal fishery in which two  
 5 or more of the following occur:

6 (A) Recreational fishing.

7 (B) Charter fishing.

8 (C) Commercial fishing.

9 **SEC. 202. PROCESS FOR ALLOCATION REVIEW FOR SOUTH**  
 10 **ATLANTIC AND GULF OF MEXICO MIXED-USE**  
 11 **FISHERIES.**

12 (a) STUDY OF ALLOCATIONS IN MIXED-USE FISH-  
 13 ERIES.—Not later than 60 days after the date of enact-  
 14 ment of this Act, the Secretary of Commerce shall seek  
 15 to enter into an arrangement with the National Academy  
 16 of Sciences to conduct a study of South Atlantic and Gulf  
 17 of Mexico mixed-use fisheries—

18 (1) to provide guidance to each applicable  
 19 Council on criteria that could be used for allocating  
 20 fishing privileges, including consideration of the con-  
 21 servation and socioeconomic benefits of the commer-  
 22 cial, recreational, and charter components of a fish-  
 23 ery, in the preparation of a fishery management  
 24 plan;

1           (2) to identify sources of information that could  
2 reasonably support the use of such criteria in alloca-  
3 tion decisions;

4           (3) to develop procedures for allocation reviews  
5 and potential adjustments in allocations; and

6           (4) that shall consider the ecological, economic  
7 and social factors relevant to each component of the  
8 mixed-use fishery including but not limited to: fair-  
9 ness and equitability of all current allocations; per-  
10 cent utilization of available allocations by each com-  
11 ponent; consumer and public access to the resource;  
12 and the application of economic models for fully esti-  
13 mating the direct and indirect value-added contribu-  
14 tions of the various commercial and recreational  
15 fishing industry market sectors throughout chain of  
16 custody.

17       (b) REPORT.—Not later than 1 year after the date  
18 an arrangement is entered into under subsection (a), the  
19 National Academy of Sciences shall submit to the appro-  
20 priate committees of Congress a report on the study con-  
21 ducted under that subsection.

22       (c) PROCESS FOR ALLOCATION REVIEW AND ESTAB-  
23 LISHMENT.—

24           (1) IN GENERAL.—Not later than 2 years after  
25 the date of enactment of this Act, and every 5 years

1 thereafter, an applicable Council shall perform a re-  
 2 view of the allocations to the commercial fishing sec-  
 3 tor and the recreational fishing sector of all applica-  
 4 ble fisheries in its jurisdiction.

5 (2) CONSIDERATIONS.—In conducting a review  
 6 under paragraph (1), an applicable Council shall  
 7 consider, in each allocation decision, the conserva-  
 8 tion and socioeconomic benefits of—

9 (A) the commercial fishing sector; and

10 (B) the recreational fishing sector.

11 (d) DEFINITION OF APPLICABLE COUNCIL.—In this  
 12 section, the term “applicable Council” means—

13 (1) the South Atlantic Fishery Management  
 14 Council; or

15 (2) the Gulf of Mexico Fishery Management  
 16 Council.

17 **SEC. 203. ALTERNATIVE FISHERY MANAGEMENT MEAS-**  
 18 **URES.**

19 Section 302(h) (16 U.S.C. 1852(h)) is amended—

20 (1) in paragraph (8), by striking “; and” and  
 21 inserting a semicolon;

22 (2) by redesignating paragraph (9) as para-  
 23 graph (10); and

24 (3) by inserting after paragraph (8), the fol-  
 25 lowing:





1 ducted and the results are considered by the Council  
2 and its scientific and statistical committee.

3 “(2) CONSIDERATION OF ECOSYSTEM AND ECO-  
4 NOMIC IMPACTS.—In establishing annual catch lim-  
5 its a Council may, consistent with subsection (h)(6),  
6 consider changes in an ecosystem and the economic  
7 needs of the fishing communities.

8 “(3) LIMITATIONS TO ANNUAL CATCH LIMIT  
9 REQUIREMENT FOR SPECIAL FISHERIES.—Notwith-  
10 standing subsection (h)(6), a Council is not required  
11 to develop an annual catch limit for—

12 “(A) an ecosystem-component species;

13 “(B) a fishery for a species that has a life  
14 cycle of approximately 1 year, unless the Sec-  
15 retary has determined the fishery is subject to  
16 overfishing; or

17 “(C) a stock for which—

18 “(i) more than half of a single-year  
19 class will complete their life cycle in less  
20 than 18 months; and

21 “(ii) fishing mortality will have little  
22 impact on the stock.

23 “(4) RELATIONSHIP TO INTERNATIONAL FISH-  
24 ERY EFFORTS.—

1           “(A) IN GENERAL.—Each annual catch  
2 limit, consistent with subsection (h)(6)—

3           “(i) may take into account manage-  
4 ment measures under international agree-  
5 ments in which the United States partici-  
6 pates; and

7           “(ii) in the case of an annual catch  
8 limit developed by a Council for a species,  
9 shall take into account fishing for the spe-  
10 cies outside the exclusive economic zone  
11 and the life-history characteristics of the  
12 species that are not subject to the jurisdic-  
13 tion of the Council.

14           “(B) EXCEPTION TO ANNUAL CATCH LIMIT  
15 REQUIREMENT.—If fishery management activi-  
16 ties by another country with respect to fishing  
17 outside the exclusive economic zone may hinder  
18 conservation efforts by United States fishermen  
19 for a fish species for which any of the recruit-  
20 ment, distribution, life history, or fishing activi-  
21 ties are transboundary, and for which there is  
22 no informal transboundary agreement with that  
23 country in effect, then—

24           “(i) notwithstanding subsection  
25 (h)(6), no annual catch limit is required to

1 be developed for the species by a Council;  
2 and

3 “(ii) if an annual catch limit is devel-  
4 oped by a Council for the species, the catch  
5 limit shall take into account fishing for the  
6 species outside the exclusive economic zone  
7 that is not subject to the jurisdiction of the  
8 Council.

9 “(5) AUTHORIZATION FOR MULTISPECIES COM-  
10 PLEXES AND MULTIYEAR ANNUAL CATCH LIMITS.—  
11 For purposes of subsection (h)(6), a Council may es-  
12 tablish—

13 “(A) an annual catch limit for a stock  
14 complex; or

15 “(B) annual catch limits for each year in  
16 any continuous period that is not more than 3  
17 years in duration.

18 “(6) ECOSYSTEM-COMPONENT SPECIES DE-  
19 FINED.—In this subsection the term ‘ecosystem-com-  
20 ponent species’ means a stock of fish that is a non-  
21 target, incidentally harvested stock of fish in a fish-  
22 ery, or a nontarget, incidentally harvested stock of  
23 fish that a Council or the Secretary has deter-  
24 mined—

1           “(A) is not subject to overfishing, ap-  
2           proaching a depleted condition or depleted; and

3           “(B) is not likely to become subject to  
4           overfishing or depleted in the absence of con-  
5           servation and management measures.

6           “(7) RULE OF CONSTRUCTION.—Nothing in  
7           this subsection shall be construed as providing an  
8           exemption from the requirements of section 301(a)  
9           of this Act.”.

10          (b) ACTION BY THE SECRETARY.—Section 304 (16  
11 U.S.C. 1854) is amended—

12           (1) by striking “(i) INTERNATIONAL OVER-  
13           FISHING.—” and inserting “(j) INTERNATIONAL  
14           OVERFISHING.—”;

15           (2) in subsection (j)(1), as redesignated, by in-  
16           serting “shall” before “immediately”; and

17           (3) by adding at the end the following:

18           “(k) STOCK SURVEYS AND ASSESSMENTS.—Not later  
19           than 2 years after the date that the Secretary receives no-  
20           tice from a Council under section 302(m), the Secretary  
21           shall complete a peer-reviewed stock survey and stock as-  
22           sessment of the applicable stock of fish and transmit the  
23           results of the survey and assessment to the Council.”.

1 **SEC. 205. LIMITATION ON FUTURE CATCH SHARE PRO-**  
 2 **GRAMS.**

3 (a) CATCH SHARE DEFINED.—Section 3 (16 U.S.C.  
 4 1802) is amended by inserting after paragraph (2) the fol-  
 5 lowing:

6 “(2a) The term ‘catch share’ means any fishery  
 7 management program that allocates a specific per-  
 8 centage of the total allowable catch for a fishery, or  
 9 a specific fishing area, to an individual, cooperative,  
 10 community, processor, representative of a commer-  
 11 cial sector, or regional fishery association established  
 12 in accordance with section 303A(c)(4), or other enti-  
 13 ty.”.

14 (b) CATCH SHARE REFERENDUM PILOT PRO-  
 15 GRAM.—

16 (1) IN GENERAL.—Section 303A(c)(6)(D) (16  
 17 U.S.C. 1853a(c)(6)(D)) is amended to read as fol-  
 18 lows:

19 “(D) CATCH SHARE REFERENDUM PILOT  
 20 PROGRAM.—

21 “(i) The New England, Mid-Atlantic,  
 22 South Atlantic, and Gulf of Mexico Coun-  
 23 cils may not submit a fishery management  
 24 plan or amendment that creates a catch  
 25 share program for a fishery, and the Sec-  
 26 retary may not approve or implement such

1 a plan or amendment submitted by such a  
2 Council or a Secretarial plan or amend-  
3 ment under section 304(c) that creates  
4 such a program, unless the final program  
5 has been approved, in a referendum in ac-  
6 cordance with this subparagraph, by a ma-  
7 jority of the permit holders eligible to par-  
8 ticipate in the fishery. For multispecies  
9 permits in the Gulf of Mexico, any permit  
10 holder with landings from within the sector  
11 of the fishery being considered for the  
12 catch share program within the 5-year pe-  
13 riod preceding the date of the referendum  
14 and still active in fishing in the fishery  
15 shall be eligible to participate in such a  
16 referendum. If a catch share program is  
17 not approved by the requisite number of  
18 permit holders, it may be revised and sub-  
19 mitted for approval in a subsequent ref-  
20 erendum.

21 “(ii) The Secretary shall conduct a  
22 referendum under this subparagraph, in-  
23 cluding notifying all permit holders eligible  
24 to participate in the referendum and mak-  
25 ing available to them—

1 “(I) a copy of the proposed pro-  
2 gram;

3 “(II) an estimate of the costs of  
4 the program, including costs to par-  
5 ticipants;

6 “(III) an estimate of the amount  
7 of fish or percentage of quota each  
8 permit holder would be allocated; and

9 “(IV) information concerning the  
10 schedule, procedures, and eligibility  
11 requirements for the referendum pro-  
12 cess.

13 “(iii) For the purposes of this sub-  
14 paragraph, the term ‘permit holder eligible  
15 to participate’ only includes the holder of  
16 a permit for a fishery under which fishing  
17 has occurred in 3 of the 5 years preceding  
18 a referendum for the fishery, unless sick-  
19 ness, injury, or other unavoidable hardship  
20 prevented the permit holder from engaging  
21 in such fishing.

22 “(iv) The Secretary may not imple-  
23 ment any catch share program for any  
24 fishery managed exclusively by the Sec-  
25 retary unless first petitioned by a majority

1 of those permit holders eligible to partici-  
2 pate in the fishery.”.

3 (2) **LIMITATION ON APPLICATION.**—The amend-  
4 ment made by paragraph (1) shall not apply to a  
5 catch share program that is submitted to, or pro-  
6 posed by, the Secretary of Commerce before the date  
7 of enactment of this Act.

8 (3) **REGULATIONS.**—Before conducting a ref-  
9 erendum under the amendment made by paragraph  
10 (1), the Secretary of Commerce shall issue regula-  
11 tions implementing such amendment after providing  
12 an opportunity for submission by the public of com-  
13 ments on the regulations.

14 **SEC. 206. STUDY OF LIMITED ACCESS PRIVILEGE PRO-**  
15 **GRAMS FOR MIXED-USE FISHERIES.**

16 (a) **STUDY ON LIMITED ACCESS PRIVILEGE PRO-**  
17 **GRAMS.**—Not later than 1 year after the date of enact-  
18 ment of this Act, the Secretary of Commerce shall seek  
19 to enter into an arrangement under which the Ocean Stud-  
20 ies Board of the National Academies of Sciences, Engi-  
21 neering, and Medicine shall—

22 (1) study the use of limited access privilege pro-  
23 grams in mixed-use fisheries, including—

24 (A) identifying any inequities caused by a  
25 limited access privilege program;



1 (B) recommending policies to address the  
2 inequities identified in subparagraph (A); and

3 (C) identifying and recommending the dif-  
4 ferent factors and information a mixed-use fish-  
5 ery should consider when designing, estab-  
6 lishing, or maintaining a limited access privilege  
7 program to mitigate any inequities identified in  
8 subparagraph (A); and

9 (2) submit to the appropriate committees of  
10 Congress a report on the study under paragraph (1),  
11 including the recommendations under subparagraphs  
12 (B) and (C) of paragraph (1).

13 (b) TEMPORARY MORATORIUM.—

14 (1) IN GENERAL.—Except as provided in para-  
15 graph (2), there shall be a moratorium on the sub-  
16 mission and approval of a limited access privilege  
17 program for a mixed-use fishery until the date that  
18 the report is submitted under subsection (a)(1)(B).

19 (2) EXCEPTION.—Subject to paragraph (3), a  
20 Council may submit, and the Secretary of Commerce  
21 may approve, for a mixed-use fishery that is man-  
22 aged under a limited access system, a limited access  
23 privilege program if such program was part of a  
24 pending fishery management plan or plan amend-  
25 ment before the date of enactment of this Act.

1           (3) MANDATORY REVIEW.—A Council that ap-  
2           proves a limited access privilege program under  
3           paragraph (2) shall, upon issuance of the report re-  
4           quired under subparagraph (a), review and, to the  
5           extent practicable, revise the limited access privilege  
6           program to be consistent with the recommendations  
7           of the report or any subsequent statutory or regu-  
8           latory requirements designed to implement the rec-  
9           ommendations of the report.

10           (4) RULE OF CONSTRUCTION.—Nothing in this  
11           section may be construed to affect a limited access  
12           privilege program approved by the Secretary of  
13           Commerce before the date of enactment of this Act.

14 **SEC. 207. COOPERATIVE DATA COLLECTION.**

15           (a) IMPROVING DATA COLLECTION AND ANALYSIS.—  
16           Section 404 (16 U.S.C. 1881c) is amended by adding at  
17           the end the following:

18           “(f) IMPROVING DATA COLLECTION AND ANAL-  
19           YSIS.—

20           “(1) IN GENERAL.—Not later than 1 year after  
21           the date of enactment of this Act, the Secretary  
22           shall develop, in consultation with the science and  
23           statistical committees of the Councils established  
24           under section 302(g) and the Marine Fisheries Com-  
25           missions, and submit to the Committee on Com-

1 merce, Science, and Transportation of the Senate  
2 and the Committee on Natural Resources of the  
3 House of Representatives a report on facilitating  
4 greater incorporation of data, analysis, stock assess-  
5 ments, and surveys from State agencies and non-  
6 governmental sources described in paragraph (2)  
7 into fisheries management decisions.

8 “(2) NONGOVERNMENTAL SOURCES.—Non-  
9 governmental sources referred to in paragraph (1)  
10 include the following:

11 “(A) Fishermen.

12 “(B) Fishing communities.

13 “(C) Universities.

14 “(D) Research and philanthropic institu-  
15 tions.

16 “(3) CONTENT.—In developing the report  
17 under paragraph (1), the Secretary shall—

18 “(A) identify types of data and analysis,  
19 especially concerning recreational fishing, that  
20 can be reliably used for purposes of this Act as  
21 the basis for establishing conservation and man-  
22 agement measures as required by section  
23 303(a)(1), including setting standards for the  
24 collection and use of that data and analysis in

1 stock assessments and surveys and for other  
2 purposes as determined by the Secretary;

3 “(B) provide specific recommendations for  
4 collecting data and performing analyses identi-  
5 fied as necessary to reduce uncertainty in and  
6 improve the accuracy of future stock assess-  
7 ments, including whether such data and anal-  
8 ysis could be provided by nongovernmental  
9 sources, including fishermen, fishing commu-  
10 nities, universities, and research institutions;

11 “(C) consider the extent to which it is pos-  
12 sible to establish a registry of persons collecting  
13 or submitting the data and performing the  
14 analyses identified under subparagraphs (A)  
15 and (B); and

16 “(D) consider the extent to which the ac-  
17 ceptance and use of data and analyses identi-  
18 fied in the report in fishery management deci-  
19 sions is practicable.”.

20 (b) PUBLICATION.—The Secretary of Commerce shall  
21 make available on the Internet Website of the National  
22 Oceanic and Atmospheric Administration the report re-  
23 quired under the amendment made by subsection (a) by  
24 not later than 1 year after the date of the enactment of  
25 this Act.

1 (c) NAS REPORT RECOMMENDATIONS.—The Sec-  
2 retary of Commerce shall take into consideration and, to  
3 the extent feasible, implement the recommendations of the  
4 National Academy of Sciences in the report entitled “Re-  
5 view of the Marine Recreational Information Program  
6 (2017)”, including—

7 (1) prioritizing the evaluation of electronic data  
8 collection, including smartphone applications, elec-  
9 tronic diaries for prospective data collection, and an  
10 Internet website option for panel members or for the  
11 public;

12 (2) evaluating whether the design of the Marine  
13 Recreational Information Program for the purposes  
14 of stock assessment and the determination of stock  
15 management reference points is compatible with the  
16 needs of in-season management of annual catch lim-  
17 its; and

18 (3) if the Marine Recreational Information Pro-  
19 gram is incompatible with the needs of in-season  
20 management of annual catch limits, determining an  
21 alternative method for in-season management.

22 **SEC. 208. RECREATIONAL FISHING DATA.**

23 Section 401(g) (16 U.S.C. 1881(g)) is amended by  
24 redesignating paragraph (5) as paragraph (6), and by in-  
25 serting after paragraph (4) the following:

1 “(5) FEDERAL-STATE PARTNERSHIPS.—

2 “(A) ESTABLISHMENT.—The Secretary  
3 shall establish partnerships with States to de-  
4 velop best practices for implementation of State  
5 programs established pursuant to paragraph  
6 (2).

7 “(B) GUIDANCE.—The Secretary shall de-  
8 velop guidance, in cooperation with the States,  
9 that details best practices for administering  
10 State programs pursuant to paragraph (2), and  
11 provide such guidance to the State.”.

12 **SEC. 209. MISCELLANEOUS AMENDMENTS RELATING TO**  
13 **FISHERY MANAGEMENT COUNCILS.**

14 (a) COUNCIL JURISDICTION FOR OVERLAPPING  
15 FISHERIES.—Section 302(a)(1) (16 U.S.C. 1852(a)(1)) is  
16 amended—

17 (1) in subparagraph (A), in the second sen-  
18 tence—

19 (A) by striking “18” and inserting “19”;  
20 and

21 (B) by inserting before the period at the  
22 end “and a liaison who is a member of the Mid-  
23 Atlantic Fishery Management Council to rep-  
24 resent the interests of fisheries under the juris-  
25 diction of such Council”; and

1           (2) in subparagraph (B), in the second sen-  
2           tence—

3                   (A) by striking “21” and inserting “22”;

4           and

5                   (B) by inserting before the period at the  
6           end “and a liaison who is a member of the New  
7           England Fishery Management Council to rep-  
8           resent the interests of fisheries under the juris-  
9           diction of such Council”.

10          (b) COUNCIL SEAT.—Section 302(b)(2) (16 U.S.C.  
11 1852(b)(2)) is amended—

12                   (1) in subparagraph (A), by striking “or rec-  
13           reational” and inserting “, recreational, or subsist-  
14           ence fishing”; and

15                   (2) in subparagraph (C), in the second sen-  
16           tence, by inserting “, and in the case of the Gov-  
17           ernor of Alaska with the subsistence fishing interests  
18           of the State,” after “interests of the State”.

19          (c) PURPOSE.—Section 2(b)(3) (16 U.S.C.  
20 1801(b)(3)) is amended by striking “and recreational”  
21 and inserting “, recreational, and subsistence”.

22          (d) PROHIBITION ON CONSIDERING RED SNAPPER  
23 KILLED DURING REMOVAL OF OIL RIGS.—Any red snap-  
24 per that are killed during the removal of any offshore oil  
25 rig in the Gulf of Mexico shall not be considered in deter-

1 mining under the Magnuson-Stevens Fishery Conservation  
 2 and Management Act (16 U.S.C. 1801 et seq.) whether  
 3 the total allowable catch for red snapper has been reached.

4 (e) PROHIBITION ON CONSIDERING FISH SEIZED  
 5 FROM FOREIGN FISHING.—Any fish that are seized from  
 6 a foreign vessel engaged in illegal fishing activities in the  
 7 exclusive economic zone shall not be considered in deter-  
 8 mining under the Magnuson-Stevens Fishery Conservation  
 9 and Management Act (16 U.S.C. 1801 et seq.) the total  
 10 allowable catch for that fishery.

11 **SEC. 210. NORTHEAST REGIONAL PILOT RESEARCH TRAWL**  
 12 **SURVEY AND STUDY.**

13 (a) INDUSTRY-BASED PILOT STUDY.—Within 1 year  
 14 after the date of the enactment of this Act, the Secretary  
 15 of Commerce shall, in coordination with the relevant  
 16 Councils selected by the Secretary and the Northeast Area  
 17 Monitoring and Assessment Program (NEAMAP), develop  
 18 a fishing industry-based Northeast regional pilot research  
 19 trawl survey and study to enhance and provide improve-  
 20 ment to current National Oceanic and Atmospheric Ad-  
 21 ministration vessel trawl surveys.

22 (b) COMPONENTS.—Under the pilot survey and  
 23 study—

24 (1) the Secretary—



1 (A) may select fishing industry vessels to  
2 participate in the study by issuing a request for  
3 procurement;

4 (B) may use the NEAMAP Southern New  
5 England/Mid-Atlantic Nearshore Trawl Survey  
6 as a model for the pilot survey; and

7 (C) shall outfit participating vessels with a  
8 peer-reviewed net configuration; and

9 (2) the selected Councils shall, in partnership  
10 with the National Marine Fisheries Service North-  
11 east Fisheries Science Center and the Virginia Insti-  
12 tute of Marine Science, collect data and evaluate dis-  
13 crepancies between fishing industry vessel data and  
14 National Oceanic and Atmospheric Administration  
15 vessel data, for 5 years.

16 (c) REPORT.—Upon completion of the pilot survey  
17 and study, the Secretary and the selected Councils shall  
18 submit a detailed report on the results of the pilot survey  
19 and study to the Committee on Natural Resources of the  
20 House of Representatives and the Committee on Com-  
21 merce, Science, and Transportation of the Senate.

1 **TITLE III—HEALTHY FISHERIES**  
 2 **THROUGH BETTER SCIENCE**

3 **SEC. 301. HEALTHY FISHERIES THROUGH BETTER**  
 4 **SCIENCE.**

5 (a) DEFINITION OF STOCK ASSESSMENT.—Section 3  
 6 (16 U.S.C. 1802), as amended by section 102(a) of this  
 7 Act, is further amended by redesignating the paragraphs  
 8 after paragraph (42) in order as paragraphs (44) through  
 9 (53), and by inserting after paragraph (42) the following:

10 “(43) The term ‘stock assessment’ means an  
 11 evaluation of the past, present, and future status of  
 12 a stock of fish, that includes—

13 “(A) a range of life history characteristics  
 14 for such stock, including—

15 “(i) the geographical boundaries of  
 16 such stock; and

17 “(ii) information on age, growth, nat-  
 18 ural mortality, sexual maturity and repro-  
 19 duction, feeding habits, and habitat pref-  
 20 erences of such stock; and

21 “(B) fishing for the stock.”.

22 (b) STOCK ASSESSMENT PLAN.—

23 (1) IN GENERAL.—Section 404 (16 U.S.C.  
 24 1881c), as amended by section 207(a) of this Act,

1 is further amended by adding at the end the fol-  
2 lowing:

3 “(g) STOCK ASSESSMENT PLAN.—

4 “(1) IN GENERAL.—The Secretary shall develop  
5 and publish in the Federal Register, on the same  
6 schedule as required for the strategic plan required  
7 under subsection (b) of this section, a plan to con-  
8 duct stock assessments for all stocks of fish for  
9 which a fishery management plan is in effect under  
10 this Act.

11 “(2) CONTENTS.—The plan shall—

12 “(A) for each stock of fish for which a  
13 stock assessment has previously been con-  
14 ducted—

15 “(i) establish a schedule for updating  
16 the stock assessment that is reasonable  
17 given the biology and characteristics of the  
18 stock; and

19 “(ii) subject to the availability of ap-  
20 propriations, require completion of a new  
21 stock assessment, or an update of the most  
22 recent stock assessment—

23 “(I) every 5 years; or

1                   “(II) within such other time pe-  
2                   riod specified and justified by the Sec-  
3                   retary in the plan;

4                   “(B) for each stock of fish for which a  
5                   stock assessment has not previously been con-  
6                   ducted—

7                   “(i) establish a schedule for con-  
8                   ducting an initial stock assessment that is  
9                   reasonable given the biology and character-  
10                  istics of the stock; and

11                  “(ii) subject to the availability of ap-  
12                  propriations, require completion of the ini-  
13                  tial stock assessment within 3 years after  
14                  the plan is published in the Federal Reg-  
15                  ister unless another time period is specified  
16                  and justified by the Secretary in the plan;  
17                  and

18                  “(C) identify data and analysis, especially  
19                  concerning recreational fishing, that, if avail-  
20                  able, would reduce uncertainty in and improve  
21                  the accuracy of future stock assessments, in-  
22                  cluding whether such data and analysis could  
23                  be provided by fishermen, fishing communities,  
24                  universities, and research institutions, to the ex-  
25                  tent that use of such data would be consistent

1 with the requirements in section 301(a)(2) to  
2 base conservation and management measures  
3 on the best scientific information available.

4 “(3) WAIVER OF STOCK ASSESSMENT REQUIRE-  
5 MENT.—Notwithstanding subparagraphs (A)(ii) and  
6 (B)(ii), a stock assessment is not required for a  
7 stock of fish in the plan if the Secretary determines  
8 that such a stock assessment is not necessary and  
9 justifies such determination in the Federal Register  
10 notice required by this subsection.”.

11 (2) DEADLINE.—Notwithstanding section  
12 404(g)(1) of the Magnuson-Stevens Fishery Con-  
13 servation and Management Act, as amended by this  
14 section, the Secretary of Commerce shall issue the  
15 first stock assessment plan under such section by  
16 not later than 2 years after the date of enactment  
17 of this Act.

18 **SEC. 302. TRANSPARENCY AND PUBLIC PROCESS.**

19 (a) ADVICE.—Section 302(g)(1)(B) (16 U.S.C.  
20 1852(g)(1)(B)) is amended by adding at the end the fol-  
21 lowing: “Each scientific and statistical committee shall de-  
22 velop such advice in a transparent manner and allow for  
23 public involvement in the process.”.

24 (b) MEETINGS.—Section 302(i)(2) (16 U.S.C.  
25 1852(i)(2)) is amended by adding at the end the following:

1           “(G) Each Council shall make available on  
2 the Internet Web site of the Council—

3                   “(i) to the extent practicable, a  
4 Webcast, an audio recording, or a live  
5 broadcast of each meeting of the Council,  
6 and of the Council Coordination Com-  
7 mittee established under subsection (l),  
8 that is not closed in accordance with para-  
9 graph (3); and

10                   “(ii) audio, video (if the meeting was  
11 in person or by video conference), or a  
12 searchable audio or written transcript of  
13 each meeting of the Council and of the  
14 meetings of committees referred to in sec-  
15 tion (g)(1)(B) of the Council by not later  
16 than 30 days after the conclusion of the  
17 meeting.

18           “(H) The Secretary shall maintain and  
19 make available to the public an archive of  
20 Council and scientific and statistical committee  
21 meeting audios, videos, and transcripts made  
22 available under clauses (i) and (ii) of subpara-  
23 graph (G).”.

1 **SEC. 303. FLEXIBILITY IN REBUILDING FISH STOCKS.**

2 (a) GENERAL REQUIREMENTS.—Section 304(e) (16  
3 U.S.C. 1854(e)) is amended—

4 (1) in paragraph (4)—

5 (A) in subparagraph (A)(i), by striking  
6 “possible” and inserting “practicable”;

7 (B) by amending subparagraph (A)(ii) to  
8 read as follows:

9 “(ii) may not exceed the time the  
10 stock would be rebuilt without fishing oc-  
11 ccurring plus one mean generation, except  
12 in a case in which—

13 “(I) the biology of the stock of  
14 fish, other environmental conditions,  
15 or management measures under an  
16 international agreement in which the  
17 United States participates dictate oth-  
18 erwise;

19 “(II) the Secretary determines  
20 that the cause of the stock being de-  
21 pleted is outside the jurisdiction of the  
22 Council or the rebuilding program  
23 cannot be effective only by limiting  
24 fishing activities;

25 “(III) the Secretary determines  
26 that one or more components of a

1 mixed-stock fishery is depleted but  
2 cannot be rebuilt within that time  
3 frame without significant economic  
4 harm to the fishery, or cannot be re-  
5 built without causing another compo-  
6 nent of the mixed-stock fishery to ap-  
7 proach a depleted status;

8 “(IV) the Secretary determines  
9 that recruitment, distribution, or life  
10 history of, or fishing activities for, the  
11 stock are affected by informal trans-  
12 boundary agreements under which  
13 management activities outside the ex-  
14 clusive economic zone by another  
15 country may hinder conservation and  
16 management efforts by United States  
17 fishermen; and

18 “(V) the Secretary determines  
19 that the stock has been affected by  
20 unusual events that make rebuilding  
21 within the specified time period im-  
22 probable without significant economic  
23 harm to fishing communities;”;

24 (C) by striking “and” after the semicolon  
25 at the end of subparagraph (B), by redesign-



1 nating subparagraphs (B) and (C) as subpara-  
2 graphs (C) and (D), and by inserting after sub-  
3 paragraph (A) the following:

4 “(B) take into account environmental con-  
5 dition including predator/prey relationships;”;  
6 and

7 (D) by striking the period at the end of  
8 subparagraph (D) (as so redesignated) and in-  
9 serting “; and”, and by adding at the end the  
10 following:

11 “(E) specify a schedule for reviewing the  
12 rebuilding targets, evaluating environmental im-  
13 pacts on rebuilding progress, and evaluating  
14 progress being made toward reaching rebuilding  
15 targets.”; and

16 (2) by adding at the end the following:

17 “(8) A fishery management plan, plan amend-  
18 ment, or proposed regulations may use alternative  
19 rebuilding strategies, including harvest control rules  
20 and fishing mortality-rate targets to the extent they  
21 are in compliance with the requirements of this Act.

22 “(9) A Council may terminate the application of  
23 paragraph (3) to a fishery if the Council’s scientific  
24 and statistical committee determines and the Sec-

1       retary concurs that the original determination that  
2       the fishery was depleted was erroneous, either—

3               “(A) within the 2-year period beginning on  
4               the effective date a fishery management plan,  
5               plan amendment, or proposed regulation for a  
6               fishery under this subsection takes effect; or

7               “(B) within 90 days after the completion  
8               of the next stock assessment after such deter-  
9               mination.”.

10       (b) EMERGENCY REGULATIONS AND INTERIM MEAS-  
11       URES.—Section 305(c)(3)(B) (16 U.S.C. 1855(c)(3)(B))  
12       is amended by striking “180 days after” and all that fol-  
13       lows through “provided” and inserting “1 year after the  
14       date of publication, and may be extended by publication  
15       in the Federal Register for one additional period of not  
16       more than 1 year, if”.

17       **SEC. 304. EXEMPTED FISHING PERMITS.**

18       (a) OBJECTIONS.—If the relevant Council, the Inter-  
19       state Marine Fisheries Commission, or the fish and wild-  
20       life agency of an affected State objects to the approval  
21       and issuance of an exempted fishing permit under section  
22       600.745 of title 50, Code of Federal Regulations, or any  
23       successor regulation, the Regional Administrator of the  
24       National Marine Fisheries Service who issued such ex-  
25       empted fishing permit shall respond to such entity in writ-

1 ing detailing why such exempted fishing permit was  
2 issued.

3 (b) 12-MONTH FINDING.—At the end of the 12-  
4 month period beginning on the date the exempted fishing  
5 permit is issued under section 600.745 of title 50, Code  
6 of Federal Regulations, or any successor regulation, the  
7 Council that prepared the fishery management plan, or the  
8 Secretary in the case of a fishery management plan pre-  
9 pared and implemented by the Secretary, shall review the  
10 exempted fishing permit and determine whether any unin-  
11 tended negative impacts have occurred that would warrant  
12 the discontinuation of the permit.

13 (c) CLARIFICATION.—The Secretary may not issue an  
14 exempted fishing permit under section 600.745 of title 50,  
15 Code of Federal Regulations, or any successor regulation  
16 that—

17 (1) establishes a limited access system as de-  
18 fined in section 3 of the Magnuson-Stevens Fishery  
19 Conservation and Management Act (16 U.S.C.  
20 1802);

21 (2) is consistent with section 303A of such Act  
22 (16 U.S.C. 1853a); or

23 (3) establishes a catch share program as de-  
24 fined in section 206(a) of this Act.

1 (d) SAVINGS PROVISION.—Except for subsection (b),  
2 nothing in this section may be construed to affect an ex-  
3 empted fishing permit approved under section 600.745 of  
4 title 50, Code of Federal Regulations, before the date of  
5 the enactment of this Act.

6 **SEC. 305. COOPERATIVE RESEARCH AND MANAGEMENT**  
7 **PROGRAM.**

8 Section 318 (16 U.S.C. 1867) is amended—

9 (1) in subsection (a), by inserting “(1)” before  
10 the first sentence, and by adding at the end the fol-  
11 lowing:

12 “(2) Within 1 year after the date of enactment  
13 of the Strengthening Fishing Communities and In-  
14 creasing Flexibility in Fisheries Management Act,  
15 and after consultation with the Councils, the Sec-  
16 retary shall publish a plan for implementing and  
17 conducting the program established in paragraph  
18 (1). Such plan shall identify and describe critical re-  
19 gional fishery management and research needs, pos-  
20 sible projects that may address those needs, and es-  
21 timated costs for such projects. The plan shall be re-  
22 vised and updated every 5 years, and updated plans  
23 shall include a brief description of projects that were  
24 funded in the prior 5-year period and the research

1 and management needs that were addressed by those  
2 projects.”; and

3 (2) in subsection (c)—

4 (A) in the heading, by striking “FUNDING”  
5 and inserting “PRIORITIES”; and

6 (B) in paragraph (1), by striking “includ-  
7 ing” and all that follows and inserting the fol-  
8 lowing: “including—

9 “(A) the use of fishing vessels or acoustic  
10 or other marine technology;

11 “(B) expanding the use of electronic catch  
12 reporting programs and technology; and

13 “(C) improving monitoring and observer  
14 coverage through the expanded use of electronic  
15 monitoring devices.”.

16 **SEC. 306. FEDERAL GULF OF MEXICO RED SNAPPER MAN-**  
17 **AGEMENT.**

18 (a) IN GENERAL.—Section 407 (16 U.S.C. 1883) is  
19 amended to read as follows:

20 **“SEC. 407. CERTIFICATION OF STATE SURVEYS.**

21 “(a) SUBMISSION.—A Gulf State that conducts a ma-  
22 rine recreational fisheries statistical survey in the Gulf of  
23 Mexico to make catch estimates for red snapper landed  
24 in such State may submit such survey to the Secretary  
25 for certification.

1       “(b) CERTIFICATION STANDARDS.—Not later than  
2 90 days after the date of enactment of the Strengthening  
3 Fishing Communities and Increasing Flexibility in Fish-  
4 eries Management Act, the Secretary shall establish and  
5 provide the Gulf States with standards for certifying State  
6 marine recreational fisheries statistical surveys that  
7 shall—

8           “(1) ensure that State marine recreational fish-  
9 eries statistical surveys are appropriately pilot test-  
10 ed, independently peer reviewed, and endorsed for  
11 implementation by the reviewers;

12           “(2) use designs consistent with accepted sur-  
13 vey sampling practices; and

14           “(3) minimize the potential for bias and known  
15 sources of survey error.

16       “(c) CERTIFICATION.—

17           “(1) IN GENERAL.—The Secretary shall make a  
18 certification or a denial of certification for any ma-  
19 rine recreational fisheries statistical survey sub-  
20 mitted under subsection (a) not later than the end  
21 of the 6-month period beginning on the date that the  
22 survey and information needed to evaluate the sur-  
23 vey under the standards established under sub-  
24 section (b) are submitted.

1           “(2) TIMING.—In the case of a certification re-  
2           quest from a Gulf State, the Secretary shall begin  
3           evaluation of the request upon receipt of all informa-  
4           tion necessary to make a determination consistent  
5           with the standards set forth under subsection (b).

6           “(3) DEEMED CERTIFIED.—A marine rec-  
7           reational fisheries statistical survey shall be deemed  
8           to be certified effective upon the expiration of the 6-  
9           month period described in paragraph (1) if the Sec-  
10          retary has not made a certification or denial of cer-  
11          tification.

12          “(d) MODIFICATION OF SURVEYS DENIED CERTIFI-  
13          CATION.—

14                 “(1) IN GENERAL.—If a marine recreational  
15                 fisheries statistical survey of a Gulf State is denied  
16                 certification under subsection (c), the Secretary  
17                 shall, not later than 60 days after the date of the  
18                 denial, provide the Gulf State a proposal for modi-  
19                 fications to the survey.

20                 “(2) PROPOSAL.—A proposal provided to a Gulf  
21                 State for a survey under paragraph (1)—

22                         “(A) shall be specific to the survey sub-  
23                         mitted by such Gulf State and may not be con-  
24                         strued to apply to any other Gulf State;

1           “(B) shall require revision to the fewest  
2 possible provisions of the survey; and

3           “(C) may not unduly burden the ability of  
4 such Gulf State to revise the survey.

5           “(3) MODIFIED SURVEY.—

6           “(A) AUTHORITY TO SUBMIT.—If a marine  
7 recreational fisheries statistical survey of a Gulf  
8 State was denied certification under subsection  
9 (c), the Gulf State may modify the survey and  
10 submit the modified survey to the Secretary for  
11 certification or denial of certification.

12           “(B) SCHEDULE.—The Secretary shall  
13 make a certification or denial of certification for  
14 any modified survey not later than the end of  
15 the 30-day period beginning on the date the  
16 modified survey is submitted.

17           “(C) DEEMED CERTIFIED.—A modified  
18 survey is deemed to be certified effective upon  
19 the expiration of the period described in sub-  
20 paragraph (B) if the Secretary has not made a  
21 certification or denial of certification.”.

22           (b) CLERICAL AMENDMENT.—The table of contents  
23 in the first section is amended by striking the item relating  
24 to section 407 and inserting the following:

“Sec. 407. Certification of State surveys.”.



1           **TITLE IV—STRENGTHENING**  
 2           **FISHING COMMUNITIES**

3   **SEC. 401. ESTIMATION OF COST OF RECOVERY FROM FISH-**  
 4           **ERY RESOURCE DISASTER.**

5           Section 312(a)(1) (16 U.S.C. 1861a(a)(1)) is amend-  
 6 ed—

7           (1) by inserting “(A)” after “(1)”;

8           (2) by redesignating existing subparagraphs (A)  
 9 through (C) as clauses (i) through (iii), respectively,  
 10 of subparagraph (A) (as designated by the amend-  
 11 ment made by paragraph (1)); and

12           (3) by adding at the end the following:

13           “(B) The Secretary shall publish the estimated cost  
 14 of recovery from a fishery resource disaster no later than  
 15 30 days after the Secretary makes the determination  
 16 under subparagraph (A) with respect to such disaster.”.

17   **SEC. 402. DEADLINE FOR ACTION ON REQUEST BY GOV-**  
 18           **ERNOR FOR DETERMINATION REGARDING**  
 19           **FISHERY RESOURCE DISASTER.**

20           Section 312(a) (16 U.S.C. 1861a(a)) is amended by  
 21 redesignating paragraphs (2) through (4) as paragraphs  
 22 (3) through (5), and by inserting after paragraph (1) the  
 23 following:

24           “(2) The Secretary shall make a decision regarding  
 25 a request from a Governor under paragraph (1) within 90

1 days after receiving an estimate of the economic impact  
 2 of the fishery resource disaster from the entity requesting  
 3 the relief.”.

4 **SEC. 403. NORTH PACIFIC FISHERY MANAGEMENT CLARI-**  
 5 **FICATION.**

6 Section 306(a)(3)(C) (16 U.S.C. 1856(a)(3)(C)) is  
 7 amended—

8 (1) by striking “was no” and inserting “is no”;  
 9 and

10 (2) by striking “on August 1, 1996”.

11 **SEC. 404. LIMITATION ON HARVEST IN NORTH PACIFIC DI-**  
 12 **RECTED POLLOCK FISHERY.**

13 Section 210(e)(1) of the American Fisheries Act (title  
 14 II of division C of Public Law 105–277; 16 U.S.C. 1851  
 15 note) is amended to read as follows:

16 “(1) HARVESTING.—

17 “(A) LIMITATION.—No particular indi-  
 18 vidual, corporation, or other entity may harvest,  
 19 through a fishery cooperative or otherwise, a  
 20 percentage of the pollock available to be har-  
 21 vested in the directed pollock fishery that ex-  
 22 ceeds the percentage established for purposes of  
 23 this paragraph by the North Pacific Fishery  
 24 Management Council.

1           “(B) MAXIMUM PERCENTAGE.—The per-  
 2           centage established by the North Pacific Fish-  
 3           ery Management Council shall not exceed 24  
 4           percent of the pollock available to be harvested  
 5           in the directed pollock fishery.”.

6 **SEC. 405. ARCTIC COMMUNITY DEVELOPMENT QUOTA.**

7           Section 313 (16 U.S.C. 1862) is amended by adding  
 8           at the end the following:

9           “(k) ARCTIC COMMUNITY DEVELOPMENT QUOTA.—  
 10          If the North Pacific Fishery Management Council issues  
 11          a fishery management plan for the exclusive economic zone  
 12          in the Arctic Ocean, or an amendment to the Fishery  
 13          Management Plan for Fish Resources of the Arctic Man-  
 14          agement Area issued by such Council, that makes avail-  
 15          able to commercial fishing, and establishes a sustainable  
 16          harvest level, for any part of such zone, the Council shall  
 17          set aside not less than 10 percent of the total allowable  
 18          catch therein as a community development quota for  
 19          coastal villages located north and east of the Bering  
 20          Strait.”.

21 **SEC. 406. REALLOCATION OF CERTAIN UNUSED HARVEST**  
 22 **ALLOCATION.**

23          (a) REALLOCATION.—Notwithstanding any other  
 24          provision of law, each year upon receipt by the Secretary  
 25          of Commerce (referred to in this section as the “Sec-

1 retary”) of written notice from the allocation holder  
 2 named in section 803 of division B of the Consolidated  
 3 Appropriations Act, 2004 (Public Law 108–199, 16  
 4 U.S.C. 1851 note) that such holder will not harvest all  
 5 or a part of the allocation authorized pursuant to that Act,  
 6 the Secretary shall reallocate for that year the unused por-  
 7 tion of such allocation to the Bering Sea subarea of the  
 8 BSAI (as defined in section 679.2 of title 50, Code of Fed-  
 9 eral Regulations) and shall assign the reallocated unused  
 10 portion of the allocation only to eligible vessels as de-  
 11 scribed in subsection (b)(1) for harvest in the Bering Sea  
 12 subarea of the BSAI, consistent with any agreements as  
 13 described in subsection (c).

14 (b) ELIGIBILITY TO RECEIVE REALLOCATION.—

15 (1) IN GENERAL.—Only vessels defined in sub-  
 16 section (a), (b), (c), or (e) of section 208 of the  
 17 American Fisheries Act (16 U.S.C. 1851 note), or  
 18 any vessels authorized to replace such vessels, may  
 19 receive a reallocation described in subsection (a).

20 (2) LIMITATION ON REALLOCATIONS.—The  
 21 Secretary shall not reallocate the allocation de-  
 22 scribed in subsection (a) in any year if such realloca-  
 23 tion exceeds the annual catch limit for pollock in the  
 24 Bering Sea subarea of the BSAI.

1           (3) CALCULATIONS.—Any amount of the re-  
2 allocation described in subsection (a) shall not be  
3 used in the calculation of harvesting or processing  
4 excessive shares as described in section 210(e) of the  
5 American Fisheries Act (16 U.S.C. 1851 note).

6           (4) CONDITIONS.—In any year, the assignment,  
7 transfer, or reallocation shall not violate the require-  
8 ments of section 206(b) of the American Fisheries  
9 Act (title II of the division C of Public Law 105–  
10 277; 16 U.S.C. 1851 note).

11       (c) AGREEMENTS.—

12           (1) IN GENERAL.—Each year, the allocation  
13 holder named in section 803(a) of division B of the  
14 Consolidated Appropriations Act, 2004 (Public Law  
15 108–199, 16 U.S.C. 1851 note) may establish one or  
16 more agreements with the owners of some or all of  
17 the eligible vessels as defined in subsection (b)(1).

18           (2) REQUIREMENTS.—Each agreement de-  
19 scribed in paragraph (1)—

20           (A) shall specify those eligible vessels that  
21 may receive a reallocation and the amount of  
22 reallocation that such vessels may receive in ac-  
23 cordance with subsection (b)(2); and

24           (B) may contain other requirements or  
25 compensation agreed to by the allocation holder

1           named in section 803 of division B of the Con-  
2           solidated Appropriations Act, 2004 (Public Law  
3           108–199, 16 U.S.C. 1851 note) and the owners  
4           of such eligible vessels, provided such require-  
5           ments or compensation are otherwise consistent  
6           with the American Fisheries Act (16 U.S.C.  
7           1851 note), the Magnuson-Stevens Fishery  
8           Conservation and Management Act (16 U.S.C.  
9           1801 et seq.), and any other applicable law.

10          (d) EXISTING AUTHORITY.—Except for the measures  
11         required by this section, nothing in this section shall be  
12         construed to limit the authority of the North Pacific Fish-  
13         ery Management Council or the Secretary under the  
14         American Fisheries Act (16 U.S.C. 1851 note), the Mag-  
15         nuson-Stevens Fishery Conservation and Management Act  
16         (16 U.S.C. 1801 et seq.), or other applicable law.

17          (e) ENFORCEMENT.—Taking or processing any part  
18         of the allocation made by section 803 of division B of the  
19         Consolidated Appropriations Act, 2004 (Public Law 108–  
20         199, 16 U.S.C. 1851 note), and reallocated under this sec-  
21         tion in a manner that is not consistent with the realloca-  
22         tion authorized by the Secretary shall be considered in vio-  
23         lation of section 307 of the Magnuson-Stevens Fishery  
24         Conservation and Management Act (16 U.S.C. 1857) and  
25         subject to the penalties and sanctions under section 308

1 of such Act (16 U.S.C. 1858), and subject to the forfeiture  
 2 of any fish harvested or processed.

3 (f) CLARIFICATIONS.—

4 (1) AMENDMENT.—Subsection (e) of section  
 5 803 of division B of the Consolidated Appropriations  
 6 Act, 2004 (Public Law 108–199, 16 U.S.C. 1851  
 7 note) is amended by striking “during the years 2004  
 8 through 2008”.

9 (2) PURPOSE OF REALLOCATION.—Consistent  
 10 with subsection (d) of section 803 of division B of  
 11 the Consolidated Appropriations Act, 2004 (Public  
 12 Law 108–199, 16 U.S.C. 1851 note), the realloca-  
 13 tion of the unused portion of the allocation provided  
 14 to the allocation holder named in subsection (a) of  
 15 such section for harvest in the Bering Sea subarea  
 16 of the BSAI is for the purposes of economic develop-  
 17 ment in Adak, Alaska pursuant to the requirements  
 18 of the Magnuson-Stevens Fishery Conservation and  
 19 Management Act (16 U.S.C. 1801 et seq.).

20 **SEC. 407. COMMUNITY DEVELOPMENT QUOTA PROGRAM**

21 **PANEL VOTING PROCEDURES.**

22 Section 305(i)(1)(G)(iv) (16 U.S.C.  
 23 1855(i)(1)(G)(iv)) is amended to read as follows:

1                   “(iv) VOTING REQUIREMENT.—The  
2                   panel may act only by the affirmative vote  
3                   of at least five of its members.”.

4 **SEC. 408. PROHIBITION ON SHARK FEEDING OFF COAST OF**  
5 **FLORIDA.**

6           Section 307 (16 U.S.C. 1857) is amended—

7                   (1) by striking “It is unlawful—” and inserting  
8                   the following:

9                   “(a) IN GENERAL.—It is unlawful—”; and

10                   (2) by adding at the end the following:

11                   “(b) PROHIBITION ON SHARK FEEDING OFF COAST  
12 OF FLORIDA.—

13                   “(1) IN GENERAL.—It is unlawful—

14                           “(A) for any diver to engage in shark feed-  
15                   ing in covered waters; and

16                           “(B) for any person to operate a vessel for  
17                   hire for the purpose of carrying a passenger to  
18                   a site if such person knew or should have  
19                   known that the passenger intended, at that site,  
20                   to be a diver—

21                           “(i) engaged in shark feeding in cov-  
22                   ered waters; or

23                           “(ii) engaged in observing shark feed-  
24                   ing in covered waters.



1           “(2) DEFINITIONS.—For purposes of this sub-  
2 section:

3           “(A) COVERED WATERS.—The term ‘cov-  
4 ered waters’ means Federal waters off the coast  
5 of Florida.

6           “(B) DIVER.—The term ‘diver’ means a  
7 person who is wholly or partially submerged in  
8 covered water and is equipped with a face  
9 mask, face mask and snorkel, or underwater  
10 breathing apparatus.

11           “(C) SHARK FEEDING.—The term ‘shark  
12 feeding’ means—

13           “(i) the introduction of food or any  
14 other substance into covered water for the  
15 purpose of feeding or attracting sharks; or

16           “(ii) presenting food or any other sub-  
17 stance to a shark for the purpose of feed-  
18 ing or attracting sharks.

19           “(3) EXCEPTION.—This subsection shall not  
20 apply to shark feeding conducted—

21           “(A) by a research institution, university,  
22 or government agency for research purposes; or

23           “(B) for the purpose of harvesting  
24 sharks.”.

1 **SEC. 409. RESTORATION OF HISTORICALLY FRESHWATER**  
2 **ENVIRONMENT.**

3 Section 3(10) (16 U.S.C. 1802) is amended—

4 (1) by inserting a comma after “feeding”; and

5 (2) by inserting the following: “except that such  
6 term—

7 “(A) does not include an area that—

8 “(i) was previously covered by land or  
9 a fresh water environment; and

10 “(ii) is in a State where the average  
11 annual land loss of such State during the  
12 20 years before the date of the enactment  
13 of the Strengthening Fishing Communities  
14 and Increasing Flexibility in Fisheries  
15 Management Act exceeds 10 square miles;  
16 and

17 “(B) does not apply with respect to a  
18 project undertaken by a State or local govern-  
19 ment with the purpose of restoration or protec-  
20 tion of an area described in subparagraph  
21 (A).”.

1           **TITLE V—MISCELLANEOUS**  
2                           **PROVISIONS**

3   **SEC. 501. MITIGATION FOR IMPACTS TO SUBMERGED**  
4                           **AQUATIC VEGETATION.**

5           Requirements to conserve or to provide compensatory  
6 mitigation for impacts to submerged aquatic vegetation  
7 under section 305(b) of the Magnuson-Stevens Fishery  
8 Conservation and Management Act (16 U.S.C. 1855(b))  
9 shall not apply when a non-Federal entity conducts main-  
10 tenance dredging for an authorized Federal navigation  
11 project on an inland waterway, inlet, or harbor located in  
12 North Carolina, South Carolina, Georgia, or Florida pur-  
13 suant to a permit issued under section 404 of the Federal  
14 Water Pollution Control Act (33 U.S.C. 1344) or section  
15 10 of the Act of March 3, 1899 (33 U.S.C. 403; 30 Stat.  
16 1151, chapter 425).

17   **SEC. 502. PLAN FOR ELECTRONIC MONITORING AND RE-**  
18                           **PORTING PROCEDURES FOR THE NORTH-**  
19                           **EAST MULTISPECIES FISHERY.**

20           The Secretary, acting through the National Oceanic  
21 and Atmospheric Administration, shall submit a plan to  
22 the Committee on Natural Resources of the House of Rep-  
23 resentatives and the Committee on Commerce, Science,  
24 and Transportation of the Senate not less than 180 days  
25 after the date of the enactment of this Act that will estab-

1 lish fully operational electronic monitoring and reporting  
2 procedures for the Northeast Multispecies Fishery by not  
3 later than September 30, 2021. The plan shall include the  
4 proposal of the National Oceanic and Atmospheric Admin-  
5 istration to cover vessel equipment and installation costs,  
6 with daily, half-day, or quarter-day operational costs to  
7 be borne by the fishing vessels.

8 **SEC. 503. STUDY OF FEES CHARGED TO LOBSTER FISHING**  
9 **INDUSTRY.**

10 Not later than 6 months after the date of the enact-  
11 ment of this Act, the Secretary of Commerce, acting  
12 through the National Oceanic and Atmospheric Adminis-  
13 tration, shall study and report to the Congress on all fees  
14 imposed by such Administration on the lobster fishing in-  
15 dustry.

16 **SEC. 504. LIMITATION ON APPLICATION OF PROHIBITION**  
17 **ON ATLANTIC STRIPED BASS FISHING IN**  
18 **BLOCK ISLAND SOUND TRANSIT ZONE.**

19 Any prohibition on fishing for Atlantic striped bass  
20 in the Exclusive Economic Zone of the United States im-  
21 posed under Executive Order No. 13449 or section  
22 697.7(b) of title 50, Code of Federal Regulations, shall  
23 not apply in the area described in section 697.7(b)(3) of  
24 title 50, Code of Federal Regulations, commonly referred  
25 to as the Block Island Sound transit zone.

1 **SEC. 505. FUNDING FOR MONITORING IMPLEMENTATION**  
 2 **OF NORTHEAST MULTISPECIES FISHERY**  
 3 **MANAGEMENT PLAN.**

4 Section 311(f)(4) (16 U.S.C. 1861(f)(4)) is amended  
 5 by striking “pursuant to this section” and all that follows  
 6 through the end of the sentence and inserting “to enforce  
 7 and monitor (including electronic monitoring) implementa-  
 8 tion of that Plan.”.

9 **TITLE VI—REEF ASSASSIN ACT**

10 **SEC. 601. SHORT TITLE.**

11 This title may be cited as the “Reef Assassin Act”.

12 **SEC. 602. ENCOURAGING ELIMINATION OF LIONFISH.**

13 (a) IN GENERAL.—Title III of the Magnuson-Stevens  
 14 Fishery Conservation and Management Act (16 U.S.C.  
 15 1851 et seq.) is amended by adding at the end the fol-  
 16 lowing:

17 **“SEC. 321. ENCOURAGING ELIMINATION OF LIONFISH.**

18 “(a) IN GENERAL.—Subject to the approval of an ex-  
 19 empted fishing permit submitted by a participating State,  
 20 the Secretary shall issue regulations under which a partici-  
 21 pating State may issue to an individual submitting lionfish  
 22 taken in Federal or State waters a tag authorizing the  
 23 taking of a fish of a covered species in Federal waters  
 24 in addition to any other fish of that species the individual  
 25 is authorized to take in Federal waters.

1       “(b) REQUIREMENTS FOR ISSUANCE OF TAG.—The  
2 regulations shall require—

3           “(1) the submission of 100 lionfish for each tag  
4 issued;

5           “(2) that lionfish taken in State waters must be  
6 taken by an individual holding a valid license to en-  
7 gage in such fishing issued under the laws of such  
8 State; and

9           “(3) that each lionfish shall be submitted by re-  
10 moving the tail, placing it in a resealable plastic bag,  
11 and submitting such bag to a participating State be-  
12 fore the tail has significantly deteriorated.

13       “(c) NO LIMITATION ON NUMBER OF TAGS.—The  
14 regulations shall not limit the number of tags that may  
15 be issued to an individual.

16       “(d) USE OF TAGS.—The regulations shall provide  
17 that a tag issued under the regulations—

18           “(1) shall be valid for the 5-year period begin-  
19 ning on the date it is issued;

20           “(2) shall authorize only the recreational or  
21 commercial taking of a fish that complies with any  
22 size limit that otherwise applies to fishing for such  
23 fish in the waters in which it is taken;

1           “(3) shall authorize such taking without regard  
2 to any seasonal limitation that otherwise applies to  
3 the species of fish taken;

4           “(4) shall authorize—

5                 “(A) the transfer of tags to any other per-  
6 son; and

7                 “(B) use of transferred tags in the same  
8 manner as such tags may be used by the person  
9 to whom the tags were issued;

10           “(5) shall require that any fish taken under  
11 such tag outside any seasonal limitation that other-  
12 wise applies to such fish must have the tag fastened  
13 between the mouth and gill before being placed in  
14 any cooler; and

15           “(6) shall only be utilized for species caught in  
16 the same water adjacent a State where the lionfish  
17 were originally caught.

18           “(e) APPROVAL OF STATE TO PARTICIPATE.—

19                 “(1) CONDITIONS.—The regulations shall re-  
20 quire that as a condition of approving a State to  
21 issue tags under this section the Secretary shall re-  
22 quire the State to designate a repository for lionfish  
23 submitted for such tags.

24                 “(2) PROVISION OF FREEZER.—The Secretary  
25 shall provide to each participating State freezers in

1 which to store submitted lionfish, at a cost of not  
2 more than \$500 for each freezer.

3 “(f) ADDITIONAL REQUIREMENTS.—The Secretary  
4 shall—

5 “(1) encourage participating States to use ex-  
6 isting infrastructure and staff or volunteers to con-  
7 duct the State’s program under this section;

8 “(2) include on the webpage of the National  
9 Marine Fisheries Service information about the pro-  
10 gram under this section; and

11 “(3) encourage State and local governments to  
12 work with retailers and distributors to advance the  
13 purchasing and consumption of lionfish.

14 “(g) OTHER PROVISIONS NOT AFFECTED.—

15 “(1) IN GENERAL.—This section—

16 “(A) is intended to protect species of fish  
17 that are native to waters of the United States  
18 or the exclusive economic zone; and

19 “(B) shall not be construed to constrain  
20 any fishery, fishing quota, or fishing allocation.

21 “(2) LIMITATION ON CONSIDERATION OF  
22 TAGS.—This section and tags issued or authorized to  
23 be issued under this section shall not be considered  
24 in any determination of fishing levels, quotas, or al-  
25 locations.



1 “(h) DEFINITION.—In this section—

2 “(1) the term ‘covered fish’—

3 “(A) except as provided in subparagraph  
4 (B), means red snapper, gag grouper,  
5 triggerfish, amberjack; and

6 “(B) does not include any species included  
7 in a list of endangered species or threatened  
8 species under the Endangered Species Act of  
9 1973 (16 U.S.C. 1531 et seq.); and

10 “(2) the term ‘participating State’ means a  
11 State that has applied and been approved by the  
12 Secretary to issue tags under regulations under this  
13 section.”.

14 (b) CLERICAL AMENDMENT.—The table of contents  
15 in the first section of such Act is amended by adding at  
16 the end of the items relating to title III the following:

“Sec. 301. Encouraging elimination of lionfish.”.

17 (c) DEADLINE FOR REGULATIONS.—The Secretary of  
18 Commerce shall issue regulations under the amendment  
19 made by subsection (a) by not later than 60 days after  
20 the approval of an exempted fishing permit submitted by  
21 a participating State.

22 (d) RESTRICTION.—Nothing in section 321 of the  
23 Magnuson-Stevens Fishery Conservation and Manage-  
24 ment Act, as amended by this Act, shall be construed as

- 1 to allow for the transfer of fisheries allocation or catch
- 2 among the various States.



116TH CONGRESS  
1ST SESSION

# S. 2166

To designate Regional Ocean Partnerships of the National Oceanic and Atmospheric Administration, and for other purposes.

---

IN THE SENATE OF THE UNITED STATES

JULY 18, 2019

Mr. WICKER (for himself, Mr. JONES, Mr. CASSIDY, Ms. COLLINS, and Ms. CANTWELL) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

---

## A BILL

To designate Regional Ocean Partnerships of the National Oceanic and Atmospheric Administration, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Regional Ocean Part-  
5 nership Act”.

6 **SEC. 2. FINDINGS; SENSE OF CONGRESS; PURPOSES.**

7 (a) FINDINGS.—Congress makes the following find-  
8 ings:

1           (1) The ocean and coastal waters of the United  
2 States are foundational to the economy, security,  
3 global competitiveness, and well-being of the United  
4 States and continuously serve the people of the  
5 United States and other countries as an important  
6 source of food, energy, economic productivity, recre-  
7 ation, beauty, and enjoyment.

8           (2) Over many years, the resource productivity  
9 and water quality of the ocean and coastal areas of  
10 the United States have been diminished by pollution,  
11 increasing population demands, economic develop-  
12 ment, and natural and man-made hazard events,  
13 both acute and chronic.

14           (3) Ocean and coastal areas of the United  
15 States are managed by State and Federal resource  
16 agencies and regulated by various overlapping au-  
17 thorities, thereby creating a significant need for co-  
18 ordination to enhance the ecological and economic  
19 health of those areas.

20           (b) SENSE OF CONGRESS.—It is the sense of Con-  
21 gress that the United States should seek to attain coordi-  
22 nation of the efforts relating to the management, con-  
23 servation, resilience, and restoration of ocean and coastal  
24 areas to reduce duplication of efforts and maximize effi-  
25 ciencies through collaborative regional efforts by Regional

1 Ocean Partnerships, in consultation with Federal agencies  
2 and State and local authorities.

3 (c) PURPOSES.—The purposes of this Act are as fol-  
4 lows:

5 (1) To expand and strengthen cooperative vol-  
6 untary efforts intended to manage and restore ocean  
7 and coastal areas spanning across multiple State  
8 boundaries.

9 (2) To expand Federal support for monitoring,  
10 data management, and restoration activities in ocean  
11 and coastal areas.

12 (3) To commit the United States to a com-  
13 prehensive cooperative program to achieve improved  
14 water quality in, and improvements in the produc-  
15 tivity of living resources of, all coastal ecosystems.

16 (4) To authorize Regional Ocean Partnerships  
17 as coordinators of Federal and State authorities re-  
18 lating to voluntary efforts for the collaborative man-  
19 agement of the large marine ecosystems, thereby re-  
20 ducing duplication of efforts and maximizing oppor-  
21 tunities to leverage support in the ocean and coastal  
22 regions.

23 (5) To enable Regional Ocean Partnerships to  
24 receive Federal funding to conduct the scientific re-  
25 search, conservation and restoration management,

1 and priority coordination necessary to achieve the  
 2 purposes described in paragraphs (1) through (4).

3 **SEC. 3. REGIONAL OCEAN PARTNERSHIPS.**

4 (a) DEFINITIONS.—In this section:

5 (1) ADMINISTRATOR.—The term “Adminis-  
 6 trator” means the Administrator of the National  
 7 Oceanic and Atmospheric Administration.

8 (2) COASTAL STATE.—The term “coastal state”  
 9 has the meaning given that term in section 304 of  
 10 the Coastal Zone Management Act of 1972 (16  
 11 U.S.C. 1453).

12 (3) INDIAN TRIBE.—The term “Indian Tribe”  
 13 means an Indian tribe, as defined in section 4 of the  
 14 Indian Self-Determination and Education Assistance  
 15 Act (25 U.S.C. 5304).

16 (b) REGIONAL OCEAN PARTNERSHIPS.—

17 (1) IN GENERAL.—A coastal state may partici-  
 18 pate in a Regional Ocean Partnership with one or  
 19 more other coastal states that share a common  
 20 ocean or coastal area with the coastal state.

21 (2) APPLICATION.—The Governor of a coastal  
 22 state or the Governors of a group of coastal states  
 23 may apply to the Secretary of Commerce, on behalf  
 24 of a partnership, for the partnership to receive des-

1       ignation as a Regional Ocean Partnership if the  
2       partnership—

3               (A) meets the requirements under para-  
4               graph (3); and

5               (B) submits an application for such des-  
6               ignation in such manner, in such form, and  
7               containing such information as the Secretary  
8               may require.

9               (3) REQUIREMENTS.—A partnership is eligible  
10              for designation as a Regional Ocean Partnership by  
11              the Secretary under paragraph (2) if the partner-  
12              ship—

13              (A) is established to coordinate the man-  
14              agement of coastal resources;

15              (B) focuses on the environmental issues af-  
16              fecting the ocean and coastal areas of the coast-  
17              al states participating in the partnership;

18              (C) does not have a regulatory function;  
19              and

20              (D) is not duplicative of an existing Re-  
21              gional Ocean Partnership designated under  
22              paragraph (4), as determined by the Secretary.

23              (4) DESIGNATION OF CERTAIN ENTITIES AS RE-  
24              GIONAL OCEAN PARTNERSHIPS.—Notwithstanding

1 paragraph (2) or (3), the following entities are des-  
 2 ignated as Regional Ocean Partnerships:

3 (A) The Gulf of Mexico Alliance, rep-  
 4 resenting the ocean and coastal area shared by  
 5 the States of Alabama, Florida, Louisiana, Mis-  
 6 sissippi, and Texas.

7 (B) The Northeast Regional Ocean Coun-  
 8 cil, representing the ocean and coastal area  
 9 shared by the States of Maine, Vermont, New  
 10 Hampshire, Massachusetts, Connecticut, and  
 11 Rhode Island.

12 (C) The Mid-Atlantic Regional Council on  
 13 the Ocean, representing the ocean and coastal  
 14 area shared by the States of New York, New  
 15 Jersey, Delaware, Maryland, and Virginia.

16 (D) The West Coast Ocean Alliance, in-  
 17 cluding the States of California, Oregon, and  
 18 Washington and the Indian Tribes in those  
 19 States.

20 (c) GOVERNING BODIES OF REGIONAL OCEAN PART-  
 21 NERSHIPS.—

22 (1) IN GENERAL.—A Regional Ocean Partner-  
 23 ship designated under subsection (b) shall be gov-  
 24 erned by a governing body.



1           (2) MEMBERSHIP.—A governing body described  
2           in paragraph (1)—

3                   (A) shall be comprised, at a minimum, of  
4           voting members from each coastal state partici-  
5           pating in the Regional Ocean Partnership, des-  
6           ignated by the Governor of the coastal state;  
7           and

8                   (B) may include such other members as  
9           the partnership considers appropriate.

10          (d) FUNCTIONS.—A Regional Ocean Partnership des-  
11       ignated under subsection (b) may perform the following  
12       functions:

13               (1) Promote coordination of the actions of the  
14       agencies of coastal states participating in the part-  
15       nership with the actions of the appropriate officials  
16       of Federal agencies and other authorities in devel-  
17       oping strategies—

18                   (A) to conserve living resources, increase  
19       valuable habitats, enhance coastal resilience,  
20       and address such other issues related to the  
21       shared ocean or coastal area as are determined  
22       to be a priority by those states;

23                   (B) to manage regional data portals and  
24       develop associated data products for purposes  
25       that support the priorities of those states; and

1 (C) to obtain the support of appropriate  
2 officials for such strategies.

3 (2) In cooperation with appropriate Federal  
4 agencies and State and local authorities, develop and  
5 implement specific action plans to carry out coordi-  
6 nation goals.

7 (3) Coordinate and implement priority plans  
8 and projects, and facilitate science, research, mod-  
9 eling, monitoring, data collection, and other activi-  
10 ties that support the goals of the partnership  
11 through the provision of grants and contracts under  
12 subsection (e).

13 (4) Engage and collaborate with stakeholders to  
14 address ocean and coastal related matters that re-  
15 quire interagency or intergovernmental solutions.

16 (5) Implement outreach programs for public in-  
17 formation, education, and participation to foster  
18 stewardship of the resources of the ocean and coast-  
19 al areas.

20 (6) Develop and make available, through publi-  
21 cations, technical assistance, and other appropriate  
22 means, information pertaining to cross-jurisdictional  
23 issues being addressed through the coordinated ac-  
24 tivities of the partnership.

1           (7) Serve as the liaison with, and provide infor-  
 2           mation to, international counterparts, as appro-  
 3           priate.

4           (e) GRANTS AND CONTRACTS.—

5           (1) IN GENERAL.—A Regional Ocean Partner-  
 6           ship designated under subsection (b) may, from  
 7           amounts made available to the partnership by the  
 8           Administrator or the head of another Federal agen-  
 9           cy—

10                   (A) provide grants to eligible persons de-  
 11                   scribed in paragraph (2) for the purposes de-  
 12                   scribed in paragraph (3); and

13                   (B) enter into contracts with such persons  
 14                   for such purposes.

15           (2) ELIGIBLE PERSONS.—The eligible persons  
 16           described in this paragraph are the following:

17                   (A) Indian Tribes.

18                   (B) State and local governments.

19                   (C) Nongovernmental organizations.

20                   (D) Institutions of higher education.

21                   (E) Individuals.

22                   (F) Private entities.

23           (3) PURPOSES.—The purposes described in this  
 24           paragraph are the following:

1 (A) Monitoring the water quality and living  
2 resources of multi-State ocean and coastal eco-  
3 systems.

4 (B) Researching and addressing the effects  
5 of natural and human-induced environmental  
6 changes to ocean and coastal ecosystems.

7 (C) Developing and executing cooperative  
8 strategies that—

9 (i) address regional data issues identi-  
10 fied by the partnership; and

11 (ii) will result in more effective man-  
12 agement of common ocean and coastal  
13 areas.

14 (f) REPORTS AND ASSESSMENTS.—

15 (1) ANNUAL REPORT.—Not later than 1 year  
16 after the date of the enactment of this Act, and an-  
17 nually thereafter, each Regional Ocean Partnership  
18 designated under subsection (b) shall submit to the  
19 Administrator, and make available to the public, a  
20 report that describes the following:

21 (A) Each project and activity for which the  
22 partnership received funding under this section  
23 during the previous fiscal year.

24 (B) The goals and objectives of those  
25 projects and activities.

1 (C) The net benefits of the projects and  
2 activities funded under this section during pre-  
3 vious fiscal years.

4 (D) The collaborative efforts of the part-  
5 nership.

6 (2) ASSESSMENTS AND REPORTS.—

7 (A) IN GENERAL.—Not later than 5 years  
8 after the date of the enactment of this Act, and  
9 every 5 years thereafter, the Administrator, in  
10 coordination with the Regional Ocean Partner-  
11 ships designated under subsection (b), shall—

12 (i) assess the effectiveness of the part-  
13 nerships in coordinating regional priorities  
14 relating to the management of common  
15 ocean and coastal areas; and

16 (ii) submit to Congress a report on  
17 that assessment.

18 (B) REPORT REQUIREMENTS.—The report  
19 required under subparagraph (A)(ii) shall in-  
20 clude the following:

21 (i) An assessment of the overall status  
22 of coordinated efforts in regional eco-  
23 systems covered by the Regional Ocean  
24 Partnerships designated under subsection  
25 (b).

1                   (ii) An assessment of the effectiveness  
2                   of the management strategies that such  
3                   partnerships are implementing and the ex-  
4                   tent to which the priority needs of the re-  
5                   gions covered by such partnerships are  
6                   being met through such strategies.

7                   (iii) Such recommendations as the Ad-  
8                   ministrators may have for the improved co-  
9                   ordination among the regulatory and non-  
10                  regulatory programs operating in the re-  
11                  gions covered by such partnerships, includ-  
12                  ing recommendations for strengthening the  
13                  strategies being implemented or adopting  
14                  improved strategies.

15               (g) AVAILABILITY OF FEDERAL FUNDS.—In addition  
16               to amounts made available to Regional Ocean Partner-  
17               ships designated under subsection (b) by the Adminis-  
18               trator under this section, the head of any other Federal  
19               agency may provide grants to, enter into contracts with,  
20               or otherwise provide funding to such partnerships.

21               (h) AUTHORITIES.—Nothing in this section estab-  
22               lishes any new legal or regulatory authority of the Na-  
23               tional Oceanic and Atmospheric Administration or of the  
24               Regional Ocean Partnerships designated under subsection  
25               (b), other than—

1           (1) the authority of the Administrator to pro-  
2           vide amounts to the partnerships; and

3           (2) the authority of the partnerships to provide  
4           grants and enter into contracts under subsection (e).

5           (i) FUNDING.—

6           (1) IN GENERAL.—Of amounts authorized to be  
7           appropriated to the National Oceanic and Atmos-  
8           pheric Administration, the Administrator may make  
9           the following amounts available to Regional Ocean  
10          Partnerships designated under subsection (b) to  
11          carry out activities of the partnerships under this  
12          Act:

13                   (A) \$10,000,000 for fiscal year 2020.

14                   (B) \$10,100,000 for fiscal year 2021.

15                   (C) \$10,202,000 for fiscal year 2022.

16                   (D) \$10,306,040 for fiscal year 2023.

17                   (E) \$10,412,160 for fiscal year 2024.

18                   (F) \$10,520,404 for fiscal year 2025.

19           (2) DISTRIBUTION OF AMOUNTS.—Amounts  
20          made available under paragraph (1) shall be divided  
21          evenly among the Regional Ocean Partnerships des-  
22          ignated under subsection (b).

1           (3) AVAILABILITY OF AMOUNTS.—Amounts  
2           made available under paragraph (1) shall remain  
3           available until expended.

○





## **Position Statement on Offshore Wind Energy Approved July 31, 2019**

Offshore wind energy (OWE) development has become a focal point as the U.S. tries to find renewable energy solutions to meet an increased energy demand and address growing concerns about climate change. The interest in OWE has been broad-based at both the national and local levels, with many states establishing renewable energy standards over the next few decades that require a diversified energy portfolio including wind.<sup>1</sup>

The Department of Energy has also developed an OWE strategy working with the **Department of Interior's Bureau for Ocean Energy Management (BOEM)** that identifies specific actionable items aimed to facilitate the research, development, and operation of OWE.<sup>2</sup> These efforts are reinforced by technological advances that have significantly reduced the costs associated with wind energy production, favorable tax subsidies, and the economic prospects of the OWE sector creating high paying U.S. jobs.

All these factors have led to a focus on developing OWE along the US Atlantic coast because it contains many high energy load centers (e.g., Boston, New York, Washington DC) and has an abundance of available wind resources. BOEM, the federal agency tasked with managing OWE lease areas, currently has fifteen active leases with developers between Massachusetts and North Carolina.

Each lease is at a different stage in the build out process which includes a site assessment (SA) to determine the optimal location to place wind turbines, and a construction and operations plan (COPs) that contains specific details about the project and its expected energy output capacity. The OWE development process also requires several state and federal regulatory reviews that ensure the projects have minimal impact to the environment and its user groups.

The current leases cover over 2,700 square miles of ocean, and in the near future, many more may potentially become available. Given the potential impacts of OWE development on recreational fishing access and the marine environment, the American Sportfishing Association (ASA) wants to be an engaged stakeholder in OWE development. Overall, ASA believes that OWE has the potential to benefit the recreational fishing community but has established the following major topics for consideration with a focus on minimizing the potential for negative impacts.

Access Plan — the area around the wind energy infrastructure (e.g., turbines, transmission cable runs) are governed by the United States Coast Guard and the developers. To ensure maximum fishing access, ASA recommends:

- That recreational fishing access near wind energy infrastructure be allowed to the maximum extent possible.

- The developers create an access plan that clearly documents the allowable use at all stages of the project (pre-construction, construction, operation and deconstruction).
- The developers form an access plan committee that includes representation from the recreational fishing and boating community.
- If access must be restricted for safety reasons, we recommend those restrictions do not overlap with established fishing seasons.

Monitoring Plan — there are many unknowns regarding how OWE projects will impact the ecosystem including, but not limited to, fish distribution and abundance, habitat availability, and recreational and commercial fisheries. ASA recommends:

- Coordinating with scientific advisors from industry, state and federal agencies and academic institutions to establish standardized survey designs during all phases of the project and across all seasons.
- Coordinating across adjacent lease areas to establish comprehensive monitoring plans that enable the analysis of cumulative impacts.
- Providing a clear process for the involvement of stakeholder groups including the recreational fishing and boating community.
- Using existing survey data where applicable.

Construction and Operations Plan — engagement with recreational fishing stakeholders is essential to minimizing impacts during the construction and operation phase of the project. ASA recommends,

- Establishing transit lanes to ensure safe navigation between inshore fishing ports and offshore fishing grounds.
- Siting and spacing the turbines to minimize impacts to known fishing grounds and allow safe drift fishing and maneuvering when fishing for large pelagic fish species.
- Establishing optimal construction times that avoids existing fishing seasons.
- Using foundation and scour pads that maximize available habitat to fishes.
- Transmission cable runs that avoid areas of essential fish habitat and are buried at a depth that eliminates electromagnetic field impacts.
- Decommission plans that fully consider the importance of the wind energy infrastructure to the environment and ecosystem.

Mitigation Plan — the associated economic impacts on the recreational fishing industry from OWE are largely unknown. We recommend a comprehensive mitigation plan that accounts for all known and unknown impacts. ASA recommends:

- Creating mitigation programs that offset impacts of OWE on the recreational fishing community through supplemental funding to state artificial reef programs, support of stock assessment surveys, recreational fishing and boating infrastructure, and other efforts that support recreational fishing and the marine resources.
- Working with state and federal agencies to develop bond criteria to be required of all offshore wind facilities to ensure that adequate financial resources are available to offset any unforeseen impacts during the lifetime of the projects.

[1 "State Renewable Portfolio Standards and Goals," National Conference of State Legislatures](#)

[2 "U.S. Offshore Wind Sets Sail," U.S. Department of Energy](#)

### **FY2019 Gulf of Mexico Oyster Aquaculture Consortia Award**

The three Commissions released a new RFP early this year to request partnership projects in a Consortium approach, funding multiple agency proposals for three to five years which could total \$840,000. Several projects were submitted and a collaboration between the University of Southern Mississippi - Thad Cochran Marine Aquaculture Center, the Auburn University Shellfish Lab - Dauphin Island Sea Lab, the University of Florida - Molluscan Shellfish Aquaculture Laboratory, and the Texas A&M University at Corpus Christi - Agrilife Research Mariculture Center. The potential five-year project will implement a genetic selection program for local stocks to improve production performance and develop disease or water quality resistant oyster stocks through the selective breeding program. Work began June 1 and will continue through next spring. Future years' funding will be determined on an annual basis by progress and available NOAA Office of Aquaculture funds.

### **FY2019 Regional Pilot Projects for Aquaculture in the Gulf of Mexico**

The second round of funding for pilot projects totaled \$450,000 and includes three projects, two of which were continuations of previous work. The projects began July 1 and include Kampachi Farms and Mote who are working on hatchery techniques for Almaco Jack, intended to support the Vellella Epsilon project off Florida; Auburn Univ. who is combining Sea Urchin culture into off-bottom oyster techniques as a natural anti-fouling agent and potential second crop; and the Univ of Southern Miss. which is continuing to move toward a finfish farm in the northern Gulf. The three projects will run until June of 2020.

### **FY2020 Regional Pilot Projects for Aquaculture in the Gulf of Mexico**

Despite just completing the award process for the 2019 pilot projects, the Gulf Commission has a limited timetable to begin the third round of pilots due to the end of our five-year cooperative agreement with NOAA. To ensure the funds would be utilized within the Commission's award period, an RFP was released in mid-August with a deadline of mid-September. Projects submitted for potential funding would have to be completed by early 2021. A total of 12 proposals were submitted and the review process has begun. Staff anticipates that the process will be completed before the end of the year including any NEPA and ESA reviews. Awards will be made and announced no later than January 2020.

## **Fall 2019 IJF Activities**

### **Red Drum Management Profile**

The Red Drum technical task force had its first meeting in June and is still in the process of identifying additional expertise to serve for the social and economic seats. The state reps that attended began splitting up the various sections in biology, habitat, and fisheries and have started researching the available literature to begin drafting. Another meeting is planned for November and we hope to have filled the roster by that time.

### **Mangrove Snapper Management Profile**

The Mangrove Snapper task force will be established late next spring. Staff will request representatives from the state agencies at the March 2020 meeting. Work will begin on that document mid-year.

### **Otolith Manual Revision**

The third revision to the fish ageing manual is nearing completion. The IJF staff and the Atlantic States Marine Fisheries Commission (ASMFC) are formatting the various techniques chapters and species-specific protocols. The latest revision includes a total of 46 species in 17 species group chapters (Groupers, Snappers, Small Drum, Large Drum, etc). Final editing will include comments and reviews from the 49 contributors from 20 state agencies, three NOAA labs, and seven universities along both the Gulf and Atlantic coast. While this revision has taken considerable time, we truly believe we can have a complete manual by early 2020.

## **Other Activities**

### **Tripletail Genetics**

The IJF program has received nearly 500 individual Tripletail tissue samples to date. Additional samplers have been identified in Malaysia, the Canary Islands, and Sénégal. These global samples will further expand our general knowledge of the world genome. Here in the Gulf, we continue to gather samples from Florida to Texas to better understand how our populations interact and better define our management stock/stocks as this fish becomes a greater portion of the recreational catch. It is believed that this information will also help inform hatchery managers looking for broodstock in support of aquaculture moving into the future.

### **Gulf Menhaden Reference Points**

Following the completion of the SEDAR63 menhaden benchmark assessment, the MAC agreed to begin exploring potential reference points for management. Part of the industries sustainability certification requires certain management actions to monitor fishing and population levels. Omega Protein and Daybrook Fisheries requested assistance in looking at scenarios that could be considered for their MSC evaluation. The MAC and a number of invited stakeholders participated in two workshops, the first in February and a second in July to look at options. The initial workshop was to develop potential objectives that could be acceptable to all and begin exploring candidate reference points for future consideration to meet those objectives. The second workshop reviewed the results of those candidate reference points applied to the current and historic fishery. Stakeholders included representatives from the industry, the state agencies, and a number of ENGOs and conservation groups. The candidate reference points were tested by an analytic team consisting of Drs Doug

Butterworth and Rebecca Rademeyer, Dr Robert Leaf, Dr. Amy Schueller, Dr. David Chagaris, and Dr. Genny Nessler. As a result of the second workshop, a few additional items were requested by the ENGOs and the team will present those at the October MAC meeting. Regardless of whether the states agree to adopt reference points for management in the future, the industry may impose the management strategy upon itself and request the support of the MAC to monitor fishing and the status of the population in the future.

### **Gulf Fishery-Independent Database (GFID)**

To date, staff has received uploads from most, if not all of the state agencies fishery-independent data. We have started exploring the Mississippi data first since there are multiple sources within the database that need to be combined. That effort will guide the development of the larger database which will include all the states.

### **Tripletail Acoustic Tagging**

The IJF staff purchased 50 Vemco acoustic tags over the summer and has begun deploying them in Tripletail in the northern Gulf in collaboration with Dr Jim Franks at GCRL. We plan to surgically implant 35 tags here this season and another 15 in the Florida Keys this winter. The tags are audible pingers which are heard by receivers all along the Gulf Coast. A number of 'listening stations' have been deployed and are managed by both state agencies and academic institutions who share the data through the iTag and FACT partnerships. A data gap/research need identified in the Tripletail Profile was the lack of information on the migration patterns of Tripletail in the Gulf. This project should help determine the timing of migration, conditions contributing to the onset of migration, and identify the extent of the overwintering grounds for fish from the northern Gulf.

**Southeast Area Monitoring and Assessment Program (SEAMAP)**  
**October 2019**

Since March, SEAMAP has completed the Spring Plankton Survey, Summer Shrimp/Groundfish Survey, Bottom Longline Survey, Reef Fish Survey, and Fall Plankton Survey. The Vertical Line Survey and Fall Shrimp/Groundfish Survey are currently ongoing. For more detailed information on these SEAMAP surveys please see the recently published 2019 SEAMAP Annual Report to the Technical Coordinating Committee which discusses SEAMAP FY2019 survey activities in the Gulf of Mexico.

SEAMAP held a trawl workshop in March where state and federal SEAMAP partners reviewed trawling protocols, discussed gear specifications, reviewed data entry and QA/QC procedures, and reviewed species identifications. The group also discussed recent taxonomic changes and how to handle historical species identifications when taxonomists have now determined that what we thought was one species could actually be two to three species that look very similar. SEAMAP partners have been conducting crew exchanges the past few years to assure that all SEAMAP trawling operations were being conducted consistently amongst all partners. The workshop continued those efforts as well as serving as a good review for 2019 trawling operations.

We sent out five weekly and one end of survey real time mailings this summer during the Summer Shrimp/Groundfish Survey to approximately 100 individuals. I heard from several interested parties that were looking for the data right before the Texas Opening. One representative from the Texas Shrimp Association stated how many people were asking them about the plots as well as how useful they were. This is in stark contrast to the twenty years ago when the Texas Shrimp Association asked SEAMAP to not produce the real time plots as it caused pulse fishing.

At the joint SEAMAP meeting with the South Atlantic and Caribbean components in July, we discussed the SEAMAP budget and budget needs for all three components and NMFS. SEAMAP has been level funded for the past five years, so we based our FY2020 budget on level funding of \$5.125 million. We also discussed updating the SEAMAP 2021-2025 Management Plan. Finally, we discussed hooked gear surveys, the data these surveys collect, and how these data can be used in stock assessments.

The Commission continues to manage SEAMAP data and distribute the data to interested parties. The Commission has fulfilled fifteen SEAMAP data requests since March. The various SEAMAP databases have been downloaded 97 times since March.

In the last year, SEAMAP data from the Gulf have been submitted for use in SEDAR stock assessments for Red Grouper, Gray Triggerfish, Gulf Menhaden, Yellowtail Snapper, Vermillion Snapper, Scamp, and Blacktip Shark.



## Sport Fish Restoration Program Update

Fall 2019

- The Program Coordinator is currently finishing final edits and formatting of the updated edition of the ASMFC's and GSMFC's 2004 publication "*Guidelines for Marine Artificial Reef Materials: Second Edition*". The new third edition includes updates to the reef materials covered in the second edition, and incorporates information on new materials that have been implemented in recent years. The plan is to have the document finalized and sent to the TCC for review prior to their October meeting. Once approved by the TCC and the full Commission, the document will be made available electronically through the GSMFC's website. Moving forward, this will be a living document so the subcommittees can update specific chapters as new information becomes available without having to do a full revision of the document.
- Through a partnership with the University of Southern Mississippi's Gulf Coast Research Lab, the Program Coordinator has been able to test the field component of the Gulf Artificial Reef Monitoring and Assessment Program. This field sampling is testing a draft standardized monitoring protocol that was modeled after existing long-term monitoring programs, utilizing comparable gear types and methodologies where possible. It is also testing the gear that was built for the program, as well as a data entry program that was developed by the GSMFC. The long-term goal of this effort is to develop a program that will provide standardized baseline data for artificial reefs across the Gulf of Mexico. This will allow states to assess impacts from natural and man-made disasters in the future, and to understand how their reefs are functioning over time, compared to natural reefs.
- The Program Coordinator has been working to establish season-long lionfish removal events in the other Gulf states modeled after Florida's Lionfish challenge. The goal of this new program is to minimize the impacts of Lionfish on Red Snapper and other important reef associated species while collecting more information on the invasive Lionfish population in the Gulf of Mexico.

This year we are supporting the second year of the Jimmy Sanders Memorial Lionfish Challenge in Mississippi. We are making some changes to the tournament this year based on feedback from the divers that participated in the first year, including running the tournament for the entire year and reducing the number of lionfish necessary to be entered into the monthly prize drawings. The Program Coordinator is also continuing to work on getting lionfish tournaments established in Louisiana and Texas. These efforts are made possible by the support from sponsors like Engel Coolers, Neritic Diving, Costa Del Mar, ZooKeeper, and Fishing Chaos.



## Aquatic Nuisance Species Program Update

**Fall 2019**

- The Program Coordinator setup and hosted the spring Gulf and South Atlantic Regional Panel (GSARP) meeting on April 17-18<sup>th</sup>, in Fort Lauderdale, Florida.
- The Aquatic Nuisance Species Task Force (ANSTF) held its spring meeting on May 8-9<sup>th</sup>, in South Lake Tahoe, California.
- Region 4 USFWS AIS Small Grants Program: Over the last five years, we have been able to fund 33 projects totaling \$710K. This year, after all proposals were reviewed and ranked by the GSARP's Review Committee, six projects were selected for funding totaling \$140,189 through the 2019 funding opportunity. These projects will be addressing invasive species eDNA data standards, model bait regulations, risk analysis of injurious fish species, lionfish, human health risks, and apple snails.
- Invasive Species Traveling Trunk: The GSARP's Education and Outreach workgroup will continue to explore the possibility of incorporating a game for elementary-aged children, and developing a poster that teachers can display that will keep the message about invasive species in the classroom after the lesson is complete. They will also look at developing lesson plans that cover the materials included in the trunks to make it easier for teachers to incorporate them into their science curriculums. The trunks have been utilized for 1,469 day since they were made available to the public in the summer of 2012.
- The GSMFC's Computer System Administrator has finished development of the new GSARP website. The new site includes several new features, a custom view into the USGS's NAS database that focuses just on GSARP states, regional specific ANS alerts from the USGS alert system, and a list of the top ten invasive species that are threatening the region with links to fact sheets that can provide more information on their invasion history.
- The fall ANSTF meeting is scheduled for November 5-7<sup>th</sup>, at the National Agricultural Library in Beltsville, Maryland.
- The GSARP's fall meeting is scheduled for November 19-20<sup>th</sup>, in Charleston, South Carolina.



## FISHERIES INFORMATION NETWORK PROGRAM



The Fisheries Information Network (FIN) is a state-federal cooperative program to collect, manage, and disseminate statistical data and information on the marine commercial and recreational fisheries of the Southeast Region. The FIN consists of two components: Commercial Fisheries Information Network (ComFIN) and the Southeast Recreational Fisheries Information Network [RecFIN(SE)].

The scope of the FIN includes the Region's commercial and recreational fisheries for marine, estuarine, and anadromous species, including shellfish. Constituencies served by the program are state and federal agencies responsible for management of fisheries in the Region. Direct benefits will also accrue to federal fishery management councils, the interstate marine fisheries commissions, the National Park Service, the U.S. Fish and Wildlife Service, and the NOAA National Marine Sanctuaries Program. Benefits that accrue to management of fisheries will benefit not only commercial and recreational fishermen and the associated fishing industries, but the resources, the states, and the nation.

The mission of the FIN is to cooperatively collect, manage, and disseminate marine commercial, anadromous and recreational fishery data and information for the conservation and management of fishery resources in the Region and to support the development of a national program. The four goals of the FIN include planning, managing, and evaluating commercial and recreational fishery data collection activities; to implement a marine commercial and recreational fishery data collection program; to establish and maintain a commercial and recreational fishery data management system; and to support the establishment of a national program.

The organizational structure consists of the FIN Committee, two geographic subcommittees (Caribbean and Gulf), standing and ad hoc subcommittees, technical work groups, and administrative support. The FIN Committee consists of the signatories to the MOU or their designees, and is responsible for planning, managing, and evaluating the program. Agencies represented by signatories to the MOU are the National Marine Fisheries Service, U.S. Fish and Wildlife Service, National Park Service, Alabama Department of Conservation and Natural Resources, Florida Department of Environmental Protection, Louisiana Department of Wildlife and Fisheries, Mississippi Department of Marine Resources, Puerto Rico Department of Environmental and Natural Resources, Texas Parks and Wildlife Department, U.S. Virgin Islands Department of Planning and Natural Resources, Caribbean Fishery Management Council, Gulf of Mexico Fishery Management Council and Gulf States Marine Fisheries Commission.

The FIN Committee is divided into two standing subcommittees representing the major geographical areas of the Region: Caribbean and Gulf of Mexico. These subcommittees are responsible for making recommendations to the Committee on the needs of these areas. Standing and ad hoc subcommittees are established as needed by the FIN Committee to address administrative issues and technical work groups are established as needed by the Committee to carry out tasks on specific technical issues. Coordination and administrative support of the FIN is accomplished through the Gulf States Marine Fisheries Commission.

**ITEMS SUBMITTED FOR FUNDING IN 2020 FIN COOPERATIVE AGREEMENT**

***Coordination and Administration of FIN Activities* \$523,608**

This task will provide for the coordination, planning, and administration of FIN activities throughout the year as well as provide recreational and commercial information to the FIN participants and other interested personnel. This is a continuation of an activity from the previous year. This activity pertains to all modules of the program.

***Collecting, Managing and Disseminating Marine Recreational Fisheries Data* \$4,258,438**

This task will provide for the conduct of the MRIP survey in Mississippi, Alabama and Florida for shore, for-hire, and private modes and will provide partial funding for LA Creel in Louisiana. This task will provide for coordination of the survey, an intercept survey of shore, for-hire and private boat anglers to estimate angler catch using the existing MRIP methodology, and entry of the data. The states will also conduct weekly telephone calls to a 10% random sample of the Mississippi, Alabama, and Florida charter boat captains to obtain estimates of charter boat fishing effort. This is a continuation of an activity from the previous year. This activity pertains to the Recreational Catch/Effort Module for all modes of FIN.

***Operations of FIN Data Management System* \$146,479**

This task will provide for operations of the data management system for the FIN. This task will provide funding for the FIN Data Base Manager, ComFIN Programmer and part-time Metadata Coordinator. Responsibilities include further development of data modules structures; routine loading of Louisiana, Mississippi, Alabama, and Florida commercial catch data, Gulf biological data, Gulf recreational data; enter and maintain the metadata records into the InPort system and maintenance of DMS. This is a continuation of an activity from the previous year. This activity pertains to the Data Management Module of FIN.

***Trip Ticket Program Development and Operation* \$1,331,321**

This task will provide for the further development and implementation of commercial trip ticket systems in the Gulf of Mexico. This task provides funding for Texas, Louisiana, Mississippi and Alabama to operate their trip ticket programs. Full implementation of trip tickets in all five Gulf States allows for a complete census of all commercial fisheries landings in the Gulf of Mexico. In addition, it provides funding for a contractor to implement and operate an electronic trip ticket reporting program that allows for a more efficient means for dealers to report the necessary data. This activity pertains to the Commercial Catch/Effort Module of FIN.

**GRAND TOTAL \$6,259,846**

**GULF STATES MARINE FISHERIES COMMISSION**  
**January 1, 2020 - December 31, 2020**

	FY2019 Operating Funds	FY2020 Operating Funds	FY2019 Total Grants	FY2020 Total Grants	FY2019 Total Budget	FY2020 Total Budget
<b>EXPENSES</b>						
<b>SALARIES</b>						
Executive Director	14,903	17,625	99,733	99,875	114,636	117,500
IJF Coordinator	-	-	66,878	68,550	66,878	68,550
SM/Habitat Coordinator	-	-	62,598	64,162	62,598	64,162
FIN Coordinator/ Data Programmer/Analy	-	-	70,703	72,471	70,703	72,471
RecFIN Survey Coordinator	-	-	57,252	58,683	57,252	58,683
ComFIN Survey Coordinator	-	-	54,594	55,959	54,594	55,959
Computer Systems Admi.	9,424	10,464	69,108	70,032	78,532	80,496
Administrative Officer	6,723	7,465	49,299	49,963	56,022	57,428
Sportfish/ANS Coordinator	-	-	52,971	54,296	52,971	54,296
Administrative Assistant	4,985	5,535	36,555	37,046	41,540	42,581
IJF Staff Assistant	-	-	28,200	29,200	28,200	29,200
RecFIN/SEAMAP Staff Assistant	-	-	27,200	28,200	27,200	28,200
Sr. Accountant	2,901	2,973	55,112	56,488	58,013	59,461
Data Entry Clerk	-	-	37,770	38,770	37,770	38,770
FIN/SEAMAP Data Base Manager	-	-	64,375	65,985	64,375	65,985
SF/ANS Staff Assistant	-	-	28,600	29,600	28,600	29,600
Personnel (not designated)	912	1,529	23,246	30,586	24,158	32,115
Contract Labor	-	-	293,100	485,000	293,100	485,000
Health Insurance	7,595	8,475	217,390	219,900	224,985	228,375
Retirement	2,727	3,084	59,819	61,549	62,546	64,633
Payroll Taxes	3,056	3,454	67,420	69,424	70,476	72,878
Post Employment Benefit Plan	397	441	8,588	8,793	8,985	9,234
<b>MAINTENANCE/OPERATIONS</b>						
Office Supplies	837	455	35,257	6,775	36,094	7,230
Postage	300	300	9,511	10,565	9,811	10,865
Committee Travel	5,450	-	247,085	354,070	252,535	354,070
Travel (Staff)	22,500	22,500	52,278	44,125	74,778	66,625
Telephone	770	600	22,835	26,960	23,605	27,560
Office Equipment	3,500	3,750	29,972	67,390	33,472	71,140
Copying Expenses	910	600	31,010	30,018	31,920	30,618
Printing	50	100	1,715	5,175	1,765	5,275
Meeting Costs	15,500	14,000	68,120	93,640	83,620	107,640
Subscriptions/Dues	100	100	1,880	2,360	1,980	2,460
Auto Expenses	300	200	3,670	3,960	3,970	4,160
Insurance	1,000	800	21,205	27,510	22,205	28,310
Maintenance	500	600	90,495	94,144	90,995	94,744
Professional Services	750	850	16,880	28,290	17,630	29,140
GSMFC Courtesies	5,000	5,000	-	-	5,000	5,000
Training and Education	110	100	23,966	24,039	24,076	24,139
Contractual	-	-	4,914,854	6,189,191	4,914,854	6,189,191
Utilities	700	800	15,490	19,440	16,190	20,240
Janitorial (service/supplies)	600	700	13,460	15,680	14,060	16,380
<b>TOTAL</b>	<b>112,500</b>	<b>112,500</b>	<b>7,130,194</b>	<b>8,797,864</b>	<b>7,242,694</b>	<b>8,910,364</b>
<b>INCOME</b>						
<b>STATE CONTRIBUTIONS</b>						
Alabama	22,500	22,500				
Florida	22,500	22,500				
Louisiana	22,500	22,500				
Mississippi	22,500	22,500				
Texas	22,500	22,500				
<b>TOTAL DUES</b>						112,500
<b>GRANTS</b>						
210 NOAA Admin and Coordination			FY2019 117,979	FY2020 216,786		
600 SEAMAP			162,925	392,303		
601 SEAMAP FIS Supplemental			-	181,812		
650 Interjurisdictional Fisheries			677,396	1,398,411		
700 Council			45,000	45,000		
749 FIN			5,858,931	6,259,846		
750 Sport Fish Restoration			200,000	200,000		
800 ANS			40,000	37,972		
799 Biological/Headboat Sampling			27,963	65,734		
<b>TOTAL GRANTS</b>						8,797,864
<b>TOTAL</b>	<b>\$112,500</b>	<b>\$112,500</b>	<b>7,130,194</b>	<b>\$8,797,864</b>		<b>\$8,910,364</b>

**GULF STATES MARINE FISHERIES COMMISSION**

**January 1, 2020 - December 31, 2020**

	FY2019 Operating Funds	FY2020 Operating Funds	FY2019 Total Grants	FY2020 Total Grants	FY2019 Total Budget	FY2020 Total Budget
<b>EXPENSES</b>						
<b>SALARIES</b>						
Personnel (designated)	38,936	44,062	860,948	879,280	899,884	923,342
Personnel (not designated)	912	1,529	23,246	30,586	24,158	32,115
Contract Labor	-	-	293,100	485,000	293,100	485,000
Health Insurance	7,595	8,475	217,390	219,900	224,985	228,375
Retirement	2,727	3,084	59,819	61,549	62,546	64,633
Payroll Taxes	3,056	3,454	67,420	69,424	70,476	72,878
Post Employment Benefit Plan	397	441	8,588	8,793	8,985	9,234
<b>MAINTENANCE/OPERATIONS</b>						
Office Supplies	837	455	35,257	6,775	36,094	7,230
Postage	300	300	9,511	10,565	9,811	10,865
Committee Travel	5,450	-	247,085	354,070	252,535	354,070
Travel (Staff)	22,500	22,500	52,278	44,125	74,778	66,625
Telephone	770	600	22,835	26,960	23,605	27,560
Office Equipment	3,500	3,750	29,972	67,390	33,472	71,140
Copying Expenses	910	600	31,010	30,018	31,920	30,618
Printing	50	100	1,715	5,175	1,765	5,275
Meeting Costs	15,500	14,000	68,120	93,640	83,620	107,640
Subscriptions/Dues	100	100	1,880	2,360	1,980	2,460
Auto Expenses	300	200	3,670	3,960	3,970	4,160
Insurance	1,000	800	21,205	27,510	22,205	28,310
Maintenance	500	600	90,495	94,144	90,995	94,744
Professional Services	750	850	16,880	28,290	17,630	29,140
GSMFC Courtesies	5,000	5,000	-	-	5,000	5,000
Training and Education	110	100	23,966	24,039	24,076	24,139
Contractual	-	-	4,914,854	6,189,191	4,914,854	6,189,191
Utilities	700	800	15,490	19,440	16,190	20,240
Janitorial (service/supplies)	600	700	13,460	15,680	14,060	16,380
<b>TOTAL</b>	<b>112,500</b>	<b>112,500</b>	<b>7,130,194</b>	<b>8,797,864</b>	<b>7,242,694</b>	<b>8,910,364</b>
<b>INCOME</b>						
<b>STATE CONTRIBUTIONS</b>						
Alabama	22,500	22,500				
Florida	22,500	22,500				
Louisiana	22,500	22,500				
Mississippi	22,500	22,500				
Texas	22,500	22,500				
<b>TOTAL DUES</b>						112,500
<b>GRANTS</b>						
			FY2019	FY2020		
210 NOAA Admin and Coordination			117,979	216,786		
600 SEAMAP			162,925	392,303		
601 SEAMAP FIS Supplemental			-	181,812		
650 Interjurisdictional Fisheries			677,396	1,398,411		
700 Council			45,000	45,000		
749 FIN			5,858,931	6,259,846		
750 Sport Fish Restoration			200,000	200,000		
800 ANS			40,000	37,972		
799 Biological/Headboat Sampling			27,963	65,734		
<b>TOTAL GRANTS</b>						8,797,864
<b>TOTAL</b>	<b>112,500</b>	<b>112,500</b>	<b>7,130,194</b>	<b>8,797,864</b>		<b>8,910,364</b>

Gulf States Marine Fisheries Commission  
Technical Coordinating Committee (TCC), Fall 2019 Meeting  
Florida Report

1. Emerging Issues Pertinent to Gulf of Mexico Fisheries.

Stock Assessments

FWC is serving as the lead agency conducting SEDAR 64 Southeastern Yellowtail Snapper. The lead stock assessment analysts from the Fish and Wildlife Research Institute (FWRI) are Shanae Allen and Chris Swanson. A Data Workshop was held June 25-27 in Saint Petersburg, FL, and assessment webinars are ongoing. FWRI's assessment group is also finalizing a Florida Flounder fisheries status report for Division of Marine Fisheries Management (DMFM), and preparing for upcoming Red Drum and Snook assessments due to DMFM next year.

FWRI staff conducted genetic analyses and participated in the Stock ID workshop for SEDAR 68, Gulf of Mexico and South Atlantic Scamp (*Mycteroperca phenax*). In general, microsatellite data reflected moderately high genetic diversity among the 13 collection locations in Florida and Alabama, and gene diversity ranged from 0.423 for Cape Canaveral to 0.611 in Alabama. Working papers describing genetic assessments of Scamp sampled from the Gulf of Mexico and South Atlantic are available at: <http://sedarweb.org/sedar-68-scamp-stock-id-process>.

Cobia research

An acoustic array comprised of 15 receivers was established off St Augustine in northeastern Florida. This area represented a gap in receiver coverage that was important to fill for understanding movements of cobia across a management boundary between the Atlantic and Gulf stocks at the Florida/Georgia line. The first download of these receivers in northern Florida included seven cobia tagged in SC/GA, and 19 tagged in North Carolina and Virginia. Since this was the first download of this array more details will follow as we have just started to tag cobia in north Florida area. This acoustic telemetry work combined with genetics will help determine the amount of mixing that occurs throughout the year. Active grant-funded projects related to cobia include “*Understanding stock boundary and migration phenology of Atlantic cobia under a changing climate to inform management (S-K; through 2020)*”, and “*Combining acoustic telemetry and pop-up satellite archival tagging to improve data on cobia (Rachycentron canadum) migratory behavior and stock structure (CRP; through 2020)*”.

Information related to TCC agenda items:

*Using watershed-scale assessments to identify conservation priorities and prioritize restoration actions*

The FWC has been working with regional water management districts and local municipalities at the watershed scale. State Minimum Flow and Level law (MFLs), established during the 1990s, have driven a wide variety of research in river systems throughout much of Florida. The overall goal of MFLs is to allow for water withdrawal for human use without causing too much harm to the ecology of rivers and estuaries, particularly with respect to their role as fish nurseries. Fish studies were conducted in rivers and estuaries throughout Florida and work is ongoing. The FWC is currently working to characterize the ecology of seagrass basins of Florida Bay, assess fish use of spring-fed rivers in northern Florida, and determine the effects of freshwater releases from Lake Okeechobee on the St Lucie River estuary in SE Florida.

Much of the input into watershed management and restoration is conducted under the umbrella of the National Estuary Programs (NEPs) or some other place-based policy framework. The purpose of these programs is to work at the watershed scale and to foster communication and coordination among state agencies, local municipalities, and NGOs. The NEPs are comprised of committees with oversight provided by decision makers including city mayors, county commissioners, and regional heads of state agencies. The idea is for these leaders to discuss policy actions that affect the watershed with input from scientists and resource managers. Florida has four NEPs that encompass major estuaries: Tampa Bay, Sarasota Bay, Charlotte Harbor, and Indian River Lagoon. Other place-based frameworks occur through the National Park Service (Everglades Restoration in South Florida, Florida Keys National Marine Sanctuary) or through the Aquatic Preserve System (Apalachicola). FWC staff provide input during committee meetings and help to prioritize conservation actions (i.e., specific land purchases for conservation) and restoration. FWC's habitat division may directly fund smaller projects or pool resources with water management districts and local municipalities to fund large-scale hydrologic restoration. Efforts to follow-up on these restoration projects to determine their effectiveness and to identify improvements are finally starting to occur. Such follow up is now underway in SW Florida (wetland restoration and hydrologic restoration of tidal creeks) and in the Indian River Lagoon (seagrass improvements).

2. Activities Related to Artificial Reef Programs.

From January 2019 to September 2019, a total of eleven artificial reef construction projects and nine artificial reef monitoring and research projects were completed or going utilizing funds

from the Florida State's Marine Resource Conservation Trust Fund, the U.S. Fish and Wildlife Service's Federal Sport Fish Restoration Program, and the Natural Resource Damage Assessment (NRDA) Early Restoration Phase III, Florida Artificial Reef Creation and Restoration Project. All projects were managed by the Florida Fish and Wildlife Conservation Commission (FWC) Artificial Reef Program within the Division of Marine Fisheries Management. Four artificial reef monitoring projects took place off the Gulf Coast and five off the Atlantic Coast. A full description of these activities is provided at the end of this document in Appendix A.

### 3. Activities Associated with the Gulf of Mexico Crab Fisheries.

Studies into the seasonality of blue crab (*Callinectes sapidus*) spawning, fecundity and larval dispersal models were completed on the Gulf and Atlantic coasts as part of research associated with Interjurisdictional Fisheries Grant (IJF) funding. This research is currently being used to inform the Crab Sub-committee about newly found connectivity between the Gulf and South Atlantic blue crab stocks. Results were published in:

Maria M. Criales, Laurent Chérubin, Ryan Gandy, Lysel Garavelli, Mohamed Ali Ghannami, Claire Crowley. 2019. Blue crab larval dispersal highlights population connectivity and implications for fishery management. *Marine Ecology Progressive Series* 625: 53–70. <https://doi.org/10.3354/meps13049>

### 4. Activities Related to Fisheries Dependent Data Collection.

The state of Florida continued conduct of the MRIP survey on the Gulf and Atlantic coasts. Sampling efforts were disrupted during August in preparation for Hurricane Dorian. Field sampling activity was suspended so that staff could move state vehicles to high ground, secure facilities and evacuate areas in the immediate path along the Atlantic coast. Ultimately, the storm stalled over the Bahamas and did not make direct landfall in Florida. Only a few sites and charter vessels were damaged along the Atlantic coast, and the Gulf Coast did not suffer any impacts. Field sampling resumed quickly after the storm progressed north.

In January of 2019, a new biological sampling survey was implemented along the Gulf coast of Florida (Escambia to Collier Counties) to increase the number of biological samples collected (Florida Keys sampling initiated in May). A random draw process has been employed to transition away from the opportunistic sampling methodology of the past provide a more representative collection of biological samples. Dockside interviews were conducted at angler intercept sites, targeting recreational anglers from shore, private boat, and charter modes. Of the 482 sampling assignments conducted, biological samples were collected from 2,306 fish (Table 1).

This was the second and final year of Florida's Exempted Fishing Permit, which allows the state to set recreational seasons for Red Snapper in state and federal waters and manage within a

state-allocated annual catch limit (ACL). The 2019 season opened June 11 and ran continuously through July 12. Landings estimated through the Gulf Reef Fish Survey (GRFS) indicate 46% of the ACL was landed during the first month (June) that the season was open. Preliminary estimates through July indicate landings are below the ACL.

A predictive model was developed and tested during 2019 for use as an in-season monitoring tool for red snapper. There is a significant linear relationship between sample weights in the GRFS access point intercept survey and final fishing effort estimates through the GRFS mail survey ( $R^2=0.54$ ). This relationship was used to predict red snapper landings in-season during 2019. As intercept data were collected during June and July, landings were predicted before final GRFS effort estimates were available. The predicted in-season pounds landed during June was within 5% of the final estimate (a final GRFS estimate for July is not available until mid-October). Results from this work will be shared in the next state report.

FWRI conducted a study in northwest Florida during June and July to independently verify fishing effort estimates generated through the GRFS. For this study, human observers were stationed at three major passes (Pensacola Bay, Destin Pass, and St. Andrews Bay) and one inlet (Mexico Beach) to monitor recreational boats entering the Gulf of Mexico. Angler intercept data were used to determine the proportion of observed vessels that targeted reef fish during recreational fishing. Preliminary results indicate that the two surveys are producing comparable effort estimates. A manuscript describing methods and final results will be submitted to a peer reviewed journal early next year.

Table 1. Number of biological samples collected by region and mode since January 2019.

Region	Mode	Measured	Otolith	Spine
PANHANDLE	CHARTER	1,046	890	85
	PRIVATE	423	400	.
	SHORE	8	8	.
WEST CENTRAL	CHARTER	495	423	.
	PRIVATE	191	154	1
	SHORE	4	2	.
FLORIDA KEYS	CHARTER	98	78	4
	PRIVATE	41	20	.
Total		2,306	1,975	90

##### 5. Activities Related to Fisheries Independent Sampling.

During the current reporting period, the state of Florida continued several fishery independent monitoring activities, including:



- Monthly, long-term estuarine monitoring in five Gulf of Mexico estuaries (Apalachicola Bay, Cedar Key, Tampa Bay, Sarasota Bay, and Charlotte Harbor) using 21.3-m seines, 183-m haul seines, and 6.1-m otter trawls.
- Monthly (May – November), supplemental polyhaline seagrass monitoring in five Gulf of Mexico estuaries (St. Andrew Bay, Apalachicola Bay, Big Bend, Tampa Bay, and Charlotte Harbor) using 6.1-m otter trawls.
- Monthly (July – December) supplemental western Panhandle sampling in Pensacola Bay, Santa Rosa Sound, Choctawhatchee Bay, St. Andrew Bay, St. Joseph Bay using 21.3-m seines.
- Seasonal (summer and fall) SEAMAP groundfish trawl sampling using 12.8-m trawls.
- Annual (May – September) reef fish video and habitat mapping survey using stationary-baited remote underwater video arrays and side scan sonar to survey artificial and natural reef habitats.
- Processing of survey-related trophodynamics data in support of ecosystem-based fishery management.
- Development of indices of abundance of survey data for the assessment of Yellowtail Snapper and Vermilion Snapper.

## 6. Other State Activities.

### Age and Growth

During April 2018-March 2019, the FWC Age and Growth Laboratory processed 26,549 and aged 32,830 otoliths and spines from a total of 28 species. Ages were provided for federal and state stock assessments on several priority species: yellowtail snapper, red snapper, common snook, striped mullet, spotted seatrout, red drum, red grouper, southern flounder, gray triggerfish, gag, and goliath grouper. Staff continued to host annual ageing QA/QC meetings for the Gulf States Marine Fisheries Commission and Atlantic States Marine Fisheries Commission to discuss processing and ageing techniques, reference set distribution and ageing error on priority species. Staff also hosted ageing workshops at meetings of the American Fisheries Society.

### Update on Fish Habitat

- A three-year fisheries-independent monitoring project is assessing changes in fish communities in a restored tributary (i.e., Coral Creek) within the Charlotte Harbor estuary to address the design of future restoration projects and the improvement of fish stocks in the Charlotte Harbor estuary and the Gulf of Mexico.
- Juvenile tarpon were tagged in coastal-wetland pond habitat of Charlotte Harbor (related to above study) and are being tracked in a small array of receivers to determine the water levels that allow the species to move among ponds and to the open estuary. This work will be directly applicable to coastal wetland restoration: what elevations and designs are needed to create juvenile habitat for tarpon.

- Juvenile goliath grouper are being tracked in acoustic telemetry arrays in the St Lucie River estuary of SE Florida and in the Ten Thousand Islands of SW Florida to determine habitat use of rivers and estuaries during early life and their response to seasonal changes in freshwater inflow. Adult goliath grouper are counted during the Great Goliath Grouper Count, an annual event using citizen-scientists.
- Common snook and Gray Snapper are being tracked in an acoustic telemetry array deployed in the Homosassa River, a spring-fed river north of Tampa Bay, to determine how these species use the river as thermal refuge during winter.
- Common snook are being tracked in an acoustic telemetry array in the Suwannee River to determine how this range-expanding species is using a novel river of northern Florida.
- Reef visual census using divers is being conducted in SE Florida, and in the Tampa Bay area to assess the effects of red tide events.
- Laboratory work continues to assess the use of hormone analysis for determining rates of skip spawning. Field work continues to assess hardbottom communities within Tampa Bay and seagrass basins of Florida Bay.
- A project to determine the effectiveness of coastal restoration in the Tampa Bay area in serving as nurseries for juvenile sport fish is wrapping up. To assess effectiveness beyond fish densities, the project used juvenile fish metrics such as growth using daily rings and condition using lipid analysis.

To supplement these efforts, staff were able to secure grants from restore (through Charlotte County) entitled “Investigation of sport fish nurseries and forage fish abundance in association with restoration efforts in Charlotte County”; the National Park Service entitled “*Effects of the 30-yr Crocodile Sanctuary closure & opening of Joe Bay on fish communities: Spatial and temporal comparisons using fisheries-independent monitoring seine data (through 2019)*”; the Tampa Bay National Estuary Program entitled “*Fish communities associated with hard bottom habitats in Tampa Bay; what lives in these recently mapped areas? (through 2019)*” and “*Evaluation of sportfish habitat utilization, growth, and condition at large-scale restorations in Tampa Bay to inform and prioritize past, future, and ongoing restoration activities (through 2019)*”; and a Fish and Wildlife Foundation Springs Grant entitled “*Investigating drivers of winter shifts in fish abundance in the Homosassa River system*”.

## Appendix A:

### Artificial Reefs Projects in Florida

The primary program objectives are to provide financial and technical assistance to coastal local governments, nonprofit corporations, and state universities to construct and monitor artificial reefs.

From January 2019 to September 2019, a total of eleven artificial reef construction projects and nine artificial reef monitoring and research projects were completed or going utilizing funds from the Florida State's Marine Resource Conservation Trust Fund, the U.S. Fish and Wildlife Service's Federal Sport Fish Restoration Program, and the Natural Resource Damage Assessment (NRDA) Early Restoration Phase III, Florida Artificial Reef Creation and Restoration Project. All projects were managed by the Florida Fish and Wildlife Conservation Commission (FWC) Artificial Reef Program within the Division of Marine Fisheries Management.

#### *Artificial Reef Construction Projects*

Six artificial reef construction projects took place off the Gulf Coast and four off the Atlantic Coast. Summarized below are the regions and counties where the ten new artificial reefs were deployed.

- 5 - Northwest Florida – Gulf (Bay, Escambia, Okaloosa, Santa Rosa, Walton Counties)
- 1 - Southwest Florida - Gulf (Lee County)
- 2 - Central Florida - Atlantic (Brevard and Indian River Counties)
- 2 - Southeast Florida - Atlantic (Martin and Palm Beach Counties)

#### *Bay County - NRDA Artificial Reef Construction (Northwest Florida – Gulf)*

Bay County deployed 25 pre-fabricated concrete reef modules within the Sherman permitted area on May 21, 2019. Three different module designs were alternated during the deployment. The first and largest structure was a prefabricated module called a “Super Reef with 2 discs.” This is a concrete isosceles trapezoid measuring 15.5 ft. tall and 19 ft. wide at the base with a one-foot tall ecosystem disc constructed from stacking two 4.5 diameter concrete discs on a pedestal. The second prefabricated module design used was a “Florida Limestone Artificial Reef” which is a shorter version of the “Super Reef” measuring 8 ft. tall and 10 ft. wide at the base. The fourth type deployed was a “Grouper box/ Ecosystem” hybrid module measuring 5 ft. tall, 7 ft. wide, and 9 ft. long, with a single large opening on one side of the rectangular box and a three-layer ecosystem disc is attached to the top. The new patch reefs are located on the eastern side of the permitted area due west of the Mexico Beach Canal and southeast of St. Andrews Inlet and approximately 9.0 nm offshore in 80 ft. of water.

#### *Bay County – BCARA Artificial Reef Construction (Northwest Florida – Gulf)*

Bay County Artificial Reef Association deployed 17 concrete pre-fabricated artificial reef modules as a single patch reef within LAARS-A permitted artificial reef site during July 2019. Two different designs were deployed, dome and tetrahedron. The dome shaped module measures 5 ft. tall with a 6 ft. wide base and has multiple circular openings. The tetrahedron measures 16 ft. tall

with 10 ft. base and 36-inch top opening for turtle egress. The patch reef is located at the center of the permitted area approximately 11.5 nm offshore at a bearing of 231 degrees from St. Andrews Inlet at a depth of 100 feet

*Escambia County Artificial Reef Construction (Northwest Florida – Gulf)*

Escambia County deployed a total of 345 pre-fabricated concrete reef modules (105 “Super Reefs” and 240 “Goliath Reef Balls”) in the Escambia Southeast permitted area from January through August, 2019. The Super Reef module is a large tetrahedron module that measured 18 ft. in width, 15 ft. in height, and weighed approximately 18 tons. The Goliath Reef Ball is a concrete dome measuring 5 ft. tall with a 6 ft. wide base and has multiple circular openings. All modules were deployed at various locations within the permitted area, with the closest module from shore being approximately 8.2 nm SSE from Pensacola Pass. Depths also varied within the permitted area; modules were placed at a minimum depth of 79 ft. and a maximum depth of 98 ft.

*Santa Rosa County Artificial Reef Construction (Northwest Florida – Gulf)*

Santa Rosa County deployed a total of 72 pre-fabricated concrete modules within the SR-27 permitted area. Twelve of the deployed modules are known as “Super Reefs,” measuring 16 ft. in height with a 16-ft. base. Forty deployed modules are smaller versions of the “Super Reefs,” measuring 8 ft. in height with a 10-ft. base. Twenty deployed modules are known as “Ledge and Disk Reefs.” These modules have a concrete hollow base structure, measuring 9 ft. by 6.8 ft., with pile-supported discs on top. The total height of these modules is approximately 6 ft. All modules were deployed at a depth ranging from 60-70 ft. The SR-27 permitted area is located approximately 19 nm. offshore at a bearing of 266 degrees from East Pass.

*Walton County Artificial Reef Construction (Northwest Florida – Gulf)*

Walton County, deployed 61 pre-fabricated concrete reef modules in the Miramar/Frangista permitted area. Four different module designs were used during the deployment to create 12 patch reefs on May 21, 2019 and June 27, 2019. Each patch reef contained at least two different module designs. The first and largest structure used was a pre-fabricated module called a “Super Reef”. This module is composed of three four-inch thick concrete isosceles trapezoidal panels measuring 15.5 ft. tall and 19 ft. wide at the base and weighs 36,000 lbs. The second type of structure was a prefabricated module called a “Florida Limestone Artificial Reef”. The “Florida Limestone Artificial Reef” module is shorter concrete tetrahedron version of the “Super Reef” measuring 8 ft. tall and 10 ft. wide at the base, with three 12 inch by 18 inch rectangular openings through each of three upright limestone studded concrete sides. This module weighs approximately 6,000 lbs. There were 48 of these units deployed. The third module type was a four ft. tall ecosystem disc made from stacking four concrete discs spaced 12 inches apart measuring 4.5 ft in diameter on a cylinder pedestal. There were 4 of these units deployed. The fourth and final module type deployed was a prefabricated module called a “Grouper box/ Ecosystem” hybrid module measuring 5 ft. tall, 7 ft. wide, and 9 ft. long, with a single large opening on one side of the rectangular box. A three-layer ecosystem disc is attached on top. There were 4 of these units deployed.

*Lee County Artificial Reef Construction (Central Florida – Gulf)*

Lee County deployed 1,095 tons of clean secondary-use concrete within the Chris Koepfer artificial reef permitted area (SAJ-1993-31803). The Chris Koepfer permitted area is located approximately 14 nm southwest of Redfish Pass in federal waters in the Gulf of Mexico off Lee County. The permitted area measures approximately 0.57 nm x 0.57 nm encompassing 265 acres

and has a depth of 60 ft. This is a well-established reef site in Lee County with a wide variety of existing artificial reef materials, with the first deployment occurring in 1994. The 1,095 tons of secondary-use concrete consisted of catch basins, culverts, poles and slabs. All material was deployed by Kelly Brothers, Inc. within the permitted area on May 31, 2019 and June 6, 2019 to create one large patch reef.

#### *Brevard County Artificial Reef Construction (Central Florida – Atlantic)*

Brevard County deployed 23 pre-fabricated concrete artificial reef modules within the Brevard County Artificial Reef Site #2 permitted area. The “Florida Limestone Artificial Reef” measures 8 ft. tall and 10 ft. wide at the base, with three 12 inch by 18 inch rectangular openings through each of three upright limestone studded concrete sides. This module weighs approximately 6,000 lbs. The new patch reef is located in the northwest end of the permitted area approximately 15.3 nautical miles on a bearing of 96 degrees from Port Canaveral at a depth of 80 ft.

#### *Indian River County Artificial Reef Construction (Central Florida – Atlantic)*

Indian River County deployed 10 prefabricated reef modules and 630 tons of clean secondary-use concrete within the Orchid Island Artificial Reef Permitted area (SAJ-2016-02916). The Orchid Island permitted area is located approximately 5 nm east of Sebastian Inlet in federal waters in the Atlantic Ocean offshore Indian River County. The permitted area measures approximately 0.25 nm x 0.25 nm encompassing 53 acres and has a depth of 55 ft. The prefabricated modules are 8 ft tall tetrahedrons that weight 3 tons and the 630 tons of secondary-use concrete consisted of culverts, decking, roadway barriers, and pilings. The prefabricated modules and secondary-use concrete were deployed by McCulley Marine Service, Inc. within the permitted area on July 17, 2019 and July 18, 2019 to create two distinct patch reefs.

#### *Martin County Artificial Reef Construction (Southeast Florida – Atlantic)*

Martin County deployed 1,520 tons of clean secondary-use concrete within the Sirotkin Reef Permitted area (SAJ-1995-04128). The Sirotkin Reef permitted area is located approximately 6 nm northeast of St. Lucie Inlet in federal waters in the Atlantic Ocean offshore Martin County. The secondary-use concrete consisted of culverts, slabs, and pilings. The secondary-use concrete was deployed by McCulley Marine Service, Inc. within the permitted area between June 10, 2019 and July 24, 2019 to enhance three existing patch reefs.

#### *Palm Beach County Artificial Reef Construction (Southeast Florida – Atlantic)*

Palm Beach County deployed 635 tons of limestone boulders to create one patch reef within the Juno Mid-Depth Artificial Reef Site. The 3-4 ft. limestone boulders were deployed off both each sides of the loaded barge creating two equal piles 50 ft. apart with a maximum relief of 15 ft. The patch reef is located within the permitted area at a depth of 85 feet.

#### *Florida Artificial Reef Monitoring Projects*

Four artificial reef monitoring projects took place off the Gulf Coast and five off the Atlantic Coast. Summarized below are the regions and counties where the nine artificial reef monitoring and research projects occurred.

- 2 - Northwest Florida – Gulf (Escambia and Okaloosa Counties)
- 2 - Central Florida - Gulf (Pinellas and Taylor Counties)

- 1 – Northeast Florida – Atlantic (St. Johns County)
- 1 - Central Florida - Atlantic (St. Lucie County)
- 3 - Southeast Florida - Atlantic (Martin, Palm Beach, Monroe Counties)

*Oriskany Reef Fish PCB Monitoring Project (Northwest Florida – Gulf)*

The FWC and Escambia County continue annual sampling of legal-sized recreationally targeted reef fish (red snapper, gray triggerfish, red and whitebone porgy, vermilion snapper, grouper species) for PCB analysis (using skin-on lateral muscle tissue fillets) in compliance with requirements of the EPA risk-based PCB disposal permit for the ex-U.S.S. Oriskany (CVA-34), sunk as an artificial reef in 212 feet of water 22.5 nautical miles off Pensacola Pass on May 17, 2006. Between Dec. 14, 2006, and April 10, 2018, 16 reef fish sample collection events were completed. The 534 retained reef fish from the Oriskany Reef through sampling round sixteen included fifteen reef fish species: 245 red snapper, 132 vermilion snapper, 42 red porgy, 28 whitebone porgy, 22 scamp grouper, 21 gag grouper, 17 bank sea bass, 17 bank sea bass, nine lionfish, five gray snapper, five slipper lobster, three gray triggerfish, two yellowmouth grouper, two creolefish, one red grouper.

Of the nine species retained for analysis, Red Snapper and Vermilion Snapper were the only species with at least 11 or more legal-sized fish caught per sample event (even though at least 15 were targeted). For Red Snapper, the mean total PCB level within the first three years had values exceeding 20 ppb, but after year 3.5, the mean total PCB level decreased to below the EPA screening value and remained low through year 6 and increased to 28 ppb at year 7. Despite increased fishing effort during years 8-12, including spearfishing, no more than four Red Snapper were caught per sample and mean total PCB levels ranged from 7 to 96 ppb (no Red Snapper caught during year 11, one Red Snapper caught during year 12). For Vermilion Snapper, mean total PCB levels were consistently below 20 ppb, and following year 8 sampling effort was redirected to other species, until years 11 and 12 when 15 Vermilion were retained for analysis each year. For the other seven species, mean total PCB levels exceeded 20 ppb for some samples, but the number of fish caught were below the minimum 15 fish required for human health risk assessment.

The downward trends of Red Snapper mean total PCB levels to below screening levels and the consistently low Vermilion Snapper mean PCB levels did not result in fish consumption advisory actions for Red Snapper or Vermilion Snapper. While the remaining analyzed species (porgy, triggerfish, groupers) represented too few specimens sampled with too high PCB variability to initially take any species specific fish consumption ‘advisory’ action, on June 27, 2016, based on the Year 9 results (as a precautionary measure) FDOH issued ‘guideline recommendations’ specific to the Oriskany Reef for Bank Seabass (2 meals per week) and Scamp Grouper (1 meal per week) with women of child bearing age and young children recommended to avoid consumption. The Year 11 and 12 samples are currently pending lab analysis and FWC and Escambia County are coordinating with the EPA and FDOH to determine the terms of future monitoring efforts.

Additionally, 11 underwater visual assessments were conducted on the Oriskany Reef by FWC divers since 2006, confirming that the observed recreationally targeted species found on the Oriskany are well represented among the fish retained for PCB analysis. Visual observations by

FWC divers also documented that the Oriskany Reef subsided into the sediment about 10 feet in 2007 and sustained minor structural change to the exterior covering of the smoke stack in 2009 following the tropical storm events of 2008 and 2009.

*Lionfish Acoustic Tracking Project, UWF (Northwest Florida – Gulf)*

The FWC Artificial Reef program funded the University of West Florida to conduct acoustic tracking of selected reef fish species associated with modular concrete and concrete and steel units deployed at a depth of 100-130 feet of water in federal waters within the Okaloosa Large Area Artificial Reef Site C, 15 nautical miles south of Destin Pass. This project deployed an acoustic array of 25 Vemco VR2 receivers in a grid pattern covering a 6 km<sup>2</sup> that were used to the ecological function of small artificial reef patch reefs deployed by the FWC in 2003. Twenty-five lionfish were tagged and tracked over a three-month period. The collected detection information will be used to produce three-dimensional tracks, estimate home ranges and examine the movement patterns for each tagged fish. Results of this study will add to our knowledge of lionfish movement and reef fish ecology on small-scale artificial reefs off the Florida Panhandle. The final report from this three-year monitoring effort was received on February 15, 2019.

*Taylor County Volunteer Artificial Reef Monitoring Project (Central Florida – Gulf)*

The FWC Artificial Reef Program funded Taylor County to re-establish the County's volunteer artificial reef monitoring program and evaluate the stability and function of the existing artificial reef materials previously deployed in the Buckeye Artificial Reef permitted site. This project developed a standardized fish survey to be used for future monitoring efforts, increase the County and local volunteers' knowledge on existing reef locations and document material locations and conditions. This study monitored eighteen (18) of the 33 patch reefs within the Buckeye Artificial Reef permitted area deployed between the years of 1998 and 2015. This study evaluated the difference between three commonly used artificial reef materials (scrap metal, concrete modules, and secondary-use concrete) over time which will better inform future artificial reef planning. The draft report was received and reviewed during June, and the final report is expected by September 30, 2019.

*Artificial Reef Fish Community Dynamics Research, USF (Central Florida – Gulf)*

The FWC Artificial Reef program funded the University of South Florida to assess fish community dynamics by analyzing fish production, age, and abundance at four pairs of natural and artificial reef complexes off Pinellas County. This study is the first in Florida to use a comparative approach to assess the production differences between natural and artificial reef habitats. In addition, this study estimates the site fidelity of focal species in difference habitats using the chronological information encapsulated by the eye lenses, a cutting-edge advancement in stable isotope analysis that was developed at the USF College of Marine Science (Wallace et al. 2015). Collectively, the efforts of this study further our understanding of how artificial reefs function relative to natural reefs and will be a necessary first step in addressing the critical "production vs attraction" debate. Two years of sampling has been completed for this three-year project and the final report was received on July 31, 2019.

*St. Johns River Artificial Reef Monitoring Project (Northeast Florida – Atlantic)*

The FWC Artificial Reef Program funded the City of Jacksonville to evaluate the performance of and inshore river reef deployment, specifically their impact on fishing in the Jacksonville area.

The City has partnered with Jacksonville University to assess the benthic community and angler utilization of two artificial reefs in the St. Johns River. Half of the data for this three-year project has been collected and the final report is expected October 31, 2020. Overall, the monitoring efforts of this study will develop baseline information for comparing future monitoring efforts and improve future artificial reef planning.

*St. Lucie County Mesophotic Artificial Reefs Monitoring (Central Florida – Atlantic)*

The FWC Artificial Reef Program funded St. Lucie County to evaluate fish assemblages on artificial reefs in 100 to 200-foot depth. The County has partnered with Florida Atlantic University (FAU) to develop a standardized method for fish community assessment and evaluation of fish assemblages (based on species, size, and spawning activity) at this depth. FAU is using a combination of video and vertical line survey data to compare seasonal fish assemblages on six artificial reefs at different depths and composed of different material.

Results collected from this project evaluate whether monitoring data from artificial reefs are a suitable component of fisheries independent monitoring on the Treasure Coast of Florida. There are few coordinated fishery-independent monitoring programs around the St. Lucie county region, as NOAA Fisheries surveys generally cease at Cape Canaveral. Additionally, most of the state-wide monitoring efforts have focused on nearshore artificial structures even though mesophotic reefs are known to provide important Essential Fish Habitat. The data collected from this study provides a better understanding of Snapper-Grouper assemblages in deep water artificial reef habitats. The final report was received on January 31, 2019.

*Economic Impact and Valuation of Southeast Florida Artificial Reefs (SE Florida – Atlantic)*

The FWC Artificial Reef Program funded Martin County to manage an economic impact and valuation study for Southeast Florida, extending from the St. Lucie Inlet in Martin County to Biscayne Bay in Miami-Dade County. Economic valuation studies of natural and artificial reefs in Martin, Palm Beach, Broward and Miami Dade were previously completed in 2001 and 2004, which established use and non-use values of natural and artificial reefs in southeast Florida. These seminal studies provided information on the economic contribution of our reef systems to the economy of southeast Florida that local, state and federal coral reef managers rely on. After 15 years, these numbers are outdated, and managers are less able to use them to justify much needed investments in coral and artificial reef programs and efforts. The current project will be an update to the 2001 study but will not be a replicate of the original studies. This study is being administered by National Oceanographic and Atmospheric Administration and will work closely with county and state partners during the development of the socio-economic model to ensure that the information generated aligns closely with partner needs. By providing a tangible measurement of the economic impacts of coral and artificial reefs in Southeast Florida, the study will assist agency decision makers and lawmakers – local, state and national – when deciding on budget allocations, environmental mitigation and research support priorities. The final report was originally to be expected by December 31, 2019, but due to changes in the principle investigators, a time extension will be granted through December 2020.

*Palm Beach County Volunteer Artificial Reef Monitoring Project (Southeast Florida – Atlantic)*

The FWC Artificial Reef Program funded Palm Beach Reef Research Team (PBRRT) to assess and compare fish and benthic assemblages on artificial reefs of differing material. Palm Beach County has one of the most active artificial reef programs in Florida, so artificial reef monitoring is a key component in the County's Artificial Reef Monitoring Plan. Palm Beach County partners



with the PBRRT, a non-profit, to monitor and evaluate the colonization and fish communities on the County's reefs. This project includes fish surveys and macroinvertebrate video for 22 different reef sites varying in depth, material and age. By conducting systematic surveys of artificial reefs deployed for varying amounts of time managers will be able to better address long-term questions regarding colonization rates, ecological succession of benthic assemblages, and changes in physical characteristics of the habitats. The final report was received on May 31, 2019.

*Aquarius Reef Base Barracuda and Snapper Acoustic Monitoring Project (Southeast Florida – Atlantic)*

The FWC Artificial Reef Program funded Florida International University to evaluate how predatory sportfish on an artificial reef, Aquarius Reef Base, interact and affect the behavior and fish populations on 15 adjacent natural reefs located offshore of Key Largo, Florida. This study will conduct fish census to develop a food web for all sites, use acoustic array to track movement of 34 tagged barracuda and schoolmaster snapper between sites and observe grazing rates of herbivorous fish during presence of predators. Analyzing food web models and predatory aggregation movement between artificial and natural reefs, will provide a better understand of how artificial reefs can influence the behavior of fish species located at adjacent natural reef habitat. Work began in May 2018. All fish census and tagging has been completed. The final report from this year monitoring effort is expected by August 31, 2020.

# **Alabama State Report to the Gulf States Marine Fisheries Commission Fall 2019**

## **Fisheries Section**

The Alabama Marine Resources Division (AMRD) will be completing the final year of fisheries monitoring projects funded by the National Fish and Wildlife Foundation's (NFWF) Gulf Environmental Benefit Fund. Phase Two of the artificial reef and habitat enhancement work was implemented and will include deployment of additional structures to the offshore environment with increased monitoring of the ecological evolution of the reef sites.

AMRD biologists continue to monitor oyster densities on Alabama's public oyster reefs. From July 2, 2019 through September 11, 2019, a total of 370 SCUBA quadrat samples were collected and processed. Samples were collected from reefs that were planted with cultch from 2014 through 2016 and from non-planted reefs for comparison. Very low oyster densities were observed on many of the reefs surveyed. Quadrat data is currently being analyzed and the results of the analysis will be used by managers to determine if Alabama public oyster reefs will be open to harvest in the fall of 2019.

AMRD biologists participated in one observer trip on one commercial blue crab vessel working in Portersville Bay on July 17, 2019. A total of 66 traps fished were sampled and 541 individual blue crabs were sexed and measured. External parasites and abnormalities found on sampled crabs were documented and bycatch was recorded. A total of 20 crabs were randomly selected and retained during the trip. Selected crabs were kept on ice after each trip until they were measured, weighed, and examined to verify sexual maturity, the presence of internal/external parasites, and for other abnormalities. Two commercial crabbers have been contracted for the blue crab observer program in 2019.

AMRD conducted the final of three volunteer-aided Derelict Crab Trap Cleanup events in April 2019. This program was funded by a grant awarded by the NOAA Marine Debris Program and included cleanups during spring of 2017, 2018, and 2019. In 2019, 20 volunteers removed 114 derelict crab traps. A total of 262 crab traps were removed during this program.

AMRD submitted permit applications to the U.S. Army Corps of Engineers and the Alabama Department of Environmental Management to designate approximately 115 square miles of water bottoms as artificial reef zones. Approximately 53 square miles between 6 and 10 miles offshore of Baldwin County, approximately 62 square miles up to 17 miles offshore of Mobile County, and four, 10 acre reef sites in Mobile Bay will be enhanced to provide habitat for various estuarine and marine reef associated finfish.

AMRD continues its at-sea charter vessel sampling program funded by NFWF for the fifth and final year. The program consists of one sampler riding on a volunteer federally permitted for-hire vessel operating out of Mobile or Baldwin Counties to observe fishing activities and to collect sex, lengths, and weights from target reef fish species such as snappers, groupers, triggerfish, porgies, amberjacks, and grunts. From February through August, AMRD samplers

completed 28 out of 30 scheduled trips collecting data from priority reef fish species. A total of 277 fish (primarily red snapper and triggerfish) were tagged and released alive.

AMRD continued mapping historical oyster reef locations in Mobile Bay using side scan sonar to determine locations of live oyster reefs. Several areas of potentially hard substrate have been identified and ground-truthing has been conducted to verify if live oysters exist in these areas or if the area is just a remnant of a past reef. Data will be used to determine if additional water bottoms can be used for oyster restoration activities.

AMRD's Claude Peteet Mariculture Center (CPMC) continued stock enhancement efforts of red drum, Florida pompano, and southern flounder. Over 318,000 1-2-inch red drum fingerlings were released at 9 different sites throughout coastal Alabama. CPMC is in the process of transitioning from rearing red drum to spotted seatrout. Spotted seatrout broodfish will be collected in the fall of 2019. More than 22,000 1-2-inch Florida pompano fingerlings were released at locations along Baldwin County beaches following one spawning period. Two more release events are scheduled for the fall of 2019.

Funding from the Alabama chapter of the Coastal Conservation Association (CCA) to equip a greenhouse for rearing marine fish was received and renovations are currently underway. Fifty southern flounder broodfish were acquired from the Alabama Coastal Fishing Association and Saltwater Finaddicts fishing tournaments and have been introduced to our breeding populations. Southern flounder spawning among fish collected last year is anticipated to begin in December 2019.

AMRD obtained funding for the construction of an Eastern oyster hatchery and remote larval setting facilities. Plans continue to develop for the hatchery construction with oyster production anticipated to begin in 2020.

Spring/Summer 2019 SEAMAP activities were completed for bottom long line, vertical line, and trawl surveys. Alabama and Mississippi worked together to conduct trawl sampling at stations from the Mississippi River to Panama City in an effort to maximize funding which has remained level in recent years. Bottom longline sampling in waters less than ten meters in depth was completed at six stations. Catches were comprised of ten species with blacktip shark being the most abundant. Vertical line sampling was completed at twenty-nine stations; the catches were comprised of five species.

AMRD continued the collection of dockside Access Point Angler Intercept Survey interviews and validation of charter vessel activity. From February through August, AMRD samplers completed a total of 338 APAIS assignments and interviewed 2,733 anglers. Training and fish tests were provided to APAIS staff in August and will be held again in February.

AMRD continued operation of the Biological Sampling Program for the collection of otoliths from recreationally and commercially harvested marine finfish. The program was re-implemented on September 1, 2018 and will continue for 18 months. From February through August, a total of 903 sets of otoliths with 34 additional measurements representing all primary targeted species were collected by AMRD's staff.

In 2019, the Snapper Check Program was certified by NOAA Fisheries as a statistically valid method to estimate Alabama red snapper landings. Alabama is using Snapper Check to monitor red snapper landings of anglers fishing from private and state licensed charter vessels in near real-time to stay within a state quota issued through a NOAA Fisheries' Exempted Fishing Permit (EFP). To date, 12,545 landings reports have been submitted by representatives from charter boats, headboats, and private fishing vessels through the Snapper Check Program. After an adjustment for non-reporting of red snapper trips was estimated and average weight of fish was calculated from dockside surveys approximately 1.59 million pounds of red snapper have been estimated to have been landed in Alabama through August 2019. The landings estimate for private and state-licensed charter boats remains below the quota.

The AMRD is participating in a one-year project with Gulf States Marine Fisheries Commission (GSMFC), other Gulf States, and federal partners to validate commercial conversion factors of processed brown and white shrimp. Samples are currently being collected from Alabama seafood dealers. Project analysis should be completed by December 2019.

The AMRD continues to register anglers through Alabama's Angler Registry Program. Anglers who are not required to purchase a license must register annually with AMRD if they intend to fish in Alabama's waters or transit through Alabama's waters in possession of fish. Exempted individuals such as lifetime license holders and residents over the age of 64 receive the angler registry at no cost. These data are provided to NOAA Fisheries monthly.

Beginning with the 2020 license year (September 1, 2019), the Alabama Department of Conservation and Natural Resources enacted Rule 220-3.87 Gulf Reef Fish Endorsement in the Alabama Administrative Code. The Reef Fish Endorsement will be required for any person possessing, taking or attempting to take any gulf reef fish species listed in Rule 220-3-.46 including all triggerfish, snapper, grouper, tilefish, jacks (includes banded rudderfish but not crevalle jack) wrasses and hogfish. This endorsement is required for all resident and non-resident anglers 16 years of age and older, and includes disabled, veterans appreciation, 65 and older, lifetime license holders, pier licenses, annual saltwater licenses, trip licenses, commercial fishermen, and charter boats. The Gulf Reef Fish Endorsement fee is \$10 per angler for private recreational anglers. Charter boat fees range from \$150-\$250, and commercial vessels are assessed at \$250 per vessel. The funds generated by the sale of the endorsement will be used for the management of reef fish species off the coast of Alabama. Specifically, the endorsement will provide a comprehensive list of individuals and vessels accessing the resource with which targeted surveys can be sent and an additional source of revenue to support research and management efforts within the offshore artificial reef zones.

Effective August 1, 2019, AMRD implemented changes to size and creel limits for spotted seatrout, flounder, and cobia. A slot limit of 15 to 22 inches total length (TL) with one fish allowed over 22 inches (TL) was implemented for spotted seatrout in addition to a reduced daily creel limit from 10 fish to 6 fish. The minimum size limit for recreationally harvested flounder species was increased from 12 inches to 14 inches (TL) and the daily creel limit was reduced from 10 fish to 5 fish. The minimum size limit for commercially harvested flounder species was increased from 12 inches to 14 inches (TL) and a daily creel limit of 40 fish per person or 40 fish

per vessel was established. Flounder will be closed to both commercial and recreational harvest from November 1 – November 30 annually. The recreational size limit for cobia was increased to 36 inches fork length. The minimum size limit for shortfin mako shark was increased to 71 inches fork length for males and 83 inches fork length for females which is consistent with federal regulations. Anglers must use non-stainless steel circle hooks when fishing for sharks and all Gulf reef fish; hooks used for sharks must be non-offset.

AMRD replaced the existing finger piers at two coastal boat ramps in Baldwin County. Renovation activities were completed at Boggy Point Boat Launch in Orange Beach and Bay Watch Boat Launch at Weeks Bay.

AMRD is working with the Alabama Department of Conservation and Natural Resources engineering staff, the Alabama Historical Commission, and Volkert, Inc. to develop construction plans to replace the existing fishing pier located at the site of historic Ft Morgan in Baldwin County. The existing pier, constructed in the late 1960's, was closed several years ago due to public safety concerns relating to the condition of the structure. The new pier will be constructed in the footprint of the existing pier.

The AMRD participated in several outreach events by providing educational opportunities to learn about the marine environment through interactive exhibits. These events included the Discovery Day, Delta Woods and Waters Festival, Gulf State Park Shark Week, Kids Gulf Day, and career fairs.

The Alabama Seafood Marketing Program continued under the direction of the Alabama Seafood Marketing Commission. The Alabama Seafood Marketing Program consists of public relations, television commercials, print ads and articles, radio ads, billboards, speaking appearances, distribution of marketing materials, sponsorships of events and participation at community festivals and chef events to promote the benefits of seafood consumption. The marketing program's website is [www.eatalabamaseafood.com](http://www.eatalabamaseafood.com). The program to date has been very successful.

## **Enforcement Section**

From February 2019 through August 2019, AMRD enforcement officers conducted 1,537 commercial fishermen intercepts, 17,849 recreational fishermen intercepts, 837 seafood dealer and processor inspections, 10,142 hours of patrol (combined vessel patrol and shore patrol), and 5,489 vessel boardings.

Between February 1<sup>st</sup> and August 31<sup>st</sup>, the Enforcement Section participated in many outreach events including multiple boat shows and National Night Out programs, as well as, visiting area schools and fishing tournaments to provide education opportunities.

In August 2018, the Enforcement Section received a Port Security Grant totaling more than \$313,000. This grant will be used to update and expand the capabilities of the current Coastal Remote Monitoring system, a network of video cameras throughout Coastal Alabama. AMRD Enforcement is continuing the construction updates provided by the grant. The construction and

additions to the current system will provide a much higher quality video with a greatly enhanced storage life, along with the addition of three new camera locations.

The Enforcement Section, in conjunction with the Fisheries Section, was awarded a grant that will be used for both monitoring and protecting Marine Mammals and Marine Turtles. This grant will provide specialized monitoring equipment to monitor turtle nesting areas and established nesting sites. Along with turtle nesting and protection, the grant provides funding to educate the public about marine mammal interactions with people and to help enforce current laws related to this interaction. The award will provide remote solar/battery-powered cameras that are fed into the existing monitoring system. These cameras will help to track turtle movement and to monitor known nesting sites.

**Mississippi Department of Marine Resources (MDMR)**

**Gulf States Marine Fisheries Commission (GSMFC)**

**70th Annual Fall Meeting – Biloxi, MS**

**October 14 – 17, 2019**

## **Emerging Issues Pertinent to Gulf of Mexico Fisheries**

### **1. Bonnet Carré Spillway Opening**

- a. The Bonnet Carré Spillway, located in Norco, Louisiana, is used to divert flood waters of the Mississippi River through Lake Pontchartrain and Lake Borgne into the Mississippi Sound. The US Army Corps of Engineers' (USACE) operates the spillway when river flows at New Orleans are at 1.25 million cubic feet per second. After historical rains in the Mississippi and Ohio River valleys increased river stages, the USACE opened the spillway on Feb. 27, 2019 through April 11, 2019. However, after the initial closure, the river stages remained high and the spillway was reopened again May 10 through July 27, 2019. The spillway was opened for an unprecedented 123 total days in 2019.
- b. Oyster reefs in the western Mississippi Sound experienced significant increases in mortality after the openings of the Bonnet Carré Spillway. Each major oyster reef in the western Mississippi Sound was routinely sampled and documented until the closure (Figure 1). A total of 174 one-minute dredge tow samples were collected and data analyzed to measure and track oyster mortality and condition. During duration of the spillway opening, fisheries scientists observed a gradual increase in oyster mortalities, which peaked during the second opening in May. End results for this monitoring period determined mortality for all size classes of oysters on the major oyster reefs in the western Mississippi Sound to be 96.9%, and 63.8% mortality of oysters in the eastern Mississippi Sound. Shellfish Bureau staff also collected 120 fecal coliform water samples in response to the spillway opening. These samples were collected as part of the monitoring protocols for this disaster event but are typically used to manage the opening and closing of oyster reefs. The Off-Bottom Oyster Aquaculture program suffered significant losses as well. MDMR staff received notice from program participants of oyster mortality on May 29, 2019. MDMR staff analyzed a sample bag from the Deer Island Aquaculture Park and documented a 55% loss. A total of 1,794 oysters were sampled with 73% overall mortality.
- c. In response to the 2019 openings of the Bonnet Carré Spillway, Shrimp and Crab Bureau staff completed 184 trawls trawl samples in the western Mississippi Sound. These data are important to monitoring potential short-term trends in abundance during and immediately following the spillway opening. Hydrological data to include salinity, temperature, turbidity, and dissolved oxygen was also collected at the surface and bottom at each station during each sampling event.

- d. Preliminary data indicate losses in the overall 2019 shrimp landings due to the influx of freshwater into the Mississippi Sound. Impacts to the statewide shrimp fishery were assessed by MDMR and preliminary landings from January 1 through June 30, 2019 were approximately 1.9 million pounds. Total shrimp landings for this 6-month period were 48% below the previous 5-year average for the same period (approx. 3.7 million lbs.). Monthly landings compared to the previous 5-year average are shown in Figure 2. Brown Shrimp values and landings experienced higher losses than the overall statewide shrimp fishery. Statewide Brown Shrimp landings from January 1 through June 30, 2019 were 492,002 pounds, which is 88.58% below the previous 5-year average of 2,544,291 pounds for the same period.
- e. Preliminary Blue Crab landings from January 1 through June 30, 2019 were approximately 395,000 lbs. Blue crab landings for this 6-month period were 2% below the previous 5-year average for the same period (402,000 lbs.). Monthly landings compared to the previous 5-year average are shown in Figure 3. Hancock County, MS values and landings experienced higher losses than the statewide fishery. Hancock County Blue Crab landings January 1 through June 30, 2019 were 135,613 pounds, which is 44.81% below the previous 5-year average of 245,709 pounds for the same period. Landings and values for the Blue Crab and shrimp fisheries will continue to be assessed by staff to determine the effects of the 2019 Bonnet Carré Spillway openings.

## 2. Cyanobacteria Harmful Algal Bloom (HAB) Event

- a. A harmful algal bloom (HAB) of *Microcystis spp.* has bloomed and persisted along the MS Gulf Coast from June 2019 to present day due to the influx of freshwater from the Bonnet Carré Spillway openings (Figure 4). This influx of freshwater carried high levels of nutrients, such as nitrogen and phosphorus, into the Mississippi Sound. *Microcystis spp.* is a freshwater cyanobacteria with a long history of overwhelming freshwater systems causing HABs when nutrients such as nitrogen and phosphorus are abundant in the environment (Figure 5). *Microcystis spp.* is a very resilient algae that can survive in a wide variety of environmental conditions and has impressive adaptability to environmental change. The historical presence of *Microcystis spp.* within the MS Sound is unknown as there are no known, documented cases of its presence until 2019. This cyanobacterium can also have adverse health effects on human and animal health, along with fishery and environmental issues. Through partnerships with NOAA Phytoplankton Monitoring Network, Dauphin Island Sea Lab, and GreenWater Laboratories, MDMR monitored the toxicity levels and environmental effects the bloom. MDMR and Mississippi Department of Environmental Quality (MDEQ) staff collected over one thousand water samples for species identification. MDMR staff also collected water and seafood tissue samples from Mississippi waters to be analyzed for cyanotoxins and will continue to do so for the foreseeable future.



## **Activities Related to Artificial Reef Programs**

### **1. Artificial Reef Bureau**

- a. The Artificial Reef Bureau (ARB) continued monthly monitoring of fish assemblages and physiochemical parameters at selected inshore reef sites. Personnel inspected 59 and replaced 12 inshore reef marker signs to assist boaters in locating the low-profile reefs. Juvenile reef fish sampling was performed in May and June 2019. A total of 20 juvenile reef fish were captured, tagged, and released. ARB staff collaborated with the Mississippi Gulf Fishing Banks to monitor artificial reefs via roving SCUBA diver surveys. Divers were unable to conduct surveys the first part of the year due to visibility and HAB issues stemming from the opening of the Bonnet Carré Spillway. In conjunction with the Gulf States Marine Fisheries Commission, the second annual Jimmy Sanders' Memorial Lionfish Challenge began January 1, 2019 and will run through December 1, 2019. Six Participants harvested a total 27 lionfish from MS territorial waters and adjacent federal waters during the 2019 challenge. Biological data as well as harvest location was collected for each fish.
- b. In addition to monitoring artificial reefs, the ARB worked on securing more structure to be deployed off the coast of Mississippi. The ARB secured approximately 1,089 pieces of clean concrete material. This material is stockpiled at the Gulfport staging site for future offshore deployments.
- c. ARB staff worked on renewing permits for all nearshore artificial reefs, keys, and the Cat Island artificial reef zone, and applied for two new artificial reef zone permits. The two new zones will be known as Mississippi Reef Zone 1 and Mississippi Reef Zone 2 (MRZ 1 and MRZ 2).

## **Activities Associated with the Gulf of Mexico Crab Fisheries**

### **1. Shrimp and Crab Bureau**

- a. A public derelict crab trap clean-up was completed in Mississippi from February 14-16, 2019. MDMR staff, with the assistance of public volunteers, removed 264 derelict traps from the environment. MDMR staff also continued to retrieve submerged derelict traps using side scan sonar technology. Utilizing NOAA Disaster Recovery funds from the 2011 opening of the Bonnet Carré spillway, the MDMR has been able to provide 65,722 crab trap escape rings and 7,016 terrapin excluder devices to resident crab fishermen at no cost.

## **Activities Related to Fisheries Dependent Data Collection**

### **1. Finfish Bureau**

- a. The Finfish Bureau (FB) continued to oversee the Marine Recreational Information Program (MRIP) in Mississippi. A total of 229 assignments and 1,260 surveys were completed January through June 2019 in Jackson, Harrison, and Hancock Counties. Survey site validations were conducted at all active sites to update the site registry for 2019 as state-wide site effort estimates continue to be refined and edited to better reflect our most recent and updated charter for-hire license database. This will allow FB staff to develop a more comprehensive and accurate active vessel frame to estimate for-hire effort more precisely.
- b. FB collected commercial landings data from fishermen and dealers utilizing the Mississippi Trip Ticket program to monitor the quota on Red Drum, Southern Flounder, and Spotted Seatrout. From January through June 2019, there were 1,160 paper trip tickets scanned and 1,579 tickets that were submitted electronically. All 2019 commercial landings data to date have been verified and sent to GSMFC. Mississippi currently has 367 active commercial fishermen and 64 dealers participating in the trip ticket program. The current number of commercial fishermen selling their own catch using a Fresh Product Permit and participating in the trip ticket program is 72.
- c. The FB collected and processed 701 otoliths as part of the MDMR biological sampling program from 13 species: Spotted Seatrout, Sand Seatrout, Red Drum, Red Snapper, Sheepshead, Black Drum, Southern Kingfish, Vermilion Snapper, Striped Mullet, Southern Flounder, Gray Snapper, and Spot.
- d. Mississippi's recreational Red Snapper season opened on May 24, 2019 under a NOAA Exempted Fishing Permit issued to each Gulf State in order to manage their own Red Snapper seasons for private recreational anglers and state charter for-hire vessels. Completed information about the 2019 Mississippi Red Snapper season will be available in the Spring 2020 Gulf States activity report.

## **Activities Related to Fisheries Independent Sampling**

### **1. Shellfish Bureau**

- a. From January through June 2019, Shellfish Bureau staff collected 808 routine fecal coliform water samples. These samples are used to manage the openings and closings of oyster reefs. The samples are collected by boat, in sterile bottles, one-half meter below the surface on the windward side. The samples are placed on ice and transported to an FDA certified microbiology laboratory.

### **2. Finfish Bureau**

- a. Long-term fishery independent sampling continued in conjunction with the NOAA Project "Monitoring and Assessment of Mississippi's Interjurisdictional

Marine Resources”. With cooperation from the Gulf Coast Research Laboratory (GCRL), a total of 426 otoliths were collected January through June 2019. Samples were collected from seven different species: Spotted Seatrout, Red Drum, Striped Mullet, Sheepshead, Southern Flounder, Black Drum, and Atlantic Croaker.

- b. The FB started the Red Drum Telemetry Project in 2017 and continues to tag and monitor movements of Red Drum in Mississippi coastal waters. Staff successfully tagged 50 Red Drum from the start of the project through 2018. In addition, FB staff tagged an additional 20 Red Drum between January and June 2019, raising the total number to 70 tagged fish.
- c. The Fishery Independent Fyke Net sampling program, used to target Southern Flounder, resumed in May 2019. Through May and June, 24 traps were set and retrieved from three stations (Deer Island, Belle Fontaine Beach, and Davis Bayou).
- d. The FB, in conjunction with GCRL, is currently in year four of sampling for the NFWF Reef Fish project. From April through June, 84 sites were sampled.

### **3. Shrimp and Crab Bureau**

- a. The Shrimp and Crab Bureau (SCB) continued to conduct monthly fishery independent trawl sampling under the “Monitoring and Assessment of Mississippi’s Interjurisdictional Marine Resources”. This sampling program includes eight fixed stations located along a transect from western Horn Island to Bernard Bayou. A total of 48 trawls were completed from January 2019 to June 2019.
- b. The SCB continued its fishery independent trawl sampling program to assess growth and abundance of Brown Shrimp from April 2019 to June 2019. This sampling program includes 10 fixed stations located throughout the Mississippi Sound within Mississippi territorial waters. A total of 170 trawl samples were completed during this time period.
- c. The SCB continued fishery independent sampling of Blue Crabs within the three major bay systems – St. Louis Bay, Biloxi Bay, and the Pascagoula. Each bay system was sampled monthly from January 2019 to June 2019 for a total of 18 sample sets. This program, which began in 2015, provides data on CPUE, sex ratio, and abundance.

## **Other State Activities**

### **1. Finfish Bureau**

- a. A total of two recreational fishing records were approved by the CMR as state records between January and June 2019.

## 2. Seafood Technology Bureau

- a. The Seafood Technology Bureau (STB) conducted 205 inspections including pre-operational, follow-up, certification, standardization, and routine inspections. The required bi-annual water quality sampling for seafood processing facilities for March was completed with a total of 50 samples taken.
- b. In February, the STB assisted a crab processor with validation of their cooked crab process. These validation studies are vital to ensure the cooking process is meeting the temperature requirements to eliminate the hazard of pathogens. Currently the STB is finalizing an industry equipment survey assessing the total equipment inspected for safety that began in June.
- c. The STB in collaboration with the FDA conducted three workshops - two Basic Seafood Hazard Analysis Critical Control Point (HACCP) and one Sanitation Control Procedures (SCP) workshop.
- d. The STB conducted two *Vibrio vulnificus* (Vv) workshops. The workshop was originally designed as in-house education for field staff. The course has since been requested by several oyster processing facilities for staff training.

## 3. Shellfish Bureau

- a. Mississippi has one active off-bottom oyster aquaculture site: the “Deer Island Oyster Aquaculture Park”. This site is located on the south side of Deer Island. In 2018 the MDMR began training residents in the new “Off-Bottom Oyster Aquaculture Program.” The program provides potential and current oyster farmers in Mississippi a foundation of knowledge to start and/or improve their oyster farming operation. In 2018, MDMR subleased 27 acres to 14 individuals to harvest from Deer Island Oyster Aquaculture Park. Each participant received approximately 10,000-12,000 oyster seed to gain hands-on experience with oyster culture and the opportunity to use one “run” of oyster farming gear within the Deer Island Oyster Aquaculture Park. During this time, the participants had approximately 150,000 oysters growing in the Deer Island Oyster Aquaculture Park. The first harvest took place on April 9, 2019 and there have been 101 boxes, or 13,000 individual oysters harvested.

# Figures

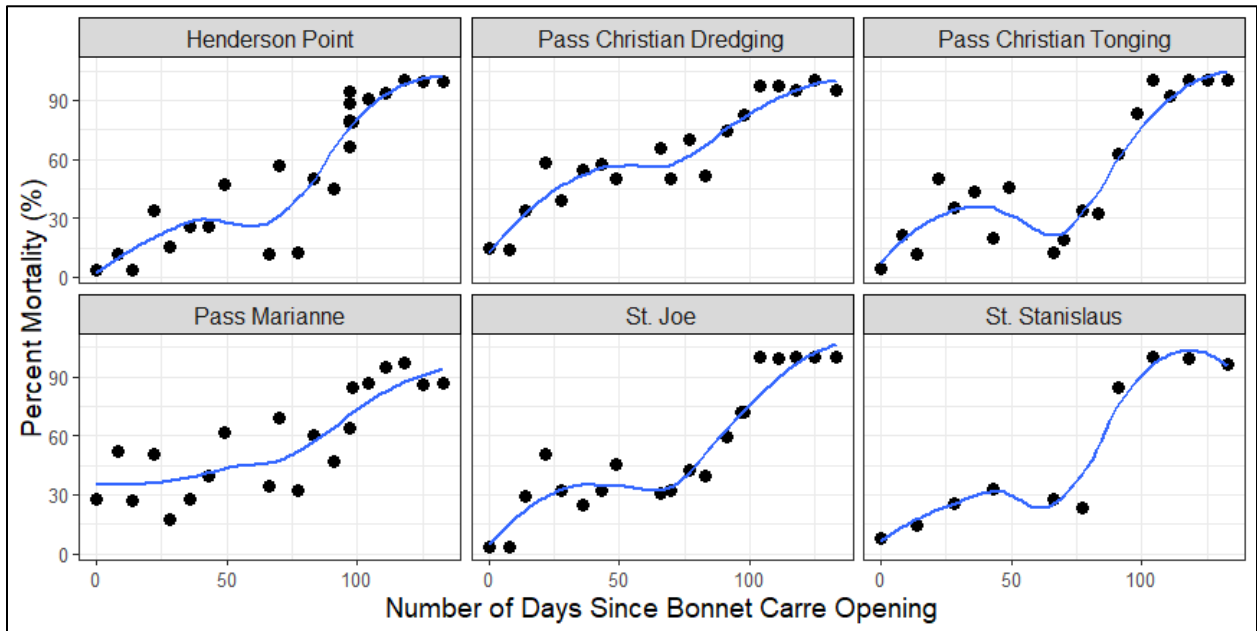


Figure 1: Timeline of oyster mortality during the Bonnet Carré Spillway opening by reef.

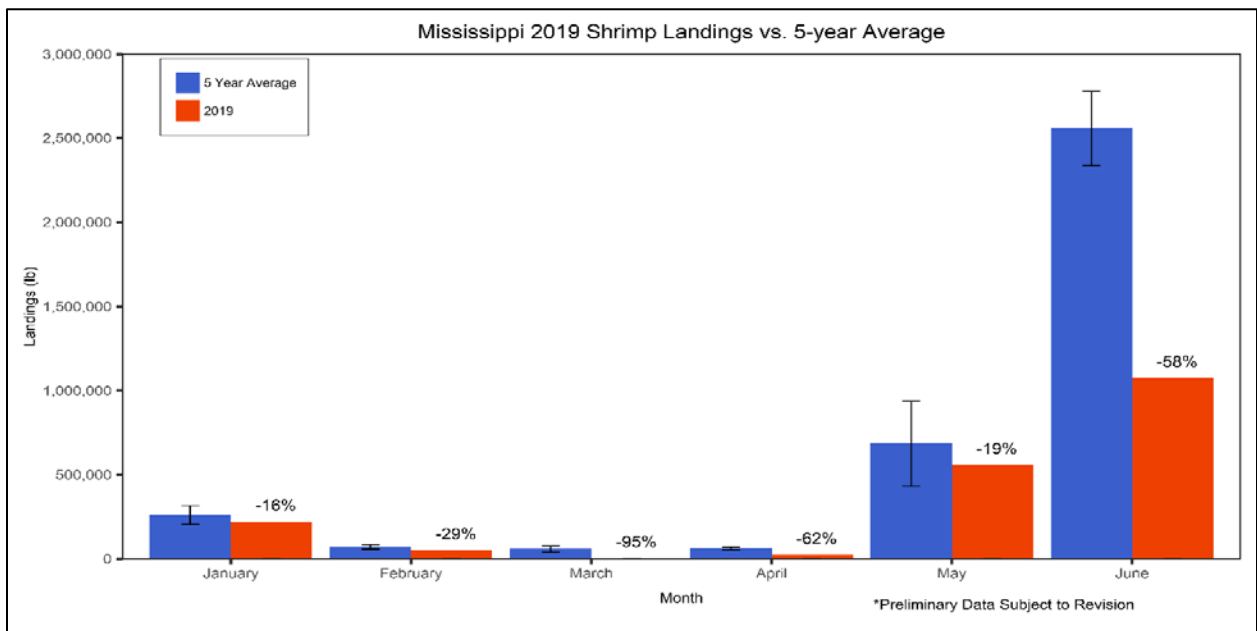


Figure 2: January 2019 to June 2019 Mississippi commercial shrimp landings.

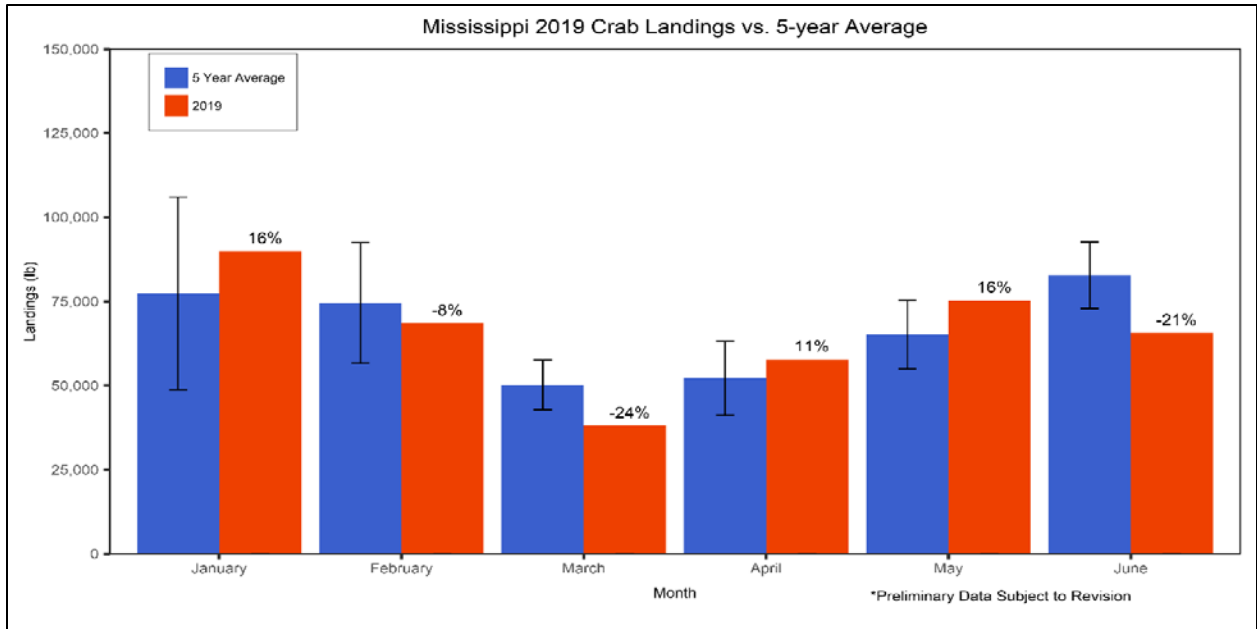


Figure 3: January 2019 to June 2019 Mississippi commercial Blue Crab landings.

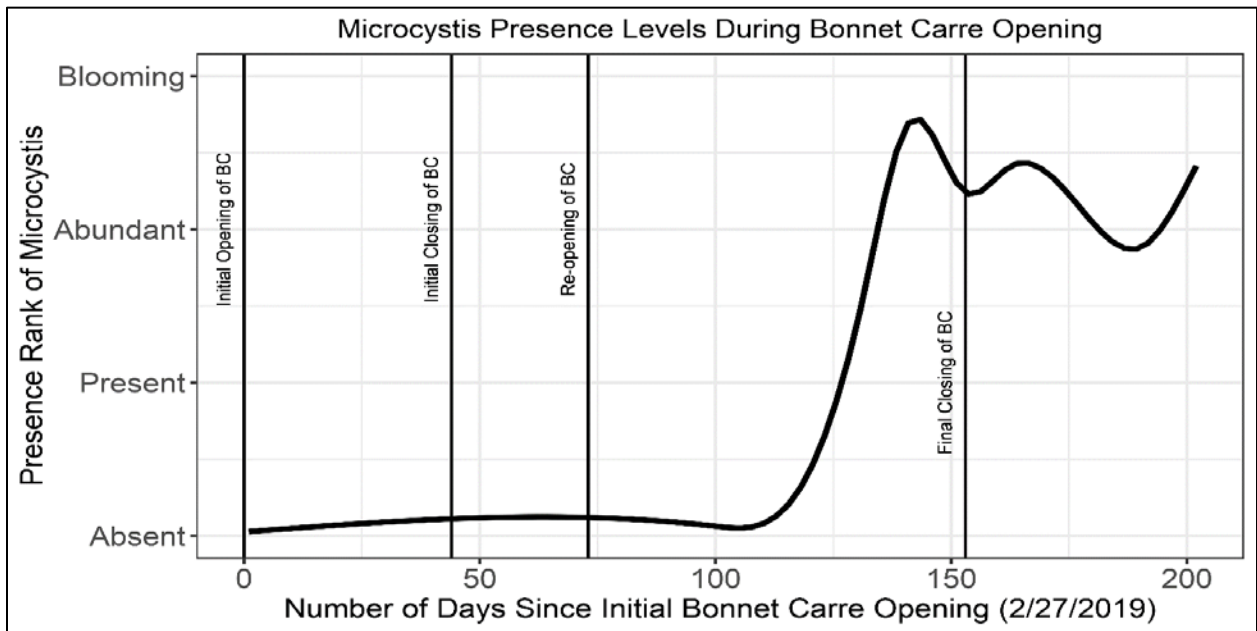


Figure 4: *Microcystis spp.* presence levels during the Bonnet Carré Spillway opening.

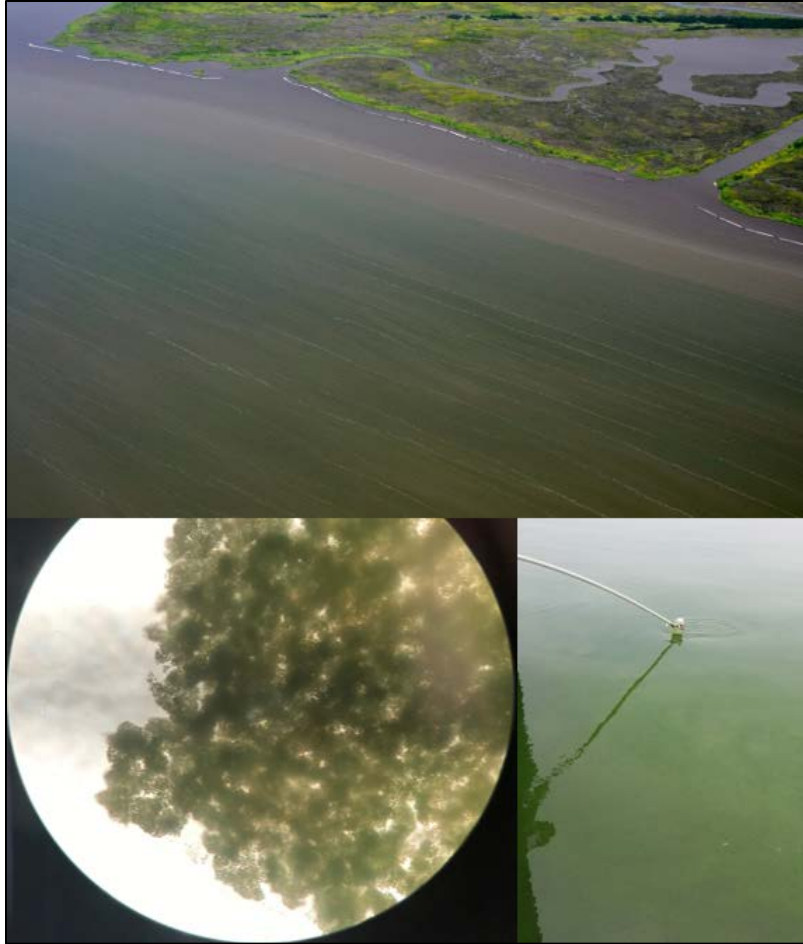


Figure 5: Harmful Algal Bloom event in the Mississippi Sound from June 2019.

# Gulf States Marine Fisheries Commission

## Technical Coordinating Committee

### 2019 Louisiana State Report

Emerging Issues Pertinent to Gulf of Mexico Fisheries .....	2
Activities Related to Artificial Reef Programs .....	2
Activities Associated with the Gulf of Mexico Crab Fisheries.....	3
Policy and Regulations .....	3
Derelict Crab Trap Program .....	3
Sustainability.....	3
Stock Assessments .....	4
Landings .....	4
Activities Related to Fisheries Dependent Data Collection .....	4
LA Creel .....	4
Age and Growth .....	5
Commercial Shrimp, Oyster, and Crab Seasons and Landings.....	6
Activities Related to Fisheries Independent Sampling .....	7
Stock Assessments.....	7
Fisheries Research Lab.....	8
Shrimp Sampling .....	10
Crab Sampling .....	11
Oyster Sampling.....	11
Finfish Sampling .....	12
Other State Activities .....	12
Finfish Seasons and Regulations .....	12
Marine Mammal and Sea Turtle Monitoring.....	13
Marine Mammals.....	13
Sea Turtles.....	14
Michael C. Voisin Oyster Hatchery.....	15
Spat on Shell Projects.....	15
Boating and Non-Boating Access Projects .....	16
Seafood Industry Professionalism.....	16
Aquatic Plant Control.....	17



## Emerging Issues Pertinent to Gulf of Mexico Fisheries

### *Bonnet Carré Spillway/ Flooding Event*

Based on days at or above flood stage at Baton Rouge, the 2018-19 Mississippi River flood is the longest lasting flood on record since 1900 (when records became available). The Bonnet Carré Spillway opened for an unprecedented two times in 2019, for a total of 123 days. LDWF has been monitoring species abundance and commercial and recreational landings and comparing results to previous years to determine potential flood impacts.

### *Oyster Lease Moratorium*

The Louisiana Wildlife and Fisheries Commission (LWFC) has approved a notice of intent for lifting the oyster lease moratorium. This preliminary approval requires a 90-day public comment period. Following the comment period and upon ratification of the new regulations, LDWF will begin lifting the moratorium in phases.

## Activities Related to Artificial Reef Programs

### *Offshore*

LDWF's Artificial Reef Program continues to assess and permit reef deployments related to offshore oil and gas structures. The program has accepted four new structures. There are 28 structures permitted for deployment as permanent artificial reefs, and one new reef site has been recently proposed. Permitting of an additional 14 structures is currently underway.

Multi-beam surveying of the program's offshore reefs is ongoing (annually) and is available on the program's website. The program has completed two pilot projects using remotely-operated vehicle (ROV) surveys to sample offshore reefs and is developing plans to create a comprehensive biological monitoring program for these reefs.

In addition, through the Artificial Reef Monitoring Grant, LDWF conducts the following monitoring of LDWF offshore artificial reefs:

- GoPro videos from 2018 vertical line surveys were collected, processed, and read during the reporting period; data management is underway and final results are expected in 2019.
- The 2019 Southeast Area Monitoring and Assessment Program (SEAMAP) vertical line surveys is currently ongoing, with 17 artificial reefs sampled following the SEAMAP vertical line protocol to enhance survey coverage of these reefs.
- LDWF conducted dive surveys at artificial reefs for the first time this year in the Vermilion and South Timbalier block areas (LDWF has previously only conducted dive surveys at standing platforms). Biologists surveyed finfish species at the artificial reef site and the nearest standing platform. Diver observations and video counts were completed during the reporting period.

### *Nearshore*

LDWF's Artificial Reef Program holds two permits to enhance existing nearshore reefs; the Pickets and Grand Isle 9 nearshore reefs have been approved for Recreational Use Restoration funding. The program holds six permits to create new nearshore reefs; the Ship Shoal 94 and 108, South Marsh Island 233 West and East, and Vermilion 119 and 124 are being funded by the Artificial Reef Fund. Deployments of Ship Shoal 94 and 108 are currently ongoing, and deployments of Vermilion 119 and 124 will begin shortly. The South Marsh Island 233 West and East reefs were completed in early July 2019.

### *Inshore*

LDWF's Artificial Reef Program enhanced the inshore East Calcasieu reef site with 4,000 tons of crushed concrete and 2,000 tons of limestone using NRDA Recreational Use funds. The program continues to hold eight additional permits to enhance existing inshore artificial reefs at Cypremort Point II, Rabbit Island, Point Mast, Independence Island, California Point, Lake Front, and West End using NRDA Recreational Use funds. The California Point reef will be enhanced through a cooperative endeavor agreement with the Coastal Conservation Association, while enhancement of the remaining reefs will be contracted through a bid process. The program also holds permits to create four new inshore reef sites in the Lake Borgne and Mississippi Sound vicinity through a cooperative endeavor agreement with the Lake Pontchartrain Basin Foundation.

## Activities Associated with the Gulf of Mexico Crab Fisheries

### Policy and Regulations

Two bills related to Louisiana's blue crab fishery were enacted during the 2019 Regular Legislative Session. Act 74 (HB 355) made the current prohibition on the commercial take of immature female blue crab a permanent law, and increased penalties for two common violations (theft of crab traps or crab and the take of immature or berried female crab). Act 48 (SB 65) established crab trap escape ring size and location.

### Derelict Crab Trap Program

Derelict crab trap removal took place during February and March of 2019 within the five authorized derelict crab trap cleanup areas, including two cleanup areas in the Pontchartrain Basin and one each in the Barataria, Terrebonne, and Sabine basins. A volunteer crab trap rodeo event took place during the Barataria and Terrebonne cleanups. A total of 4,041 traps were removed in 2019; since 2004, LDWF and volunteers have removed more than 41,000 derelict or abandoned crab traps.

### Sustainability

In December 2018, the Louisiana blue crab commercial trap fishery underwent the second surveillance audit against the Audubon Nature Institute's Gulf United for Lasting Fisheries Responsible Fisheries Management Standard v1.2. The final assessment report was completed

in March 2019 and recommended that the Louisiana blue crab commercial trap fishery be granted continued certification.

## Stock Assessments

An updated stock assessment of blue crab in Louisiana waters was completed in April 2019 and presented to the LWFC in June of 2019. The stock assessment uses a catch-survey analysis to estimate annual time-series of exploitable biomass and fishing mortality rates. Time-series of fishery landings and indices of abundance representing juvenile and adult life-stages are the primary model inputs. Results from this assessment indicated that the blue crab stock is not overfished or experiencing overfishing. The blue crab exploitable biomass was above the precautionary target benchmark in 2016 and 2018, while fishing mortality was below the precautionary benchmark target for three consecutive years (2015-2017).

## Landings

All 2019 blue crab landings and dockside values are preliminary and subject to change due to incomplete trip ticket data. Preliminary blue crab landings from January 2019-June 2019 totaled 14.7 million pounds with a dockside value of \$25.1 million. Landings during this time period decreased by more than 3 million pounds compared to 2018 and more than 2 million pounds when compared to the five-year average. Dockside value also declined by approximately 20 percent compared to 2018 but was only \$1.1 million lower than the five-year average. The 2019 average blue crab price per pound during this period totaled \$1.71, which was \$0.08 lower than 2018 but \$0.13 higher compared to the five-year average. Significant statewide reductions in blue crab landings have been noted due to the 2019 flood event. Blue crab landings during March-May of 2019 indicate a difference of approximately 2.9 million pounds compared to the five-year average.

## Activities Related to Fisheries Dependent Data Collection

### LA Creel

Through the LA Creel program, 6,564 recreational fishing trips, comprised of 18,922 individual anglers, were surveyed during 2019 Sample Weeks 10-36 (March 4, 2019-September 8, 2019). Forty-eight different interviewers completed 802 assignments during the sample period.

Fish kept by anglers and allowed to be viewed by interviewers are referred to as observation Type 1 fish. Fish in possession of the angler at the time of survey but not seen by the interviewer are classified as observation Type 2 fish. For the sample period, there were 53,086 Type 1s and 13,313 Type 2s, which means that 80 percent of all fish in possession of the angler at the time of survey were identified and counted by staff.

LDWF is continuing to develop the new SAS assignment draw program to make the survey process more efficient. The new program has been in use since the February 2019 assignment draw.

The iPad application used for data entry for dockside surveys was to undergo a rebuild in the spring of 2019, but this has been pushed back to the fall of 2019. The rebuild entails moving the application to another platform so that future maintenance and changes to the application can be accomplished in-house by state IT staff.

### Age and Growth

Since the new BIOFIN agreement covers recreational species only, LDWF's Age and Growth Lab in Baton Rouge relies on the National Oceanic and Atmospheric Administration's (NOAA) TIP sampling for commercial otoliths. The lab has processed recreational and independent otoliths during 2019. From March 1, 2019 through August 30, 2019, the lab has received 5,946 marine fisheries otoliths and aged 5,024 of these otoliths. The lab has also received and aged 1,225 largemouth bass otoliths. All otolith collection and ageing data has been transferred to GSMFC through the month of June. Staff are currently working on July 2019 otolith processing. The lab is also finalizing reference set group reading for the upcoming Otolith Processors Meeting in September 2019.

LDWF's Fisheries Research Lab in Grand Isle processes blackfin tuna, tripletail, wahoo, and yellowfin tuna otoliths, which are not included in the age and growth lab's total for this time period.

Totals are as follows:

- Black crappie-0
- Black drum-871
- Channel catfish-0
- Cobia-24
- Gray snapper-42
- Greater amberjack-0
- Gray triggerfish-0
- King mackerel-11
- Largemouth Bass-1,225
- Red drum-1,267
- Red snapper-883
- Sheepshead-569
- Southern flounder-199
- Spotted seatrout-2,011
- Striped mullet-50
- Tripletail-3
- Vermilion snapper-25

- Wahoo- 0
- White crappie-0
- Blackfin tuna-17
- Yellowfin tuna-47.

## Commercial Shrimp, Oyster, and Crab Seasons and Landings

### Shrimp

The 2019 spring inshore shrimp season closed statewide on June 28, 2019 at 6:00 pm except for the Louisiana portion of the Mississippi Sound and the open waters of Breton and Chandeleur Sounds. All state offshore waters remained open.

All 2019 shrimp landings (heads on unless specified otherwise) and dockside values are preliminary and subject to change after a thorough review of trip ticket data. Preliminary statewide shrimp landings from January 2019-June 2019 (all species combined) totaled approximately 31 million pounds with a dockside value of \$40.6 million. Shrimp landings during this period indicated a decrease of 34 percent when compared to landings in 2018 and a loss of nearly 23 percent compared to the five-year average. The 2019 dockside value was lower than dockside value in 2018 and the five-year average by approximately \$5.4 million and \$15.1 million, respectively.

Brown shrimp landings from January 2019-June 2019 were 16.2 million pounds with a dockside value of \$13.5 million. Total brown shrimp landings during this period were 54 percent lower than 2018 and 30 percent below the five-year average. Dockside value in 2019 was approximately \$11.1 million less than 2018 and \$11.6 million less than the five-year average. Brown shrimp landings were expected to be lower than normal due to the 2019 flood events.

White shrimp landings from January 2019-June 2019 totaled approximately 14.4 million pounds with a dockside value of \$26.9 million. White shrimp landings increased by 22 percent when compared to 2018 (11.3 million) but declined by 12 percent compared to the five-year average (16.3 million). The dockside value of white shrimp during this period was \$5.9 million higher than in 2018 but \$3.3 million below the five-year average. White shrimp price per pound in 2019 averaged \$1.87, similar to the 2018 and five-year average price per pound.

### Blue Crab

Described in the Activities Associated with the Gulf of Mexico Crab Fisheries section above.

### Oyster

The 2018-19 oyster season opened October 29, 2018 and closed April 30, 2019. The table below summarizes the 2018-19 oyster season for Louisiana's major public oyster areas. This year, the goal was to delay the season to maximize potential oyster reproduction, avoid concentration of

the fleet through uniform opening/closure dates, and close areas as recommended by the shell budget model thresholds—all of which should help minimize reef degradation.

Area	Season Opening	Season Closure	Season/type	CSA
N of MRGO	29-Oct	29-Oct	1-day Seed harvest	1
	29-Oct	30-Apr	Market Oyster Harvest	
			*LDH Area 3, Drum Bay and 3-mile cultch plant CLOSED as of Jan 20, 2019	
	14-Mar	16-Mar	Bonnet Carre special opening for bedding purposes only	
19-Mar	21-Mar	Bonnet Carre SECOND special opening for bedding purposes only		
All Public Seed Grounds East of Mississippi river and South of MRGO CLOSED				
Hackberry Little Lake	29-Oct	29-Oct	1-day Seed harvest	3
	29-Oct	3-Nov	Market Oyster Harvest	
Barataria Bay, Deep Lake, Lake Chien, Lake Felicity and Lake Tambour CLOSED				
Lake Mechant	29-Oct	29-Oct	1-day Seed harvest	5
	29-Oct	30-Apr	Market Oyster Harvest	
Bay Junop	29-Oct	29-Oct	1-day Seed harvest	
	29-Oct	30-Apr	Market Oyster Harvest	
Sister Lake CLOSED-				
Vermilion Bay	29-Oct	29-Oct	1-day Seed harvest	6
	29-Oct	30-Apr	Market Oyster Harvest	
	14-Mar	16-Mar	Bonnet Carre special opening for bedding purposes only	
Calcasieu Lake	29-Oct	30-Apr	East Cove : Market Oyster Harvest ** closed between Dec 31, 2018 and Jan 20, 2019	7
	29-Oct	30-Apr	West Cove : Market Oyster Harvest	

## Activities Related to Fisheries Independent Sampling

### Stock Assessments

LDWF completed an update stock assessment of blue crab in April 2019. Details regarding this assessment are described in the Activities Associated with the Gulf of Mexico Crab Fisheries section above.

LDWF completed a stock assessment of spotted seatrout in August 2019 and presented it to the LWFC at the September 2019 meeting. This assessment uses a statistical catch-at-age model to estimate annual time-series of spawning stock biomass and fishing mortality rates. Time-series of fishery catches-at-age along with relative abundance indices developed from the LDWF fisheries independent marine gillnet survey are the primary model inputs. Based on results of this assessment update, the stock is currently overfished and has been experiencing

overfishing. Management options to improve the status of the stock will be presented to the LWFC at a future meeting.

LDWF continues work on stock assessments of black drum, sheepshead, southern flounder, and striped mullet; these assessments are to be completed in the fall of 2019 and presented to the LFWC for transmittal to the Louisiana Legislature in February 2020. These assessments use statistical catch-at-age models to estimate annual time-series of spawning stock biomass and fishing mortality rates. Time-series of fishery catches-at-age along with relative abundance indices developed from LDWF fisheries independent surveys are the primary model inputs.

### Fisheries Research Lab

LDWF's Fisheries Research Lab in Grand Isle is the base for the state's offshore fisheries independent monitoring (SEAMAP) and research projects aimed at informing decisions concerning state-managed fisheries species. The lab also serves as a point of contact for the public, visiting researchers, and educational programs. Current activities at the lab are summarized below:

#### Southeast Area Monitoring and Assessment Program (SEAMAP)

LDWF participates in the shrimp/groundfish, ichthyoplankton, vertical line, and bottom longline SEAMAP surveys. Teams of three to nine fisheries biologists collect, process, and enter data for these surveys. They also collect environmental parameters including a water column profile and water samples from bottom, middle, and surface depths for chlorophyll measurements. These surveys are conducted from April through October with data management and reporting conducted during the winter. During the reporting period, final reports and data packets were submitted to the GSMFC for all four surveys. An LDWF representative participated in the fall GSMFC meeting. SEAMAP final grant reports were submitted to NOAA.

#### Spotted Sea Trout Life History Study

In 2018, biologists from LDWF's coastal study areas (CSAs) obtained ovaries and otoliths from dockside sampling (n=1,216). During the reporting period, these samples were aged and histologically staged, and batch fecundity (n=18) was taken where applicable. Spawning fraction and frequency was smaller and more variable than expected, which may be due to lack of larger individuals collected. Spawning frequency was calculated from the 147 day spawning duration multiplied by the spawning fraction equations. Batch fecundity was then multiplied by spawning frequency to achieve annual fecundity. Annual fecundity within length was  $1.080(\text{TotalLength})^{2.723}$  while annual fecundity at age was  $53096443(1-e^{(-0.451*\text{Age})})^{4.241}$ . Further analysis is currently underway. Future collections may be useful in monitoring increases or decreases in egg production, which may be an indicator of stock health.

### Offshore Red Drum Age Structure

The lack of a consistent biological sampling source for offshore red drum has hindered stock assessment, but the LDWF portion of the SEAMAP bottom longline survey could provide a fisheries independent source of otolith and gonad samples. Otoliths would provide abundance of age or year classes within the population while gonad samples would deliver spawning frequency and fecundity estimates. The abundance indices from standardized sampling coupled with age and reproductive analysis from the otolith and gonad samples would more accurately assess the adult population of red drum off Louisiana.

During the 2019 bottom longline survey, LDWF collected otoliths from 259 red drum. Though the majority of those landings occurred outside of the spawning season during spring sampling, 19 gonads were collected from female red drum closer to the spawning season during summer and fall bottom longline sampling. Ages for red drum collected offshore ranged from 4 to 34 years. These data will likely be critical in characterizing the offshore spawning stock of red drum off the Louisiana coast in future stock assessments.

### Southern Flounder Studies

To assess perceived declines in southern flounder stocks, LDWF began to explore several methods to improve information on the status and trends of southern flounder. A pilot field tagging study in Barataria estuary where a large number of southern flounder could be captured using fisheries independent survey methods, tagged, and released. Fishery recaptures could then be monitored through time and space to provide information on mortality rates, population size, and movement. Gear tests for this potential survey were completed during the reporting period.

A tank-study was conducted to determine the optimal tag-type (T-bar or dart) and tag-location (dorsal fin or caudal peduncle region) for the southern flounder field experiment. Biologists collected 44 southern flounder using drop rings at night. Following a quarantine procedure, these flounder were alternately double-tagged with T-bar and dart tags and separated in equal numbers into four tanks where they were kept for up to six months.

Overall, there were significant retention differences ( $p$  value  $\leq 0.05$ ) between the tag types, with T-bar tags outperforming dart tags, but no significant retention differences between the tag locations. Parameter estimates indicate that T-bar tags are retained longer than dart tags in both tag locations. There were significant post-release tagging mortality differences ( $p$  value  $\leq 0.1$ ) between tag types, with T-bar tags indicating a lower post-release tagging mortality rate than dart tags. There were not significant differences in post-release mortality between tag locations. Based on the results of this tank test, T-bar tags should be used on southern flounder if the pilot tagging study in Barataria Basin moves forward.

Fishery-independent gear are also being evaluated to try to develop a more robust method of monitoring annual abundance, including a variety of nets and deployment methods, as well as electrofishing.



### Offshore Invasive Species Monitoring

LDWF conducted roving diver surveys at offshore structures to document the presence, abundance, and habitat preferences of the invasive lionfish. Survey zones were the areas east of the Mississippi River Delta (Delta East), the area west of the Mississippi River Delta to Port Fourchon (Delta), Fourchon to Marsh Island (Central LA), and Marsh Island to the western LA state line (West LA). LDWF biologists have conducted two dive surveys thus far in 2019. Dive surveys were completed on two structures in the Western zone with one reefed structure (EC272H) and the nearest standing platform to that structure (VR282D). Diver data and videos were captured at both sites and are in the process of review. Lionfish were only observed on reefed platform EC272H. No lionfish were sighted on the nearby platform VR282D. Lionfish tissue, otoliths, and stomachs were retained for species identification, age analysis, and stomach content identification, respectively. Video counts, ageing, and analysis of gut contents will be conducted with continued sampling planned for the remainder of 2019.

### Life History and Population Structure of Snowy and Warsaw Grouper in U.S. Waters

LDWF participated in a NOAA-MARFIN funded research grant with Texas A&M Galveston, Texas A&M Corpus Christi, and the University of Florida to use tissue, hard parts, and reproductive samples to address existing data gaps for these commercial and recreationally important species that are both either overfished (snowy) or experiencing overfishing (Warsaw), according to NOAA's National Marine Fisheries Service (SEDAR 4 and 36). By using both archived samples and active collection, the participants in this study were able to amass one of the largest sample sizes ever collected for these two deep-water species, which are often difficult to sample. Final 2018 collections of otoliths tissue and gonads were distributed during the reporting period with final analysis underway.

### Shrimp Sampling

LDWF conducts fisheries independent sampling for shrimp year-round statewide using three trawl sizes: 6-foot, 16-foot, and 20-foot. The 6-foot trawl samples gather data in the interior marshes of Louisiana and are used to set the opening and closure dates for the spring inshore shrimp season. These samples are typically taken throughout April and again at the end of June and beginning of July, depending on environmental conditions. In 2019, a total of 253 6-foot trawl samples were conducted. Brown shrimp recruitment was heavily monitored in April 2019. Statewide catch per effort was well below the 10-year average. During week 18, statewide brown shrimp catch per effort was 66 percent below the 10-year average; average size was also below the 10-year average. Based on these data, the 2019 spring inshore shrimp season in shrimp management Zone 2 (Mississippi River west to Freshwater Bayou) opened on May 20, 2019 at 6:00 am. Shrimp management Zones 1 and 3 opened on May 27, 2019 at 6:00 am. This includes the area from the Mississippi/Louisiana state line west to the Mississippi River and from Freshwater Bayou west to the Louisiana/Texas state line.

The 16-foot trawl sampling data are used to constantly monitor the state shrimp resource, along with other species of interest. During the first half of 2019, 933 16-foot trawl samples

were conducted. These data were used to close the remaining portions of state inshore waters during the 2018 fall inshore shrimp season on January 21, 2019 at official sunset for the following areas: Chef Menteur and Rigolets Passes, Lake Borgne, Mississippi Sound, Mississippi River Gulf Outlet, a section of the Gulf Intracoastal Waterway in Orleans parish from the East Closure Sector Gate westward to the intersection with the Inner Harbor Navigation Canal. These data will also be used to set the opening and closure dates for the 2019 fall inshore shrimp season.

The 20-foot trawl sampling data are used to monitor shrimp resources in state offshore waters. During 2019, the 20-foot trawl data were used to open a portion of state offshore waters from Caillou Boca west to Freshwater Bayou. The first opening was a portion of state offshore waters from Caillou Boca west to the Atchafalaya River Ship Channel at Eugene Island on April 25, 2019 at 12:00 pm, while the second opening from the Atchafalaya River Ship Channel at Eugene Island west to Freshwater Bayou opened on May 20, 2019 at 6:00 am. A total of 156 20-foot trawl samples were conducted during the first half of 2019.

### Crab Sampling

Fisheries independent sampling data for blue crab is collected with 16-foot trawls. These data are used to calculate juvenile and adult blue crab indices of abundance for the blue crab stock assessment. Statewide blue crab catch per effort began showing a significant decrease in February 2019 and continued to decline throughout spring.

### Oyster Sampling

Sampling for the 2019-2020 oyster stock assessment for the public oyster seed grounds in Louisiana was completed in July 2019. Sampling consisted of 105 sample sites, totaling 525 square-meter samples collected in the public oyster seed grounds. LDWF's 2018 oyster stock assessment indicated that Louisiana is experiencing the lowest stock size ever recorded on the public oyster seed grounds. This stock assessment of approximately 249,800 barrels of oysters represents a 6 percent decrease from already depleted 2018 levels and an overall decrease of 92 percent from the long-term average (compared to prior stock assessments without the Sabine Lake public oyster area stock). This resulted primarily from a combination of degradation of habitat in public oyster seed grounds, extreme weather events, harvest pressure, and hydrologic and environmental changes. The 2018-19 Mississippi River flood contributed to high oyster mortalities statewide.

LDWF conducted a stock assessment in the Sabine Lake public oyster area for 2019-2020. Availability in this area is estimated to be 78,899 barrels of seed oysters and 100,053 barrels of sack oysters. Due to Act 159 (2018) that instituted a moratorium on oyster fishing in Sabine Lake, these totals are not reflected in overall statewide availability. Square-meter sampling will only occur every other year, with the next sampling scheduled for July 2021. Additional sampling may occur as needed to monitor for possible mortality events associated with significant freshwater input events.

Additional stock assessment (square-meter) sampling was conducted in the Lake Pontchartrain and Barataria basins in April/May and Sept/October 2019 as part of an agreement with the Coastal Protection and Restoration Authority (CPRA). In the Barataria Basin, additional sampling was also conducted on private lease areas per the CPRA agreement to further characterize oyster resources in that basin.

LDWF also conducts regular, year-round dredge sampling on public oyster seed grounds statewide—sampling events are conducted monthly on 72 sampling stations and quarterly on 6 (Sabine Lake only) sampling stations, with two replicates per station, to monitor size frequency, presence and/or absence, and mortality. In September 2018, sampling frequency changed to once a month—minus July in which square-meter sampling is conducted for stock assessments—for a total of 11 events per year. Through July 2019, 892 regular dredge samples were taken.

### Finfish Sampling

LDWF conducts biological monitoring for finfish statewide in the coastal, nearshore, and offshore areas of Louisiana. During fiscal year 2018-19, the fisheries independent finfish sampling program collected 944 gillnet samples, 1,227 seine samples, and 270 trammel net samples for a 100 percent overall completion rate statewide. Electro-fishing samples (661 total) are being conducted within some Louisiana estuarine environments to provide fisheries data to CPRA.

## Other State Activities

### Finfish Seasons and Regulations

Louisiana waters closed to the recreational and commercial possession of all sharks on April 1, 2019 for an annual closed season to protect pupping female sharks. Louisiana waters re-opened to the commercial and recreational harvest of sharks on July 1, 2019.

Louisiana waters closed to the recreational harvest of gray triggerfish on May 11, 2019, concurrent with a closure in federal waters.

Louisiana waters closed to the recreational harvest of greater amberjack on May 1, 2019, concurrent with a closure in federal waters. Louisiana waters opened to the recreational harvest of greater amberjack on August 1, 2019, concurrent with an opening in federal waters.

Louisiana waters closed to the commercial harvest of greater amberjack for a seasonal closure from March through May of 2019. The season reopened on June 1, 2019 and closed on June 9, 2019, concurrent with a closure in federal waters.

Louisiana and federal waters opened to the private recreational harvest of red snapper on May

24, 2019 under an Exempted Fishing Permit (EFP) that allows Louisiana to set recreational red snapper seasons in state and federal waters for the 2019 season. The season opened under a weekends-only (Friday, Saturday, and Sunday) structure which also included the Monday of Memorial Day and Thursday, July 4<sup>th</sup>. The season was later modified to include the Monday of Labor Day and close at 12:01 am on September 3, 2019.

Louisiana adjusted the daily possession limit for commercially harvested large coastal sharks from 45 to 55 per day on August 13, 2019, concurrent with an adjustment in federal waters.

At its September 2019 meeting, the LWFC approved a Notice of Intent (NOI) to modify recreational size limits for shortfin mako sharks. The NOI proposes a change from 54 inches minimum fork length to 71 inches and 83 inches minimum fork length for male and female shortfin mako sharks, respectively. Public comments are being taken until November 7, 2019.

### Marine Mammal and Sea Turtle Monitoring

LDWF continues to maintain a stranding and rescue response program for the state. LDWF receives and investigates reports of live and dead marine mammals and sea turtles from members of the public, law enforcement agencies, local government officials, property managers, and other entities including barrier island restoration construction crews working on remote islands and beaches along the Louisiana coast. Where logistically possible and appropriate, depending on state of decomposition, marine mammal and sea turtle carcasses are field-sampled if very decomposed, necropsied in the field on-site, or are recovered for necropsy to be performed by a veterinarian and trained staff in a laboratory setting to investigate the cause of strandings and mortality following established protocols.

LDWF continues to monitor beaches, where appropriate and as schedules allow, conducting active surveillance for any stranded marine mammals or sea turtles. Beach surveys are conducted where staff can access beaches with state equipment (4x4 trucks or UTVs) and in remote locations where reports may go undetected by the public. During this reporting period, LDWF conducted 50 beach surveys.

### Marine Mammals

LDWF handled 99 marine mammal strandings during this period including bottlenose dolphins, a minke whale, and a kogia. Staff conducted 36 external marine mammal exams and collected minimal samples, due to decomposition level of the carcasses. Three field necropsies were performed and included the minke whale and the kogia. Additionally, four neonate carcasses were collected and frozen pending necropsy. Two necropsies were performed at the Louisiana State University, School of Veterinary Medicine, Louisiana Animal Disease Diagnostics Laboratory, BSL-3 Lab following fresh dead cases of recovered carcasses, including one live neonate that died in transport. A batch marine mammal necropsy session was conducted on July 10 in which 8 frozen neonate/fetus carcasses were necropsied.

Since 2011, LDWF has performed live dolphin health assessments and satellite tagging in Barataria Bay; these assessments include an ultrasound for female dolphins to determine if any are pregnant. Four known/previously captured animals have been found dead and recovered for lab necropsy or field necropsied since the initial health assessments. One of these animals, Y88, was reported stranded by employees at the Grand Isle Beach State Park and recovered on March 7, 2019 for a necropsy performed on March 8, 2019. These instances allow LDWF and collaborators to understand a timeline of these animals' lives from when they are captured to potentially when they are found stranded. Comparing ultrasounds from captures to gross observations yields better science for marine mammals as a whole.

A period of increased marine mammal strandings, particularly in St. Bernard and eastern Plaquemines parishes, began in mid to late April 2019. Members of the public began reporting live dolphins observed with freshwater lesions and dead stranded dolphins. The number of strandings was significant enough for NOAA to designate it as an Unusual Mortality Event (UME) for the state of Louisiana in June 2019.

## Sea Turtles

LDWF handled 88 sea turtle strandings from March 2019-present. Of those, three were live sea turtles transported to rehabilitation, three were lethal takes, and one was an incidental capture that was not landed. Thirty-eight carcasses were retained and frozen for future necropsies, sixteen were field sampled and disposed of due to decomposition state, and two carcasses were field necropsied. All carcasses that were retained since the last batch sea turtle necropsy session conducted in November 2018, were necropsied during a batch sea turtle necropsy session in August. The session was held on August 13 and 14, 2019 at the Louisiana State University School of Veterinary Medicine, Louisiana Animal Disease Diagnostics Laboratory, BSL-3 Lab. LDWF and NOAA personnel coordinated for the two-day session in which 39 sea turtle necropsies were conducted; there were 26 Kemp's ridley, 8 green, and 5 loggerhead sea turtles.

In April of 2019, LDWF and collaborating researchers from the United States Geological Survey (USGS) completed another live sea turtle capture/mark/recapture survey near Fourchon, Louisiana. A total of 8 green sea turtles were captured, sampled, tagged, and released; one of which was released with a satellite tag. In addition, a turtle that was satellite tagged as a part of these efforts in December 2018 was recaptured, and biologists were able to recover the satellite tag from this animal. These efforts, initiated in December 2014, take place annually typically in May and December (occurred in April due to scheduling conflicts) and are part of a long-term study to document juvenile sea turtle presence and habitat use in the northern Gulf of Mexico. Sea turtles are captured (NMFS Permit Number 17304-03) and are temporarily held for biological sample collection including: skin biopsies, a carapace biopsy, and blood. Additionally, all captured turtles are scanned to determine if they were previously tagged. If no tags exist, all individuals receive external flipper tags (small metal tags on both front flippers) and an internal Passive Integrated Transponder (PIT) tag. In particular, these surveys document juvenile sea turtle recruitment to nearshore habitats in southeast Louisiana and allow comparisons between the Louisiana site and other northern Gulf of Mexico study sites.

Biologists also collect growth data and other life history parameters of sea turtles captured in Louisiana to compare to those from other Gulf of Mexico study sites.

As part of a Sea Turtle Early Restoration Gear Management Team/Turtle Exclusion Device (TED) Coordination Project, the LDWF TED outreach coordinator met with the NOAA Gear Monitoring Team at outreach events in Violet, Abbeville, and Lafitte and met for dockside inspections on several dates in Delcambre, Intracoastal City, Venice, Grand Isle, and Cocodrie. LDWF's TED outreach coordinator is providing background information on the reasons for TED requirements at outreach events, including interpretation of technical reports from NOAA.

### Michael C. Voisin Oyster Hatchery

The Michael C. Voisin Oyster Hatchery located on Grand Isle, Louisiana is operated through a collaborative effort between LDWF and Louisiana Sea Grant. Louisiana Sea Grant assists with facility operations and provides recommendations to LDWF for hatchery operations. The hatchery produces diploid, triploid, and tetraploid oyster larvae and seed and algae feed for industry orders, restoration projects, breeding program, and research projects.

Spring 2019 larval production focused on producing diploid pediveligers for setting on whole oyster shell as well as diploid and triploid pediveligers and seed for pending sales. With very successful diploid spawns during the spring and fall season, ten setting rounds totaling approximately 231,310,395 pediveligers were set for spat on shell. One setting round was used for a 30-day grow out trial to compare setting in a static vs. flow through tank. The remaining nine setting rounds were deployed on restoration test plots designated by LDWF including Breton Sound, Barataria Bay, and Hackberry Bay (more information below). Additionally, all request for diploid larvae and seed including sales and research collaborations with LSU and Louisiana Sea Grant have been filled. Some triploid orders have been partially filled and with an expected two and a half months left in the fall season the hatchery staff continues to attempt triploid spawns for larval and seed sale. Total hatchery products for sales and research are pending.

### Spat on Shell Projects

In 2019, in collaboration with the Grand Isle Michael C. Voisin Oyster Hatchery, LDWF developed spat on shell protocol to investigate and monitor survival and growth with hatchery-raised animals by following protocols developed by the 2014 remote setting pilot project. Diploid oyster larvae were produced and set on oyster shells recycled in partnership with Coalition to Restore Coastal Louisiana (CRCL) in an effort to set on spat on shell and deploy to public oyster seed grounds across the state. LDWF will also monitor survival (average number of spat per shell) and growth (millimeters per month) of spat at deployment locations following the protocols described in the methods section. To date (August 2019), there have been nine spat on shell deployments—one in Breton Sound, one in Barataria Bay, and seven in Hackberry Bay. Future deployments in spring 2020 will focus on restoring the high mortality observed in the public oyster seed grounds across the state, especially on the east side of the Mississippi River.

## Boating and Non-Boating Access Projects

LDWF has initiated several new and ongoing boating and fishing access projects, which are funded through the Sport Fish Restoration Program and administered by local entities. LDWF accepts project proposals on an annual basis and evaluates them based on ranking criteria and available funding. Current projects include:

- Port Sulphur Civic Drive Fishing Pier – design phase
- Burns Point Recreational Area Fishing Pier – construction completed
- St. Tammany Fishing Pier – design phase
- West End – Breakwater Drive Boat Launch – construction phase
- New Iberia Boat Slips Boating Infrastructure Grant Program – grant compliance phase
- City of New Iberia CVA Sanitation Facility – design phase
- Indian Creek Recreation Area Fishing Pier – design phase.

Additional boating and fishing access projects were recently approved by the Louisiana Trustee Implementation Group for funding from the *Deepwater Horizon* oil spill and are currently being designed and implemented.

## Seafood Industry Professionalism

LDWF seeks to give the state's seafood industry access and training to the latest trends, requirements, and technology in their profession, as expert training will yield higher quality products and give the seafood community a competitive advantage in the marketplace. Since the launch of Louisiana Fisheries Forward: Advancing Our Seafood Industry, this one-of-a-kind professionalism program for Louisiana's commercial fishing industry has received inquiry, acknowledgement, and recognition throughout many facets of local, regional, national and world fishing industries.

Year 3 of the current Louisiana Fisheries Forward contract is currently underway. During this year, two mini videos will be produced with corresponding flyers, several hands-on workshops will be offered to include new and trending topics, and the Louisiana Fisheries Forward Refrigeration Demo Unit will continue to travel the state. This unit is a 6,500-pound unit that consists of a brine freezer, plate freezer, and chilled water system. Additionally, a freshwater commercial fishing video characterizing the fishery will be produced.

In addition, work continues on the production of educational materials (referred to as fast fact sheets), the offering of in-person training sessions (referred to as dock days), a refrigeration demonstration project, and the planning of the 2020 Louisiana Fisheries Forward Summit. (<https://www.lafisheriesforward.org/summit/>).

## Aquatic Plant Control

Invasive aquatic weeds continue to threaten access and recreational activities throughout Louisiana. Spring surveys conducted from March-May 2019 revealed an estimated 228,730 acres of nuisance aquatic plant coverage, mostly composed of water hyacinth (57,236 acres) and giant salvinia (47,624 acres). Spring surveys are conducted at the beginning of the growing season and usually reflect less coverage than fall surveys conducted at the end of the growing season. From March 1, 2019 through September 1, 2019, LDWF applied EPA-approved herbicides to 15,621.04 acres of nuisance vegetation across the state. The majority of plant control efforts focused on giant salvinia and water hyacinth, with 7,608.52 and 3,964.62 acres treated, respectively. A major area of focus was Lake Bistineau, which suffers from a chronic giant salvinia infestation. A total of 2,319 acres of giant salvinia were treated on Lake Bistineau. LDWF treated approximately 569 acres of hyacinth in the Bayou Boeuf and Halpin and Theriot Canals.

Winter temperatures and isolated flood events continue to be major factors in determining the severity of aquatic vegetation impacts, especially giant salvinia, in Louisiana. Occurrences of below freezing temperatures, for the duration of several hours, provide excellent control of aquatic vegetation. These long durations of below freezing temperatures reduced the biomass going into the growing season. Drawdowns are currently being conducted on several waterbodies throughout Louisiana. Vegetation assessments will be made in the fall, and herbicide applications will be made accordingly.



**Gulf States Marine Fisheries Commission**  
**70<sup>th</sup> Annual Fall Meeting**  
**Technical Coordinating Committee**  
**Wednesday, 16 October, 2019**  
**Biloxi, MS**

**1. Emerging Issues Pertinent to Gulf of Mexico Fisheries.**

**REGULATORY CHANGES**

Statewide Recreational and Commercial Fishing

- The Spotted Seatrout bag limit on upper coast has been reduced to 5 (now 5 fish coastwide)
- Shark anglers are now required to use non-offset, non-stainless-steel circle hooks (except when fishing with artificial lures)
- The minimum size limit for Cobia has increased from 37 inches to 40 inches (TL)

Statewide Oyster Fishery Proclamation

- We have temporarily closed oyster reefs that have recently undergone restoration (Pasadena and Pepper Grove Reef in Galveston Bay; Noble Point Reef, Lavaca/Matagorda Bay; and Lap Reef in Copano Bay)

**Oyster Updates**

Oyster Mariculture Update

TPWD continues to develop oyster mariculture program details for consideration by the Texas Parks and Wildlife Commission in early 2020. Spatial planning efforts are complete, and a draft program plan is being finalized for public comment and input.

The department will be convening a meeting of an Ad-Hoc Oyster Mariculture Work Group in mid-September to review the draft plan and identify missing elements. The program plan will also be conveyed to Representative Todd Hunter's (HB 1300 bill sponsor) Oyster Aquaculture Task Force prior to holding public scoping meetings along the Texas coast later this fall. A briefing of the Oyster Mariculture Program will be made to the Commission in November. A formal proposal will be submitted January 2020 with final adoption considered in March or May 2020.

Oyster Shell Recovery

HB51 (85th Legislative Session, 2017) included a requirement that dealers purchasing oysters harvested from Texas bay systems return 30%, by volume, of the total quantity of oysters harvested during the previous license year. In lieu of returning this cultch back to public oyster reefs, dealers can pay the department a sack fee that will allow the department to return an

equivalent amount to public reefs. The current amount of this fee per sack is \$1.32. Based on 2018-19 landings reported to the Texas Commercial Landings Program (LY19 Sep-Aug), 737,838 sacks of oysters were landed from TX bays. That total amounts to 12,810 cubic yards of cultch or \$973,946 due from oyster dealers. In LY 2019, dealers worked with TPWD to place around 7,000 cubic yards of cultch (as of Sept 5<sup>th</sup>) back into TX bays, while remaining dealers paid \$154,662 into the Shell Recovery Fund (for future planting).

Texas Oyster Landings

Despite decreasing sack limits (from 90/day in 2010 to 30/day in 2017) over recent years, 2019 oyster landings were greater than any previous year in the last 10-years (Table 1). In addition, the cost per lb for those oysters have steadily increased from \$3.09/lb in 2009 to \$6.22/lb in 2019.

Table 1. Texas oyster landings 2008-2019. LY = license year. Includes public and private (leases) reefs.

Year	Sacks	Meat Wt (lbs)	Value (\$)	\$/lb
2009	367,904	2,361,946	7,288,778	3.09
2010	740,933	4,756,789	15,167,034	3.19
2011	1,066,990	6,850,075	21,389,008	3.12
2012	546,671	3,509,628	12,638,491	3.60
2013	1,033,302	6,633,796	24,582,677	3.71
2014	687,823	4,415,824	18,764,269	4.25
2015	448,385	2,878,632	14,851,143	5.16
2016	315,424	2,025,022	11,274,484	5.57
2017	545,533	3,502,320	19,259,209	5.50
2018	564,787	3,625,933	22,433,193	6.19
2019	754,565	4,844,307	30,139,210	6.22

2019 Texas EFP Red Snapper Landings

Texas opened Federal waters on June 1 and closed on August 2, earlier than the initially projected 97-day season. State waters will remain open. The average weight of red snapper landed daily and the number of angler trips in federal waters were greater the amount seen in 2018. Calmer weather in June resulted in more offshore fishing days than usual (Table 2).

Table 2. Texas Exempted Fishing Permit Red Snapper Landings for the 2019 season. State-water season is still in progress as of report (September 2019).

Period	Est. Anglers	Est. Trips	Est. No. of red snapper	Est. Pounds	Est. Cumulative pounds	% of Allocation
Jan 1-May 31	1,287	373	2,674	21,521	21,521	8.10%
June 1-June 14	4,327	1,088	10,005	50,397	71,917	27.10%
June 15-June 28	1,954	501	4,213	21,737	93,654	35.30%
June 29-July 7	5,278	1,277	11,056	53,370	147,024	55.50%

June 29-July 12	6,111	1,489	12,834	62,770	156,424	59.00%
July 13-July 26	3,775	899	8,136	38,741	195,165	73.60%
July 27-Aug 9	1803	575	4,528	20,774	215,939	81.50%
Aug 10-Aug 23	880	229	2,689	10,549	226,488	85.40%
Aug 24-Sep 6	718	217	1,765	5,767	232,255	87.60%

## 2. Activities Related to Artificial Reef Programs.

### Rigs-to-Reefs

The Artificial Reef Program (ARP) received the following donations to the program:

Date	Rig	Removal type	Donation	Jacket
May 2019	MU-A-31 A	Partial	\$230,000	4-pile jacket

In Spring 2019, during the PN-A-42 permit renewal application, the United States Army Corps of Engineers (Corps) asked for outside consultation by NOAA. NOAA’s endangered species group expressed concerns that reefing platforms (and other materials) could endanger sea turtles through entanglements with snagged fishing line that might be on the reefs. NOAA suggested developing a regional PDC (project design concept) for all Gulf States on acceptable materials and how they could be modified to reduce entanglement of fishing line. TPWD strives to minimize impacts to sea turtles in numerous ways, but elimination of all fishing line on reefs would be logistically impossible. After the consultation with NOAA, the Corps has decided to withdraw its consultation request and issue a “No Effects” ruling on our permit request. The Corps ruled that their only jurisdiction is on the actual construction of the reef and not long-term effects. The final PN-A-42 permit was issued by May 2019.

The dilemma of endangered species and their use of artificial reefs came up again with the Bureau of Safety and Environmental Enforcement (BSEE) regarding Williams Oil and Gas’ donation of the PN-A-956 platform. This project involves a Federal Energy Regulatory Commission (FERC) permit because of the pipeline classification. The FERC asked for consultation on the platform removal/reefing from other federal agencies. NOAA’s Endangered Species personnel are disapproving the project because of concerns that future anglers will lose fishing line, and sea turtles may be entangled and drown. We believe this position is outside the purview of the FERC request for the removal of the platform, and BSEE leadership is addressing the concerns and review process with FERC officials.

The ARP staff have proposed a reef site location for Anadarko Oil and Gas spars. Spars are the cylindrical tube (component) for floating petroleum platforms that are tethered to the sea floor in deep waters (>3000ft) off Texas. Each spar is 540ft long and 120ft wide. Anadarko is proposing to reef three spars but needs a reef site in 430-500ft with a maximum towing distance of 60nm. The only other spar that has been reefed is the Red Hawk reefed off Louisiana in 2014.

The ARP co-authored a joint paper with Dr. Mark Kaiser (LSU) entitled “An Update on the Louisiana and Texas Rigs-to-Reefs Programs (R2R) in the Gulf of Mexico” which has been

accepted in the Journal of Ocean Development and International Law (published 22 July, 2019). It gives a detailed history of R2R development in the two states and the current status.

### Ships-to-Reefs

At the May 2019 Austin CCA Chapter banquet, a member stated that Red Snapper fishing at the M/V Kinta S (reefed at the Corpus Christi nearshore reef in 2014) is actively producing large snapper. The reef is in Texas state waters.

### Nearshore Reefs

UT-RGV completed side scan surveys of the Matagorda and Vancouver reefs under a TPWD contract. The post-reefing surveys are required under the NRDA grants that allowed for the reefing of concrete pyramids at the two sites. The final post-reefing surveys will be conducted before the end of 2019.

The ARP finalized their review of bids for reefing 180 low relief structures at Big Man's Reef (GA-220) under the Texas General Land Office (GLO) Coastal Management Plan Cycle 22. The contract was awarded to Walter Marine (Alabama) for \$234,000. Reefing should be completed by end of summer 2019.

In early spring 2019, we continued working with Friends of Rio Grande Valley Nearshore Reef on the placement of concrete railroad ties. They have reefed thousands of tons of material, making mounts using 20 – 400 tons of ties. The 400-ton pile had a bottom diameter of 130ft and a profile off the bottom of 32ft. This provides great interstitial habitat for juvenile fishes.

In March 2019, the ARP submitted the final CMP-21 report to the GLO. This covered the reefing of 250 pyramids and 250 low-relief structures at the Rio Grande Valley Nearshore Reef (PS-1105) near South Padre Island. We received \$400,000 and matched with \$400,000 of our own funds.

The ARP has been in communication with GLO staff concerning the demolition and reefing of the Queen Isabella Causeway in South Padre area. A draft proposal for this project is in review.

The ARP produced a scope of work (SOW) for Big Man's Reef and Kate's Reef using Hurricane Disaster funds for low relief and concrete pyramid materials. Each reef site is ear marked to use \$750,000 to reef at least 800 tons of materials. A similar SOW was drafted for the Corpus Christi nearshore reef that would utilize a nonprofit agreement with Friends of Rio Grande Valley Reef who will perform the work of moving/reefing 800 tons of concrete rail ties to the reef. These SOWs are in review.

### **3. Activities Associated with the Gulf of Mexico Crab Fisheries.**

Coastwide declines in fishery independent surveys (bag seine and bay trawl) continued through 2018 (Figures 1-2). This trend was generally consistent in all Texas bay systems but was

especially pronounced in central Texas coast bays and especially in bay trawl sampling gear. These declining fishery-independent trends largely began in the mid-1990's. While declining trends into the early 2000's have slowed, relative abundance remains at low levels. Trends in the commercial landings data also show declining trends over the same years, with some improvements in recent years (Figure 3). There has been some discussion on possible regulations that may benefit this fishery, while recovering stocks.

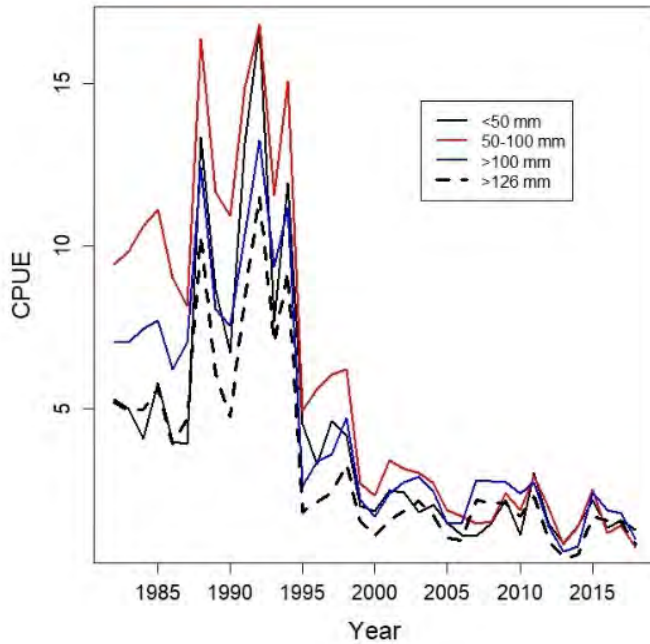


Figure 1. Fishery-independent bay trawl catch rates of Blue Crabs in Texas.

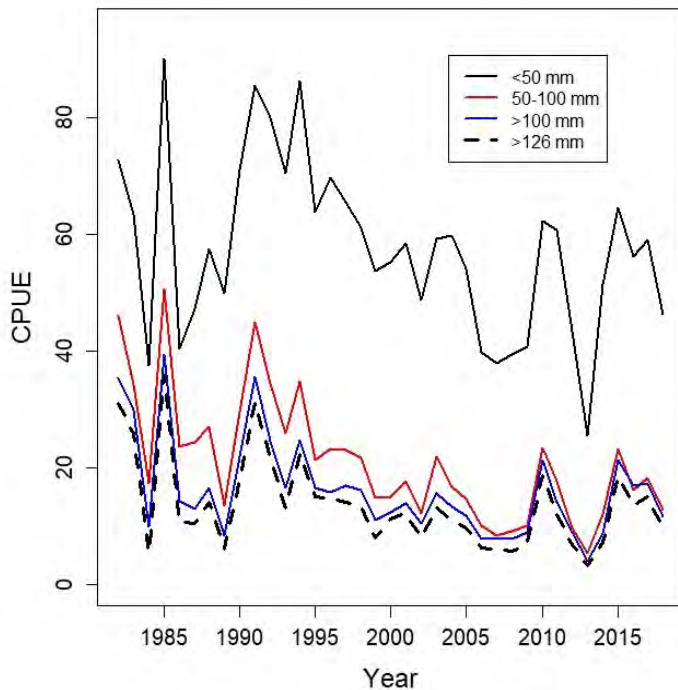


Figure 2. Fishery-independent bag seine catch rates of Blue Crabs in Texas.

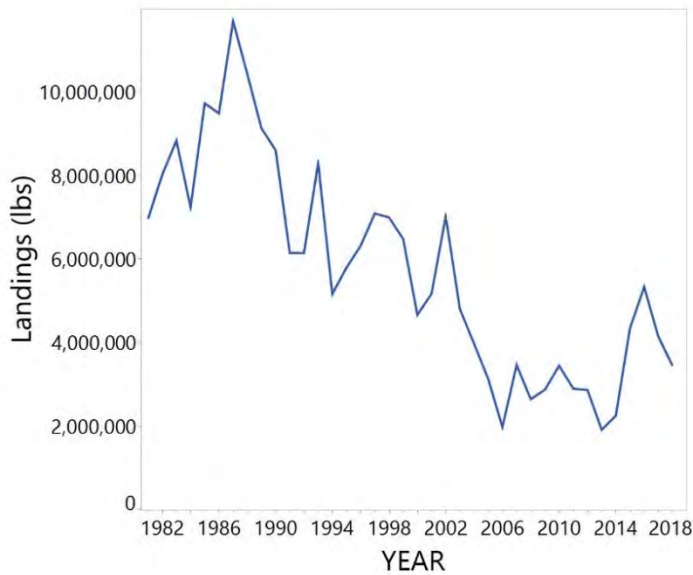


Figure 3. Texas commercial Blue Crab landings from 1982-2018.

#### 4. Activities Related to Fisheries Dependent Data Collection.

##### *iSnapper* Project

The *iSnapper* project continued for another year. Data are currently being analyzed for the 2019 season. Summary data tends to show similarities to the TPWD creel data (Table 3). Separate validation creels were also conducted by TAMUCC to match with data submitted through *iSnapper*.

Table 3. Summary survey results from the 2017, 2018, and 2019 federal private recreational Red Snapper seasons

Year	Days	Survey Method	Number of Creels with snapper	Number of Trips	Total Anglers	Total Red Snapper Recorded	Total Red Snapper/ trip	Total Red Snapper/ Angler
2017	42	TAMU-CC creel	63	306	1290	2409	7.9	1.9
		TPWD creel	84	206	834	1661	8.1	2.0
		<i>iSnapper</i>		113	501	903	8.0	1.8
2018	82	TAMU-CC creel	60	354	1429	2504	7.1	1.8
		TPWD creel	74	278	1110	2116	7.6	1.9
		<i>iSnapper</i>		328	1438	2754	8.4	1.9
2019	62	TAMU-CC creel	20	84	343	693	8.3	2.0
		TPWD creel	64	316	1248	2350	7.4	1.9
		<i>iSnapper</i>		214	981	1877	8.8	1.9

Fishery-dependent collection of otoliths for the Gulf States Biosampling program

We are collecting otoliths from multiple species in conjunction with the GSMFC biosampling program. Otoliths are being collected and aged via independent contractors paid by GSMFC. To date, 2,172 otoliths have been fully processed (63% of target; Table 4). We are still on track for some species; however, some offshore species have been more difficult to obtain from sampling conducted at boat ramps.

Table 4. Summary of otoliths collected from recreational species at boat ramps for Gulf States Biosampling program.

Common Name	Scientific Name	Processed	Requested
Gray Snapper	<i>Lutjanus griseus</i>	9	75
Vermillion Snapper	<i>Rhomboplites aurorubens</i>	22	170
Red Snapper	<i>Lutjanus campechanus</i>	272	400
Triggerfish	<i>Balistes capricus</i>	0	50
Sheepshead	<i>Archosargus probatocephalus</i>	47	70
Southern Flounder	<i>Paralichthys lethostigma</i>	43	100
Black Drum	<i>Pogonias cromis</i>	314	340
Red Drum	<i>Sciaenops ocellatus</i>	422	750
Spotted seatrout	<i>Cynoscion nebulosus</i>	1043	1500

**5. Activities Related to Fisheries-Independent Sampling.**

**SEAMAP**

Vertical line (VL)

Sampling for 2019 is still in progress (as of Sept 5), with Texas vessels completing 34 stations from June to August 2019. Sites were only sampled off central and south Texas coastlines, in order to collect samples within all three depth strata (10-20, 20-40, 40+; Table 5). Sample sites in the 10-20 strata continue to be lower than other depth strata, despite adding many artificial reefs in state waters within the 10-20' depth zone.

Table 5. Summary of Red Snapper catches from SEAMAP Vertical Line sampling over the last 4 years from each of the depth strata (2019 incomplete). We did not sample depth strata >40' in 2015 or 2016.

Year	Depth Strata (m)	# of Stations Completed	# of Hooks Fished	# of Red Snapper	Mean TL (mm)	Mean Weight (kg)	# of Stations with Red Snapper	% Stations with Red Snapper
2015	10-20	27	750	93	291	0.44	20	74.1
	20-40	12	380	57	433	1.65	12	100.0
2016	10-20	18	380	65	362	0.75	11	61.1
	20-40	30	680	255	457	1.58	24	80.0

2017	10-20	9	260	17	273	0.39	7	77.8
	20-40	18	420	140	484	1.71	16	88.9
	40-150	32	960	198	504	1.78	29	90.6
2018	10-20	8	240	10	262	0.27	3	37.5
	20-40	19	570	152	476	1.69	13	68.4
	40-150	33	990	167	497	1.82	28	84.8
*2019	10-20	6	180	24	417	1.06	3	50.0
	20-40	14	420	116	457	1.47	11	78.6
	40-150	14	420	51	510	1.94	7	50.0

\*Sites incomplete – complete through Sept 5<sup>th</sup>.

### Bottom Longline Sampling (BLL)

Bottom Longline samples are in progress (as of September). So far 18 sets have been completed over the spring, summer, and fall; however, 4 additional sets will be completed in stat zones 19 and 20 over the next few weeks. Hopefully, when the data settles, catches will be as good as last year's record, which had 10.4 sharks per set captured over 21 sets (Table 6).

Table 6. Summary of catches from SEAMAP Bottom Longline sampling over the last 10 years (2019 incomplete). Sets were 100 hooks.

Year	No. of sets	Statistical Zone				Total Catch	Total Species	Total Shark	Shark Species	Sharks per Set
		17	18	19	20					
2010	25		10		15	333	13	161	8	6.4
2011	16		8		8	243	11	141	6	8.8
2012	20		10		10	280	12	153	6	7.7
2013	20		10		10	249	17	196	10	9.8
2014	24		10	4	10	163	17	145	10	6.0
2015	19	4	6	3	6	279	16	132	7	6.9
2016	24	5	7	6	6	354	15	199	7	8.3
2017	17	3	6	4	4	167	13	83	8	4.9
2018	21	2	7	6	6	401	14	219	9	10.4
2019	18*	3	7	4	4					

\*Season ends September 30th, four additional sets will be completed on statistical zones 19 and 20.

## 6. Other State Activities.

### License Buyback Program

#### Shrimp

#### Buyback Round 37

- Application period closed January 31, 2018 (opened approximately 60+ days)
- 16 individual bids were received



- 4 licenses bought back for a total of \$38,000
- Average price paid \$9,500

#### Finfish

##### Buyback Round 25

- Application period closed January 31, 2018 (Open approximately 60+ days)
- 4 applications received
- 1 license bought back for a total of \$9,500

#### Crab

##### Buyback Round 22

- Application period closed January 31, 2018 (Open approximately 60+ days)
- 1 application received
- No licenses bought back

#### Oyster

##### Buyback Round 2

- Application period closed April 19, 2019 (Open approximately 45 days)
- 5 applications received
- 2 licenses bought back for a total of \$9,450
- Average price paid of \$4,725

### **Fisheries Enhancement Program (Hatcheries)**

#### 2019 Fish Stocking Totals (through August)

11,985,001	Red Drum fingerlings
579,764	Spotted Seatrout fingerlings
39,359	Southern Flounder fingerlings
12,603,124	Total fingerlings stocked

### **Perry R. Bass Marine Fisheries Research Station Updates**

#### **1. PRB Projects**

##### Sciaenidae otolith collection

Otolith collections from gill net samples were continued, as was processing and ageing of otoliths collected in previous years. Although physical samples go back to 1995, preliminary analysis of Spotted Seatrout (*Cynoscion nebulosus*) otolith data has resulted in fishes back-aged to the 1990 cohort. Significant trends in growth among years and among Texas estuaries are being statistically correlated with water quality data as well as long-term climatological and freshwater inflow data.

##### Red Drum (*Sciaenops ocellatus*) otolith shape study

In addition to age/growth work on otoliths, we have initiated a “proof of concept” study to determine whether otolith shape morphology can be used to indicate stock structure in Red Drum. Approximately 2000 previously collected otoliths have been imaged using high resolution

imagery, and shape parameters have been assessed. The analysis has been completed and the first draft of this manuscript has been written.

#### Detection of white spot syndrome virus (WSSV) in wild Gulf shrimp

We have initiated a new study on the presence and prevalence of white spot syndrome virus (WSSV) in Brown and White Shrimp from Texas. We have been in collaboration with Dr. Arun Dhar of the aquaculture pathology laboratory, University of Arizona, in obtaining an infection-positive control sample of *Litopenaeus vannamei* (Pacific white shrimp). Additionally, we have identified an appropriate PCR-based laboratory assay for detecting White Shrimp. Sampling will begin in spring 2019 in select Texas bay systems to detect underlying presence of WSSV and evaluate the risks of imported exotic bait shrimp to wild populations.

#### Detection of shrimp black gill disease, and identification of associated parasites

We have initiated a new study on the presence and prevalence of shrimp black gill (sBG) in White Shrimp (*Litopenaeus setiferus*) and Brown Shrimp (*Farfantepenaeus aztecus*) in Texas. For this study, we are using gross morphology/pathology, in conjunction with qPCR for identifying the presence of black-gill associated ciliate species from shrimp collected throughout Texas. We have sequenced a subset of ciliate "+" samples, and confirmed that the ciliate associated with sBG in Texas is genetically similar to an unknown ciliate species previously identified on the Atlantic coast.

#### Observation of growth in two sizes of post-release Red Drum (*Sciaenops ocellatus*)

We are trying to determine whether there are differences in growth and body condition between stock enhancement Red Drum that are above versus below the size targeted at the time of harvest (35 mm). This study is ongoing.

#### Determination of hatching dates in wild Southern Flounder (*Paralichthys lethostigma*)

Young-of-the-year Southern Flounder will be collected during routine monitoring bag seines and trawls by Texas Parks and Wildlife personnel. Otoliths will be extracted from all individuals and daily increment rings will be used to determine hatching dates. Hatching dates will be related back to environmental (water quality) conditions to render understanding of spawning and hatching conditions.

## **2. Collaborative projects**

#### Range-wide population genetic structure of Alligator Gar (*Atractosteus spatula*)

In collaboration with Dr. Brian Kreiser, (University of southern Mississippi), we are analyzing mitochondrial DNA (mtDNA) sequence data already on hand in our lab, in an effort to examine the range-wide population structure of the species. Dr. Kreiser is analyzing a microsatellite DNA data set, and together we will attempt to compare and contrast historical versus contemporary patterns of movement and demographic exchange among drainages in the Gulf basin.

**GULF STATES MARINE FISHERIES COMMISSION  
PUBLICATIONS**

Publications are available upon request until supply is exhausted.

- No. 292 July 2019 Stakeholder Workshop on Management Reference Points for Gulf Menhaden Fisheries. July 17-19. New Orleans, LA (online only).
- No. 291 August 2019. Licenses and Fees for Alabama, Florida, Louisiana, Mississippi, and Texas in Their Marine Waters for the Year 2018. Debbie McIntyre (Editor). Gulf States Marine Fisheries Commission.
- No. 290 2019 Operations Plan for the Fisheries Information Network (FIN). FIN Committee. Gulf States Marine Fisheries Commission.
- No. 289 March 2019. Annual Report of the Fisheries Information Network in the Southeast Region (FIN). January 1, 2017 - December 31, 2017. Gulf States Marine Fisheries Commission.
- No. 288 MOVED
- No. 287 March 2019 Management Profile for Gulf of Mexico Cobia. Steven J. VanderKooy and Jeffrey K. Rester, Editors. Gulf States Marine Fisheries Commission (online only).
- No. 286 MOVED
- No. 285 March 2019 Workshop to Assess Options for Management Reference Points For Gulf Menhaden Fisheries. February 12-13. New Orleans, LA (online only).
- No. 284 February 2019. SEAMAP Environmental and Biological Atlas of the Gulf of Mexico, 2017. Jeffrey K. Rester, Editor. Gulf States Marine Fisheries Commission.
- No. 283 February 2019. Annual Report of the Southeast Area Monitoring and Assessment Program (SEAMAP) October 1, 2017 – September 30, 2018 (online only).
- No. 282 February 2019. Annual Report of the Southeast Area Monitoring and Assessment Program (SEAMAP) October 1, 2016 – September 30, 2017 (online only).
- No. 281 December 2018. Law Summary 2018. A Summary of Marine Fishing Laws & Regulations for the Gulf States. Debbie McIntyre (editor). Gulf States Marine Fisheries Commission (online only).
- No. 280 October 2018. Gulf of Mexico Cooperative Law Enforcement Operations Plan 2019-2020. Gulf States Marine Fisheries Commission Law Enforcement Committee and Gulf of Mexico Fishery Management Council's Law Enforcement Advisory Panel. Steve VanderKooy, editor. Gulf States Marine Fisheries Commission.
- No. 279 October 2018. SEAMAP Subcommittee Annual Report to the Technical Coordinating Committee

of the Gulf States Marine Fisheries Commission October 1, 2017 to September 30, 2018. Jeffrey K. Rester, Editor. Gulf States Marine Fisheries Commission.

No. 278 August 2018. Licenses and Fees for Alabama, Florida, Louisiana, Mississippi, and Texas in Their Marine Waters for the Year 2017. Debbie McIntyre (Editor). Gulf States Marine Fisheries Commission.

No. 277 March 2018. Annual Report of the Fisheries Information Network in the Southeast Region (FIN). January 1, 2017 - December 31, 2017. Gulf States Marine Fisheries Commission.

No. 276 July 2018. Rules and Regulations: Officers' Pocket Guide 2018-2019. Debbie McIntyre (Editor). Gulf States Marine Fisheries Commission.

No. 275 November 2017. Recreational Released Catch Workshop, November 6 & 7, 2017, New Orleans, LA. Gulf States Marine Fisheries Commission (online only).

No. 274 MOVED

No. 273 March 2017. 2018 Operations Plan for the Fisheries Information Network (FIN). FIN Committee. Gulf States Marine Fisheries Commission.

No. 272 March 2017. Annual Report of the Fisheries Information Network in the Southeast Region (FIN). January 1, 2016 - December 31, 2016. Gulf States Marine Fisheries Commission.

No. 271 MOVED

No. 270 MOVED

No. 269 October 2017. SEAMAP Subcommittee Annual Report to the Technical Coordinating Committee of the Gulf States Marine Fisheries Commission October 1, 2016 to September 30, 2017. Jeffrey K. Rester, Editor. Gulf States Marine Fisheries Commission.

No. 268 October 2017. SEAMAP Environmental and Biological Atlas of the Gulf of Mexico, 2015. Jeffrey K. Rester, Editor. Gulf States Marine Fisheries Commission.

No. 267 September 2017. Law Summary 2017. A Summary of Marine Fishing Laws & Regulations for the Gulf States. Debbie McIntyre (Editor). Gulf States Marine Fisheries Commission (online only).

No. 266 August 2017. Biological Profile for the Atlantic Croaker Fishery in the Gulf of Mexico. Steven J. VanderKooy, Editor. Gulf States Marine Fisheries Commission (online only).

No. 265 July 2017. Licenses and Fees for Alabama, Florida, Louisiana, Mississippi, and Texas in Their Marine Waters for the Year 2016. Debbie McIntyre (Editor). Gulf States Marine Fisheries Commission.

No. 264 July 2017. Rules and Regulations: Officers' Pocket Guide 2017-2018. Debbie McIntyre (Editor). Gulf States Marine Fisheries Commission.

- No. 263 February 2017. SEAMAP Environmental and Biological Atlas of the Gulf of Mexico, 2015. Jeffrey K. Rester, Editor. Gulf States Marine Fisheries Commission.
- No. 262 February 2017. SEAMAP Environmental and Biological Atlas of the Gulf of Mexico, 2014. Jeffrey K. Rester, Editor. Gulf States Marine Fisheries Commission.
- No. 261 January 2017. Joint Annual Report of the Southeast Area Monitoring and Assessment Program October 1, 2015 – September 30, 2016 (online only).
- No. 260 December 2016. Law Summary 2016. A Summary of Marine Fishing Laws & Regulations for the Gulf States. Debbie McIntyre (Editor). Gulf States Marine Fisheries Commission (online only).
- No. 259 November 2016. Annual Report of the SEAMAP October 1, 2014 – September 30, 2015. Jeffrey K. Rester, Editor. Gulf States Marine Fisheries Commission.
- No. 258 November 2016. Biological Profile for Tripletail in the Gulf of Mexico and the Western Central Atlantic. Steven J VanderKooy, Editor. Gulf States Marine Fisheries Commission (online only).
- No. 257 October 2016. SEAMAP Subcommittee Annual Report to the Technical Coordinating Committee of the Gulf States Marine Fisheries Commission October 1, 2015 to September 30, 2016. Jeffrey K. Rester, Editor. Gulf States Marine Fisheries Commission.
- No. 256 October 2016. Gulf of Mexico Cooperative Law Enforcement Operations Plan 2017-2018. Gulf States Marine Fisheries Commission Law Enforcement Committee and Gulf of Mexico Fishery Management Council's Law Enforcement Advisory Panel. Steve VanderKooy, editor. Gulf States Marine Fisheries Commission.
- No. 255 October 2016. Gulf of Mexico Cooperative Law Enforcement Strategic Plan 2017-2020. Gulf States Marine Fisheries Commission Law Enforcement Committee and Gulf of Mexico Fishery Management Council's Law Enforcement Advisory Panel. Steve VanderKooy, editor. Gulf States Marine Fisheries Commission.
- No. 254 October 2016. GDAR02 Gulf Menhaden Assessment – 2016 Update. Amy Schueller, Editor. Gulf Data, Assessment, and Review. Gulf States Marine Fisheries Commission.
- No. 253 August 2016. Licenses and Fees for Alabama, Florida, Louisiana, Mississippi, and Texas in Their Marine Waters for the Year 2015. Debbie McIntyre (Editor). Gulf States Marine Fisheries Commission.
- No. 252 March 2016. 2017 Operations Plan for the Fisheries Information Network (FIN). FIN Committee. Gulf States Marine Fisheries Commission.
- No. 251 March 2015. 2016 Operations Plan for the Fisheries Information Network (FIN). FIN Committee. Gulf States Marine Fisheries Commission.
- No. 250 March 2016. Annual Report of the Fisheries Information Network in the Southeast Region (FIN). January 1, 2015 - December 31, 2015. Gulf States Marine Fisheries Commission.

- No. 249 June 2016. Rules and Regulations: Officers' Pocket Guide 2016-2017. Debbie McIntyre (Editor). Gulf States Marine Fisheries Commission.
- No. 248 March 2015. Annual Report of the Fisheries Information Network in the Southeast Region (FIN). January 1, 2014 - December 31, 2014. Gulf States Marine Fisheries Commission.
- No. 247 November 2015. Management Profile for the Gulf and Southern Flounder Fishery in the Gulf of Mexico. Steven J VanderKooy, Editor. Gulf States Marine Fisheries Commission (online only).
- No. 246 October 2015. SEAMAP Subcommittee Annual Report to the Technical Coordinating Committee of the Gulf States Marine Fisheries Commission October 1, 2014 to September 30, 2015. Jeffrey K. Rester, Editor. Gulf States Marine Fisheries Commission.
- No. 245 September 2015. Law Summary 2015. A Summary of Marine Fishing Laws & Regulations for the Gulf States. Debbie McIntyre (Editor). Gulf States Marine Fisheries Commission (online only).
- No. 244 September 2015. Licenses and Fees for Alabama, Florida, Louisiana, Mississippi, and Texas in Their Marine Waters for the Year 2014. Debbie McIntyre (Editor). Gulf States Marine Fisheries Commission.
- No. 243 June 2015. The Blue Crab Fishery of the Gulf of Mexico, United States: A Regional Management Plan. Harriet Perry and Steve VanderKooy, Editors. Gulf States Marine Fisheries Commission (online only).
- No. 242 July 2015. Joint Annual Report of the Southeast Area Monitoring and Assessment Program October 1, 2013 – September 30, 2014 (online only).
- No. 241 July 2015. Rules and Regulations: Officers' Pocket Guide 2015-2016. Debbie McIntyre (Editor). Gulf States Marine Fisheries Commission.
- No. 240 March 2015. The Gulf Menhaden Fishery of the Gulf of Mexico, United States: A Regional Management Plan. Steve VanderKooy and Joseph W. Smith, Editors. Gulf States Marine Fisheries Commission (online only).
- No. 239 November 2014. SEAMAP Environmental and Biological Atlas of the Gulf of Mexico, 2013. Jeffrey K. Rester, Editor. Gulf States Marine Fisheries Commission.
- No. 238 December 2014. Current regulations related to the propagation, transport, and release of hatchery raised oysters in the U.S. Gulf of Mexico. Patrick Banks, Steve Geiger, Jason Herrmann, Charles Robertson, Lance Robinson, and Steve VanderKooy. Gulf States Marine Fisheries Commission.
- No. 237 November 2014. SEAMAP Environmental and Biological Atlas of the Gulf of Mexico, 2012. Jeffrey K. Rester, Editor. Gulf States Marine Fisheries Commission.
- No. 236 October 2014. Gulf of Mexico Cooperative Law Enforcement Operations Plan 2014-2015. Gulf States Marine Fisheries Commission Law Enforcement Committee and Gulf of Mexico Fishery

Management Council's Law Enforcement Advisory Panel. Steve VanderKooy, editor. Gulf States Marine Fisheries Commission.

No. 235 October 2014. Law Summary 2014. A Summary of Marine Fishing Laws & Regulations for the Gulf States. Debbie McIntyre (Editor). Gulf States Marine Fisheries Commission.

No. 234 October 2014. SEAMAP Subcommittee Annual Report to the Technical Coordinating Committee of the Gulf States Marine Fisheries Commission October 1, 2013 to September 30, 2014. Jeffrey K. Rester, Editor. Gulf States Marine Fisheries Commission.

No. 233 September 2014. Licenses and Fees for Alabama, Florida, Louisiana, Mississippi, and Texas in Their Marine Waters for the Year 2013. Debbie McIntyre (Editor). Gulf States Marine Fisheries Commission.

No. 232 June 2014. 2015 Operations Plan for the Fisheries Information Network (FIN). FIN Committee. Gulf States Marine Fisheries Commission.

No. 231 June 2014. Annual Report of the Fisheries Information Network in the Southeast Region (FIN). January 1, 2013 - December 31, 2013. Gulf States Marine Fisheries Commission.

No. 230 July 2014. Rules and Regulations: Officers' Pocket Guide 2014-2015. Debbie McIntyre (Editor). Gulf States Marine Fisheries Commission.

No 229 September 2014. SEAMAP Environmental and Biological Atlas of the Gulf of Mexico, 2011. Jeffrey K. Rester, Editor. Gulf States Marine Fisheries Commission.

No. 228 June 2014. A Survey of Recreational Shrimpers in the Northern U.S. Gulf of Mexico. A. Miller, M. Tabarestani, and J. Isaacs. Gulf States Marine Fisheries Commission.

No. 227 June 2014. An Economic Survey of the U.S. Gulf of Mexico Inshore Shrimp Fishery: Descriptive Results for 2012. A. Miller and J. Isaacs. Gulf States Marine Fisheries Commission.

No. 226 June 2014. An Economic Baseline and Characterization of U.S. Gulf of Mexico Dockside Seafood Dealers. A. Miller, E. Ogunyinka, and J. Isaacs. Gulf States Marine Fisheries Commission.

No. 225 May 2014. An Economic Baseline and Characterization of U.S. Gulf of Mexico Seafood Processors. A. Miller, J. Isaacs, and L. Bharadwaj. Gulf States Marine Fisheries Commission.

No. 224 May 2014. The Economic Contribution of Marine Angler Expenditures in the U.S. Gulf of Mexico and Puerto Rico, 2011. S. Lovell, S. Steinback, and A. Miller. Gulf States Marine Fisheries Commission.

No 223 February 2014. Annual Report of the Southeast Area Monitoring and Assessment Program (SEAMAP – Gulf of Mexico, South Atlantic and Caribbean Components) October 1, 2011 – September 30, 2012. Jeffrey K. Rester (Editor). Gulf States Marine Fisheries Commission.

- No. 222 January 2014. Digital Traceability for Oyster Supply Chains: Implementation and Results of a Pilot. A. Miller, M.S., D. Heggelund, Ph.D., and T. McDermott, B.A.
- No. 221 October 2013. SEAMAP Subcommittee Annual Report to the Technical Coordinating Committee of the Gulf States Marine Fisheries Commission October 1, 2012 to September 30, 2013. Jeffrey K. Rester, Editor. Gulf States Marine Fisheries Commission.
- No. 220 October 2013. Law Summary 2013. A Summary of Marine Fishing Laws & Regulations for the Gulf States. Debbie McIntyre (Editor). Gulf States Marine Fisheries Commission.
- No. 219 September 2013. Licenses and Fees for Alabama, Florida, Louisiana, Mississippi, and Texas in Their Marine Waters for the Year 2012. Debbie McIntyre (Editor). Gulf States Marine Fisheries Commission.
- No. 218 June 2013. 2014 Operations Plan for the Fisheries Information Network (FIN). FIN Committee. Gulf States Marine Fisheries Commission.
- No. 217 June 2013. Annual Report of the Fisheries Information Network in the Southeast Region (FIN). January 1, 2012 - December 31, 2012. Gulf States Marine Fisheries Commission.
- No. 216 July 2013. Rules and Regulations: Officers' Pocket Guide 2013-2014. Debbie McIntyre (Editor). Gulf States Marine Fisheries Commission.
- No. 215 June 2013. GDAR01 Gulf of Mexico Blue Crab Stock Assessment Report. Steve VanderKooy (Editor). Gulf States Marine Fisheries Commission.
- No. 214 February 2013. Annual Report of the Southeast Area Monitoring and Assessment Program (SEAMAP – Gulf of Mexico, South Atlantic and Caribbean Components) October 1, 2011 – September 30, 2012. Jeffrey K. Rester (Editor). Gulf States Marine Fisheries Commission.
- No. 213 April 2013. The 2013 SEAMAP-Gulf of Mexico Marine Directory Fishery-Independent Survey Activities. Jeffrey K. Rester, Editor. Gulf States Marine Fisheries Commission.
- No. 212 October 2012. SEAMAP Subcommittee Annual Report to the Technical Coordinating Committee of the Gulf States Marine Fisheries Commission October 1, 2011 TO September 30, 2012. Jeffrey K. Rester, Editor. Gulf States Marine Fisheries Commission.
- No. 211 June 2012. 2013 Operations Plan for the Fisheries Information Network (FIN). FIN Committee. Gulf States Marine Fisheries Commission.
- No. 210 September 2012. Licenses and Fees for Alabama, Florida, Louisiana, Mississippi, and Texas in Their Marine Waters for the Year 2011. Debbie McIntyre (Editor). Gulf States Marine Fisheries Commission.
- No. 209 September 2012. Law Summary 2011. A Summary of Marine Fishing Laws & Regulations for the Gulf States. Steve VanderKooy (Editor). Gulf States Marine Fisheries Commission.



- No. 208 October 2012. Gulf of Mexico Cooperative Law Enforcement Operations Plan 2013-2014. Gulf States Marine Fisheries Commission Law Enforcement Committee and Gulf of Mexico Fishery Management Council's Law Enforcement Advisory Panel. Steve VanderKooy, editor. Gulf States Marine Fisheries Commission.
- No. 207 October 2012. Gulf of Mexico Cooperative Law Enforcement Strategic Plan 2013-2016. Gulf States Marine Fisheries Commission Law Enforcement Committee and Gulf of Mexico Fishery Management Council's Law Enforcement Advisory Panel. Steve VanderKooy, editor. Gulf States Marine Fisheries Commission.
- No. 206 August 2012. SEAMAP Environmental and Biological Atlas of the Gulf of Mexico, 2010. Jeffrey K. Rester, Editor. Gulf States Marine Fisheries Commission.
- No. 205 June 2012. Annual Report of the Fisheries Information Network in the Southeast Region (FIN). January 1, 2011 - December 31, 2011. Gulf States Marine Fisheries Commission.
- No. 204 June 2012. Rules and Regulations: Officers' Pocket Guide 2012-2013. Debbie McIntyre (Editor). Gulf States Marine Fisheries Commission.
- No. 203 June 2012. Annual Report of the Fisheries Information Network in the Southeast Region (FIN). January 1, 2010 - December 31, 2010. Gulf States Marine Fisheries Commission.
- No. 202 March 2012. The Oyster Fishery of the Gulf of Mexico, United States: A Regional Management Plan – Second Edition. Steve VanderKooy, Editor. Gulf States Marine Fisheries Commission.
- No. 201 June 2011. 2012 Operations Plan for the Fisheries Information Network (FIN). FIN Committee. Gulf States Marine Fisheries Commission.
- No. 200 February 2012. SEAMAP Gulf of Mexico Marine Directory Fishery-Independent Survey Activities.
- No. 199 December 2011. Annual Report of the Southeast Area Monitoring and Assessment Program (SEAMAP – Gulf of Mexico, South Atlantic and Caribbean Components) October 1, 2010 – September 30, 2011. Jeffrey K. Rester, Editor. Gulf States Marine Fisheries Commission.
- No. 198 November 2011. SEAMAP Environmental and Biological Atlas of the Gulf of Mexico, 2009. Jeffrey K. Rester, Editor. Gulf States Marine Fisheries Commission.
- No. 197 October 2011. The Sand & Silver Seatrout Fishery of the Gulf of Mexico, United States: A Fisheries Profile. Steve VanderKooy, Editor. Gulf States Marine Fisheries Commission.
- No. 196 October 2011 Annual Report to the Technical Coordinating Committee, October 1, 2010 – September 30, 2011. Read Hendon, SEAMAP Subcommittee Chairman and Jeffrey K. Rester, SEAMAP Coordinator. Gulf States Marine Fisheries Commission.
- No. 195 September 2011. An Economic Survey of the Gulf of Mexico Inshore Shrimp Fishery: Implementation and Descriptive Results for 2008 (as amended: February 2012). Alexander L. Miller

and Jack C. Isaacs.

- No. 194 September 2011. Law Summary 2011. A Summary of Marine Fishing Laws & Regulations for the Gulf States. Steve VanderKooy (Editor). Gulf States Marine Fisheries Commission.
- No. 193 September 2011. Licenses and Fees for Alabama, Florida, Louisiana, Mississippi, and Texas in Their Marine Waters for the Year 2010. Debbie McIntyre (Editor). Gulf States Marine Fisheries Commission.
- No. 192 June 2011. Rules and Regulations: Officers' Pocket Guide 2011-2012. Debbie McIntyre (Editor). Gulf States Marine Fisheries Commission.
- No. 191 June 2011 SEAMAP Environmental and Biological Atlas of the Gulf of Mexico, 2008. Jeffrey K. Rester, Editor. Gulf States Marine Fisheries Commission.
- No. 190 February 2011. 2011 SEAMAP-Gulf of Mexico Marine Directory. Fishery-Independent Survey Activities. Read Hendon, Chairman, Southeast Area Monitoring and Assessment Program. Gulf States Marine Fisheries Commission.
- No. 189 January 2011. Annual Report of the SEAMAP October 1, 2009 – September 30, 2010. Jeffrey K. Rester, Editor. Gulf States Marine Fisheries Commission.
- No. 188 October 2010. Gulf of Mexico Cooperative Law Enforcement Operations Plan 2011-2012. Gulf States Marine Fisheries Commission Law Enforcement Committee and Gulf of Mexico Fishery Management Council's Law Enforcement Advisory Panel. Steve VanderKooy, editor. Gulf States Marine Fisheries Commission.
- No. 187 October 2010. Annual Report to the Technical Coordinating Committee, October 1, 2009 – September 30, 2010. Read Hendon, SEAMAP Subcommittee Chairman and Jeffrey K. Rester, SEAMAP Coordinator. Gulf States Marine Fisheries Commission.
- No. 186 September 2010. Licenses and Fees for Alabama, Florida, Louisiana, Mississippi, and Texas in Their Marine Waters for the Year 2009. Debbie McIntyre (Editor). Gulf States Marine Fisheries Commission.
- No. 185 September 2010. 2011 Operations Plan for the Fisheries Information Network (FIN). FIN Committee. Gulf States Marine Fisheries Commission.
- No. 184 September 2010. Law Summary 2010. A Summary of Marine Fishing Laws & Regulations for the Gulf States. Steve VanderKooy (Editor). Gulf States Marine Fisheries Commission.
- No. 183 September 2010. Law Summary 2009. A Summary of Marine Fishing Laws & Regulations for the Gulf States. Steve VanderKooy (Editor). Gulf States Marine Fisheries Commission.
- No. 182 July 2010. Annual Report of the Fisheries Information Network in the Southeast Region (FIN). January 1, 2009 - December 31, 2009. Gulf States Marine Fisheries Commission.

- No. 181 June 2010. Rules and Regulations: Officers' Pocket Guide 2010-2011. Debbie McIntyre (Editor). Gulf States Marine Fisheries Commission.
- No. 180 May 2010. SEAMAP Environmental and Biological Atlas of the Gulf of Mexico, 2007. Jeffrey K. Rester, Nathaniel Sanders, Jr., and Butch Pellegrin, editors. Gulf States Marine Fisheries Commission.
- No. 179 April 2010. SEAMAP Environmental and Biological Atlas of the Gulf of Mexico, 2006. Jeffrey K. Rester, Nathaniel Sanders, Jr., and Butch Pellegrin, editors. Gulf States Marine Fisheries Commission.
- No. 178 February 2010. 2010 SEAMAP-Gulf of Mexico Marine Directory. Fishery-Independent Survey Activities. James C. Hanifen, Chairman, Southeast Area Monitoring and Assessment Program. Gulf States Marine Fisheries Commission.
- No. 177 January 2010. Annual Report of the SEAMAP October 1, 2008 – September 30, 2009. Jeffrey K. Rester, editor. Gulf States Marine Fisheries Commission.
- No. 176 October 2009. SEAMAP Annual Report to Annual Report to the Technical Coordinating Committee, October 1, 2008 – September 30, 2009. James C. Hanifen, SEAMAP Subcommittee Chairman and Jeffrey K. Rester, SEAMAP Coordinator. Gulf States Marine Fisheries Commission.
- No. 175 September 2009. SEAMAP Environmental and Biological Atlas of the Gulf of Mexico, 2005. Jeffrey K. Rester, Nathaniel Sanders, Jr., and Butch Pellegrin, editors. Gulf States Marine Fisheries Commission.
- No. 174 September 2009. 2009 NOAA Fisheries State Marine Directors' Meeting. Report of Larry B. Simpson, Executive Director. Gulf States Marine Fisheries Commission. Publication for 2009 NOAA Fisheries State Marine Directors Meeting, San Antonio, TX, September 28- October 2, 2009.
- No. 173 July 2009. SEAMAP Environmental and Biological Atlas of the Gulf of Mexico, 2004. Jeffrey K. Rester, Nathaniel Sanders, Jr., and Butch Pellegrin, editors. Gulf States Marine Fisheries Commission.
- No. 172 July 2009. SEAMAP Environmental and Biological Atlas of the Gulf of Mexico, 2003. Jeffrey K. Rester, Nathaniel Sanders, Jr., and Butch Pellegrin, editors. Gulf States Marine Fisheries Commission.
- No. 171 June 2009. Annual Report of the Fisheries Information Network in the Southeast Region (FIN). January 1, 2008 - December 31, 2008. Gulf States Marine Fisheries Commission.
- No. 170 June 2009. 2010 Operations Plan for the Fisheries Information Network in the Southeastern United States (FIN). FIN Committee. Gulf States Marine Fisheries Commission.
- No. 169 July 2009. Law Summary 2008. A Summary of Marine Fishing Laws & Regulations for the Gulf States. Teri L. Freitas (Editor). Gulf States Marine Fisheries Commission.

- No. 168 July 2009. Licenses and Fees for Alabama, Florida, Louisiana, Mississippi, and Texas in Their Marine Waters for the Year 2008. Teri L. Freitas (Editor). Gulf States Marine Fisheries Commission.
- No. 167 July 2009. A Practical Handbook for Determining the Age of Gulf of Mexico Fishes – Second Edition. Steve VanderKooy (Editor). Gulf States Marine Fisheries Commission.
- No. 166 May 2009. Rules and Regulations: Officers’ Pocket Guide 2009-2010. Gulf States Marine Fisheries Commission.
- No. 165 February 2009. 2009 SEAMAP-Gulf of Mexico Marine Directory. Fishery-Independent Survey Activities. James C. Hanifen, Chairman, Southeast Area Monitoring and Assessment Program. Gulf States Marine Fisheries Commission.
- No. 164 January 2009. 2009 Operations Plan for the Fisheries Information Network in the Southeastern United States (FIN). FIN Committee. Gulf States Marine Fisheries Commission.
- No. 163 December 2008. Annual report of the Southeast Area Monitoring and Assessment Program (SEAMAP) October 1, 2007 - September 30, 2008. Jeffrey K. Rester, editor. Gulf States Marine Fisheries Commission.
- No. 162 January 2009. Annual Report of the Fisheries Information Network in the Southeast Region (FIN). January 1, 2007 - December 31, 2007. Gulf States Marine Fisheries Commission.
- No. 161 October 2008. Gulf of Mexico Cooperative Law Enforcement Operations Plan 2009-2010. Gulf States Marine Fisheries Commission Law Enforcement Committee and Gulf of Mexico Fishery Management Council’s Law Enforcement Advisory Panel. Steve VanderKooy, editor. Gulf States Marine Fisheries Commission.
- No. 160 October 2008. Gulf of Mexico Cooperative Law Enforcement Strategic Plan 2009-2012. Gulf States Marine Fisheries Commission Law Enforcement Committee and Gulf of Mexico Fishery Management Council’s Law Enforcement Advisory Panel. Steve VanderKooy, editor. Gulf States Marine Fisheries Commission.
- No. 159 October 2008. SEAMAP Annual Report to the Technical Coordinating Committee, October 1, 2007 – September 30, 2008. James C. Hanifen, SEAMAP Subcommittee Chairman and Jeffrey K. Rester, SEAMAP Coordinator. Gulf States Marine Fisheries Commission.
- No. 158 September 2008. *Proceedings from the Atlantic Billfish Research Program Symposium* - Gulf States Marine Fisheries Commission’s Spring Meeting, Galveston, Texas, March 11, 2008. D. Donaldson, editor. Gulf States Marine Fisheries Commission.
- No. 157 September 2008. Licenses and Fees for Alabama, Florida, Louisiana, Mississippi, and Texas in Their Marine Waters for the Year 2007. Teri L. Freitas, editor. Gulf States Marine Fisheries Commission.
- No. 156 August 2008. SEAMAP Environmental and Biological Atlas of the Gulf of Mexico, 2002. Jeffrey K. Rester, Nathaniel Sanders, Jr., and Butch Pellegrin, editors. Gulf States Marine Fisheries

Commission.

- No. 155 May 2008. Law Summary 2007. A Summary of Marine Fishing Laws & Regulations for the Gulf States. Teri L. Freitas, editor. Gulf States Marine Fisheries Commission.
- No. 154 March 2008. Guidelines for Developing Derelict Trap Removal Programs in the Gulf of Mexico – 2008 Revision. Derelict Trap Task Force. Gulf States Marine Fisheries Commission.
- No. 153 January 2008. 2008 SEAMAP-Gulf of Mexico Marine Directory. Fishery-Independent Survey Activities. James C. Hanifen, Chairman, Southeast Area Monitoring and Assessment Program. Gulf States Marine Fisheries Commission.
- No. 152 January 2008. Annual report of the Southeast Area Monitoring and Assessment Program (SEAMAP) October 1, 2006 - September 30, 2007. Jeffrey K. Rester, editor. Gulf States Marine Fisheries Commission.
- No. 151 October 2007. SEAMAP Annual Report to the Technical Coordinating Committee, October 1, 2006 – September 30, 2007. James C. Hanifen, SEAMAP Subcommittee Chairman and Jeffrey K. Rester, SEAMAP Coordinator. Gulf States Marine Fisheries Commission.
- No. 150 September 2007. 2008 Operations Plan for the Fisheries Information Network in the Southeastern United States (FIN). FIN Committee. Gulf States Marine Fisheries Commission.
- No. 149. September 2007. Licenses and Fees for Alabama, Florida, Louisiana, Mississippi, and Texas in Their Marine Waters for the Year 2006. Teri L. Freitas, editor. Gulf States Marine Fisheries Commission.
- No. 148. September 2007. Annual Report of the Fisheries Information Network in the Southeast Region (FIN). January 1, 2006 - December 31, 2006.
- No. 147. April 2007. The State of the Gulf States. GSMFC Larry B. Simpson, Executive Director. Publication for 2007 NOAA Fisheries State Marine Directors Meeting Coronado Island, CA April 30- May 1, 2007. Prepared by Steven J. VanderKooy.
- No. 146. February 2007. 2007 SEAMAP-Gulf of Mexico Marine Directory. Fishery-Independent Survey Activities. James C. Hanifen, Chairman, Southeast Area Monitoring and Assessment Program. Gulf States Marine Fisheries Commission.
- No. 145. December 2006. Annual Report of the Southeast Area Monitoring and Assessment Program (SEAMAP), October 1, 2005 - September 30, 2006. Prepared by: Jeffrey K. Rester, Coordinator, SEAMAP-Gulf of Mexico (Gulf States Marine Fisheries Commission); Elizabeth Griffin, Coordinator, SEAMAP-South Atlantic (Atlantic States Marine Fisheries Commission); and Edgardo Ojeda Serrano, Coordinator, SEAMAP-Caribbean (Puerto Rico Sea Grant College Program). Design and layout: Cheryl R. Noble. Gulf States Marine Fisheries Commission.
- No. 144. November 2006. Law Summary 2006. A Summary of Marine Fishing Laws & Regulations for the Gulf States. Teri L. Freitas, editor. Gulf States Marine Fisheries Commission.

- No. 143. October 2006. The Sheepshead Fishery of the Gulf of Mexico, United States: A Fisheries Profile. Gulf States Marine Fisheries Commission's Sheepshead Technical Task Force. Steve VanderKooy, editor. Gulf States Marine Fisheries Commission.
- No. 142. October 2006. Gulf of Mexico Cooperative Law Enforcement Operations Plan 2007-2008. Gulf States Marine Fisheries Commission Law Enforcement Committee and Gulf of Mexico Fishery Management Council's Law Enforcement Advisory Panel. Steve VanderKooy, editor. Gulf States Marine Fisheries Commission.
- No. 141. October 2006. Licenses and Fees for Alabama, Florida, Louisiana, Mississippi, and Texas in Their Marine Waters for the Year 2005. Teri L. Freitas, editor. Gulf States Marine Fisheries Commission.
- No. 140. October 2006. Annual Report to the Technical Coordinating Committee, October 1, 2005 – September 30, 2006. James C. Hanifen, SEAMAP Subcommittee Chairman and Jeffrey K. Rester, SEAMAP Coordinator. Gulf States Marine Fisheries Commission.
- No. 139. July 2006. Operations Plan for the Fisheries Information Network in the Southeastern United States (FIN). FIN Committee - Chairman Joe Shepard. Gulf States Marine Fisheries Commission.
- No. 138. July 2006. Annual Report of the Fisheries Information Network in the Southeast Region (FIN). January 1, 2005 - December 31, 2005.
- No. 137. March 2006. The Striped Bass Fishery of the Gulf of Mexico, United States: A Regional Management Plan. 2006. Frugé (editor). Gulf States Marine Fisheries Commission. [Hard copies no longer available.]
- No. 136. February 2006. 2006 SEAMAP-Gulf of Mexico Marine Directory. Fishery-Independent Survey Activities. James Hanifen, Chairman, Southeast Area Monitoring and Assessment Program. Gulf States Marine Fisheries Commission.
- No. 135. January 2006. Gulf of Mexico Cooperative Law Enforcement Operations Plan 2006. Gulf States Marine Fisheries Commission Law Enforcement Committee and Gulf of Mexico Fishery Management Council's Law Enforcement Advisory Panel. Cynthia B. Yocom, editor. Gulf States Marine Fisheries Commission.
- No. 134. December 2005. Annual Report of the Southeast Area Monitoring and Assessment Program (SEAMAP), October 1, 2004 - September 30, 2005. Prepared by: Jeffrey K. Rester, Coordinator, SEAMAP-Gulf of Mexico (Gulf States Marine Fisheries Commission); Elizabeth Griffin, Coordinator, SEAMAP-South Atlantic (Atlantic States Marine Fisheries Commission); and Edgardo Ojeda Serrano, Coordinator, SEAMAP-Caribbean (Puerto Rico Sea Grant College Program). Design and layout: Cheryl R. Noble. Gulf States Marine Fisheries Commission.
- No. 133. December 2005. A Summary of Marine Fishing Laws and Regulations for the Gulf States. Law Enforcement Committee - J. Mayne *Chairman*, L. Young *Vice-Chairman*, T. Bakker, B. Buckson, J. Jenkins, K. Raine, R. Livingston, J. Sherlock, and T. Riley. Cynthia B. Yocom, editor. Gulf States Marine Fisheries Commission.

- No. 132. October 2005. Annual Report to the Technical Coordinating Committee, October 1, 2004 – September 30, 2005. James C. Hanifen, SEAMAP Subcommittee Chairman and Jeffrey K. Rester, SEAMAP Coordinator. Gulf States Marine Fisheries Commission.
- No. 131. July 2005. Annual Report of the Fisheries Information Network in the Southeast Region (FIN), January 1, 2004 – December 31, 2004.
- No. 130. March 2005. Licenses and Fees for Alabama, Florida, Louisiana, Mississippi, and Texas in Their Marine Waters for the Year 2004. Cynthia B. Yocom, editor. Gulf States Marine Fisheries Commission.
- No. 129. January 2005. Gulf of Mexico Cooperative Law Enforcement Strategic Plan 2005-2010 and Operations Plan 2005-2006. Gulf States Marine Fisheries Commission Law Enforcement Committee and Gulf of Mexico Fishery Management Council's Law Enforcement Advisory Panel. Cynthia B. Yocom, editor. Gulf States Marine Fisheries Commission.
- No. 128. January 2005. SEAMAP-Gulf of Mexico Marine Directory. Fishery-Independent Survey Activities. James Hanifen, Chairman, Southeast Area Monitoring and Assessment Program. Gulf States Marine Fisheries Commission.
- No. 127. January 2005. Law Summary 2004. A Summary of Marine Fishing Laws and Regulations for the Gulf States. Law Enforcement Committee - Vice-Chairman J.T. Jenkins, J. Mayne, B. Buckson, W. Chatagner, R. Livingston, K. Raine, T. Riley, and J. Sherlock. Cynthia B. Yocom, editor. Gulf States Marine Fisheries Commission.
- No. 126. December 2004. Annual Report of the Southeast Area Monitoring and Assessment Program (SEAMAP), October 1, 2003 - September 30, 2004. Prepared by: Jeffrey K. Rester, Coordinator, SEAMAP-Gulf of Mexico (Gulf States Marine Fisheries Commission); Elizabeth Griffin, Coordinator, SEAMAP-South Atlantic (Atlantic States Marine Fisheries Commission); and Edgardo Ojeda Serrano, Coordinator, SEAMAP-Caribbean (Puerto Rico Sea Grant College Program). Gulf States Marine Fisheries Commission.
- No. 125. October 4, 2004. Annual Report to the Technical Coordinating Committee, October 1, 2003 – September 30, 2004. James C. Hanifen, SEAMAP Subcommittee Chairman and Jeffrey K. Rester, SEAMAP Coordinator. Gulf States Marine Fisheries Commission.
- No. 124. June 2004. Operations Plan for the Fisheries Information Network in the Southeastern United States (FIN). FIN Committee - Chairman Joe Shepard, Kevin Anson, Steven Atran, Page Campbell, Kerwin Cuevas, Guy Davenport, Chris Denson, Bob Dixon, Doug Frugé, Graciela Garcia-Moliner, Vicki Swann, Steve Holiman, Christine Johnson, Barbara Kojis, Craig Lilyestrom, Ron Lukens, Daniel Matos, Joe O'Hop, Tom Sminkey, Tom Schmidt. Gulf States Marine Fisheries Commission.
- No. 123. June 2004. Annual Report of the Fisheries Information Network in the Southeast Region (FIN). January 1, 2003 – December 31, 2003.
- No. 122. June 2003. Licenses and Fees for Alabama, Florida, Louisiana, Mississippi, and Texas in Their Marine Waters for the Year 2003. Cynthia B. Yocom, editor. Gulf States Marine Fisheries Commission.

- No. 121. February 2004. Guidelines for Marine Artificial Reef Materials, Second Edition. A Joint Publication of the Gulf and Atlantic States Marine Fisheries Commissions. Ronald R. Lukens and Carrie Selberg, Project Coordinators.
- No. 120. February 2004. SEAMAP-Gulf of Mexico Marine Directory. Fishery-Independent Survey Activities. James Hanifen, Chairman, Southeast Area Monitoring and Assessment Program. Gulf States Marine Fisheries Commission.
- No. 119. November 2003. Annual Report of the Southeast Area Monitoring and Assessment Program (SEAMAP), October 1, 2002 - September 30, 2003. Prepared by: Jeffrey K. Rester, Coordinator, SEAMAP-Gulf of Mexico (Gulf States Marine Fisheries Commission); Chris Van Maaren, Coordinator, SEAMAP-South Atlantic (Atlantic States Marine Fisheries Commission); and Edgardo Ojeda Serrano, Coordinator, SEAMAP-Caribbean (Puerto Rico Sea Grant College Program). Gulf States Marine Fisheries Commission.
- No. 118. November 2003. Environmental and Biological Atlas of the Gulf of Mexico, 2001. Jeffrey K. Rester, David Hanisko, Nathaniel Sanders, Jr., and Butch Pellegrin, editors. Gulf States Marine Fisheries Commission.
- No. 117. October 2003. Annual Report to the Technical Coordinating Committee, October 1, 2002 – September 30, 2003. James C. Hanifen, SEAMAP Subcommittee Chairman and Jeffrey K. Rester, SEAMAP Coordinator. Gulf States Marine Fisheries Commission.
- No. 116. September 2003. A Summary of Marine Fishing Laws and Regulations for the Gulf States. Law Enforcement Committee - J. Mayne *Chairman*, L. Young *Vice-Chairman*, B. Buckson, W. Chatagner, J. Jenkins, R. Livingston, K. Raine, T. Riley, and J. Sherlock. Cynthia B. Yocom, editor. Gulf States Marine Fisheries Commission.
- No. 115. October 2003. Annotated Bibliography of Fishing Impacts on Habitat - October 2003 Update. Jeffrey K. Rester, editor. Gulf States Marine Fisheries Commission.
- No. 114. June 2003. 2004 Operations Plan for the Fisheries Information Network in the Southeastern United States (FIN). FIN Committee - Kevin Anson, Steven Atran, Page Campbell, Kerwin Cuevas, Guy Davenport, Bob Dixon, Doug Frugé, Graciela Garcia-Moliner, Vicki Swann, Steve Holiman, Christine Johnson, Barbara Kojis, Craig Lilyestrom, Ron Lukens, Daniel Matos, Joe O’Hop, Tom Sminkey, Miguel Rolón, Tom Schmidt, Joe Shepard, and Maury Osborn. Gulf States Marine Fisheries Commission.
- No. 113. June 2003. Mississippi’s Shore Night Fishing Survey. Marine Recreational Fisheries Statistics Survey, January 2001-December 2002. Prepared for the Fisheries Information Network (FIN) Committee Annual Meeting (June 4-5, 2003) held in Lake Buena Vista, Florida. Gregory S. Bray, editor. Gulf States Marine Fisheries Commission.
- No. 112. June 2003. Annual Report of the Fisheries Information Network in the Southeast Region (FIN). January 1, 2002 - December 31, 2002.



- No. 111. May 2003. A Practical Handbook for Determining the Ages of Gulf of Mexico Fishes. Steve VanderKooy and Kathryn Guidon-Tisdell, editors. Gulf States Marine Fisheries Commission.
- No. 110. May 2003. Guidelines for Developing Derelict Trap Removal Programs in the Gulf of Mexico. Derelict Trap Task Force - Harriet M. Perry, *Chair*; Vince Guillory; Tom Wagner; Artussee Morris; Leslie Hartman; Anne McMillen-Jackson; Traci Floyd; Bob Fairbank; Mark LaSalle; Larry Young; Gary Graham; and Robert Metz. Gulf States Marine Fisheries Commission.
- No. 109. April 2003. Licenses & Fees for Alabama, Florida, Louisiana, Mississippi, and Texas in Their Marine Waters for the Year 2002. Cynthia B. Yocom, editor. Gulf States Marine Fisheries Commission.
- No. 108. February 2003. 2003 SEAMAP-Gulf of Mexico Marine Directory. Fishery-Independent Survey Activities. James Hanifen, Chairman, Southeast Area Monitoring and Assessment Program. Gulf States Marine Fisheries Commission.
- No. 107. June 2002. 2003 Operations Plan for the Fisheries Information Network in the Southeastern United States, FIN, by the FIN Committee. Gulf States Marine Fisheries Commission.
- No. 106. December 2002. Annual Report of the Southeast Area Monitoring and Assessment Program (SEAMAP), October 1, 2001-September 30, 2002. Prepared by: Jeffrey K. Rester, Coordinator, SEAMAP-Gulf of Mexico (Gulf States Marine Fisheries Commission); Geoffrey G. White, Coordinator, SEAMAP-South Atlantic (Atlantic States Marine Fisheries Commission); and Edgardo Ojeda Serrano, Coordinator, SEAMAP-Caribbean (Puerto Rico Sea Grant College Program). Gulf States Marine Fisheries Commission.
- No. 105. June 2002. Annual Report of the Fisheries Information Network in the Southeast Region (FIN), January 1, 2001-December 31, 2001. Gulf States Marine Fisheries Commission.
- No. 104. September 2002. Annual Report to the Technical Coordinating Committee, Gulf States Marine Fisheries Commission, October 1, 2001-September 30, 2002. James C. Hanifen, SEAMAP Subcommittee Chairman and Jeffrey K. Rester, SEAMAP Coordinator. Gulf States Marine Fisheries Commission.
- No. 103. June 2001. Framework Plan for the Fisheries Information Network (FIN). FIN Committee, Gulf States Marine Fisheries Commission.
- No. 102. September 2002. A Summary of Marine Fishing Laws and Regulations for the Gulf States. Law Enforcement Committee - J. Mayne *Chairman*, L. Young *Vice-Chairman*, T. Bakker, B. Buckson, J. Jenkins, K. Raine, R. Livingston, J. Sherlock, and T. Riley. Cynthia B. Yocom, editor. Gulf States Marine Fisheries Commission.
- No. 101. April 2002. SEAMAP Environmental and Biological Atlas of the Gulf of Mexico, 2000. Jeffrey K. Rester, David Hanisko, Nathaniel Sanders, Jr., and Butch Pellegrin, editors. Gulf States Marine Fisheries Commission.
- No.100. May 2002. Licenses & Fees for Alabama, Louisiana, Mississippi, and Texas in Their Marine Waters for the Year 2001. Cynthia B. Yocom, editor. Gulf States Marine Fisheries Commission.

- No. 99. March 2002. The Menhaden Fishery of the Gulf of Mexico, United States: A Regional Management Plan. *2002 Revision*. Steven J. VanderKooy and Joseph W. Smith, editors. Gulf States Marine Fisheries Commission. [Hard copies no longer available.]
- No. 98. January 2002. SEAMAP-Gulf of Mexico Marine Directory. Fishery-Independent Survey Activities. James Hanifen, Chairman, Southeast Area Monitoring and Assessment Program. Gulf States Marine Fisheries Commission.
- No. 97. June 2001. Annual Report of the Fisheries Information Network in the Southeast Region (FIN), January 1, 2000 - December 31, 2000. Gulf States Marine Fisheries Commission.
- No. 96. October 2001. The Blue Crab Fishery of the Gulf of Mexico, United States: A Regional Management Plan. V. Guillory, H. Perry, and S. VanderKooy, editors. Gulf States Marine Fisheries Commission. [Hard copies no longer available.]
- No. 95. December 2001. Annual Report of the Southeast Area Monitoring and Assessment Program (SEAMAP), October 1, 2000 - September 30, 2001. Prepared by: Jeffrey K. Rester, SEAMAP-Gulf of Mexico; Geoffrey G. White, SEAMAP-South Atlantic; Edgardo O. Serrano, SEAMAP-Caribbean. Gulf States Marine Fisheries Commission.
- No. 94. November 2001. A Summary of Marine Fishing Laws and Regulations for the Gulf States. Law Enforcement Committee - J. Mayne, J.K. Waller, T. Bakker, B. Buckson, L. Young, E.F. Proulx, and D. Fiedler; Cynthia B. Yocom, editor. Gulf States Marine Fisheries Commission.
- No. 93. October 2001. Annotated Bibliography of Fishing Impacts on Habitat - October 2002 Update. Jeffrey K. Rester, editor. Gulf States Marine Fisheries Commission.
- No. 92. September 2001. Annual Report to the Technical Coordinating Committee, October 1, 2000 to September 30, 2001. TCC SEAMAP Subcommittee; Richard S. Waller, Chairman and Jeffrey K. Rester, editors. Gulf States Marine Fisheries Commission.
- No. 91. June 2001. 2002 Operations Plan for the Fisheries Information Network in the Southeastern United States. FIN Committee. Gulf States Marine Fisheries Commission.
- No. 90. July 2001. Proceedings: Blue Crab Mortality Symposium. V. Guillory, H. Perry, and S. VanderKooy, editors. Held in conjunction with The Crustacean Society Annual Summer Meeting, May 28-29, 1999, in Lafayette, Louisiana. Gulf States Marine Fisheries Commission.
- No. 89. May 2001. Licenses & Fees for Alabama, Florida, Louisiana, and Texas in Their Marine Waters for the Year 2000. Cynthia B. Yocom, editor. Gulf States Marine Fisheries Commission.
- No. 88. May 2001. Blue Crab Derelict Traps and Trap Removal Programs. V. Guillory, A. McMillen-Jackson, L. Hartman, H. Perry, T. Floyd, T. Wagner, and G. Graham. Gulf States Marine Fisheries Commission.
- No. 87. March 2001. The Spotted Seatrout Fishery of the Gulf of Mexico, United States: A Regional Management Plan. Spotted Seatrout Technical Task Force - H. Blanchet, M. Van Hoose,

- L. McEachron, B. Muller, J. Warren, J. Gill, T. Waldrop, J. Waller, C. Adams, R. Ditton, D. Shively, and S. VanderKooy, editor. Gulf States Marine Fisheries Commission.
- No. 86. February 2001. Gulf of Mexico Cooperative Law Enforcement Strategic Plan. Cynthia B. Yocom, editor. Gulf States Marine Fisheries Commission.
- No. 85. February 2001. 2001 SEAMAP-Gulf of Mexico Marine Directory. Fishery-Independent Survey Activities. Southeast Area Monitoring and Assessment Program, James Hanifen, Chairman. Gulf States Marine Fisheries Commission.
- No. 84. January 2001. Gulf of Mexico Striped Bass Restoration Workshop. TCC Anadromous Subcommittee - Doug Frugé, Michael Bailey, J. Alan Huff, Charles Mesing, Jim Duffy, Larry Nicholson, Ron Garavelli, Howard Rogillio, and Norman Boyd. Gulf States Marine Fisheries Commission.
- No. 83. October 2000. The Flounder Fishery of the Gulf of Mexico, United States: A Regional Management Plan. Steven J. VanderKooy, editor. Gulf States Marine Fisheries Commission. [Hard copies no longer available.]
- No. 82. July 2001. SEAMAP Environmental and Biological Atlas of the Gulf of Mexico, 1999. Jeffrey K. Rester, David Hanisko, Nathaniel Sanders, Jr., and Butch Pellegrin, editors. Gulf States Marine Fisheries Commission.
- No. 81. December 2000. Annual Report of the Southeast Area Monitoring and Assessment Program (SEAMAP), October 1, 1999-September 30, 2000. Prepared by: J.K. Rester, SEAMAP-Gulf of Mexico; G.G. White, SEAMAP-South Atlantic; E.O. Serrano, SEAMAP-Caribbean. Gulf States Marine Fisheries Commission.
- No. 80. October 2000. Law Summary 2000 - A Summary of Marine Fishing Laws and Regulations for the Gulf States. Law Enforcement Committee - J.K. Waller, T. Bakker, B. Buckson, D. Johnston, J. Mayne, E.F. Proulx, and J.P. Sherlock; Cynthia B. Yocom, editor. Gulf States Marine Fisheries Commission.
- No. 79. September 2000. Annual Report to the Technical Coordinating Committee, October 1, 1999 to September 30, 2000. TCC SEAMAP Subcommittee; Richard S. Waller, Chairman and Jeffrey K. Rester, editors. Gulf States Marine Fisheries Commission.
- No. 78. October 2000. Annotated Bibliography of Fishing Impacts on Habitat - October 2000 Update. Jeffrey K. Rester, editor. Gulf States Marine Fisheries Commission.
- No. 78A. June 2000. 2001 Operations Plan for the Fisheries Information Network in the Southeastern United States. FIN Committee, Gulf States Marine Fisheries Commission.
- No. 77. June 2000. Annual Report of the Fisheries Information Network in the Southeast Region (FIN). January 1, 1999 - December 31, 1999. Gulf States Marine Fisheries Commission.
- No. 76. May 2000. Licenses & Fees for Alabama, Florida, Louisiana, Mississippi, and Texas in their Marine Waters for the Year 1999. Cynthia B. Yocom, editor. Gulf States Marine Fisheries Commission.

- No. 75. January 2000. SEAMAP Environmental and Biological Atlas of the Gulf of Mexico, 1998. Jeffrey K. Rester, David Hanisko, Nathaniel Sanders, Jr., and Butch Pellegrin, editors. Gulf States Marine Fisheries Commission.
- No. 74. February 2000. 2000 SEAMAP-Gulf of Mexico Marine Directory. Fishery-Independent Survey Activities. Southeast Area Monitoring and Assessment Program, Richard S. Waller, Chairman. Gulf States Marine Fisheries Commission.
- No. 73. February 2000. Annotated Bibliography of Fishing Impacts to Habitat. J.K. Rester, editor. Gulf States Marine Fisheries Commission, Ocean Springs, Mississippi.
- No. 72. January 2000. 2000 Operations Plan for the Fisheries Information Network in the Southeastern United States, FIN. FIN Committee - K. Anson, S. Atran, P. Campbell, K. Cuevas, G. Davenport, B. Dixon, D. Frugé, G. Garcia-Moliner, L. Green, S. Holiman, C. Johnson, B. Kojis, C. Lilyestrom, R. Lukens, D. Matos, J. O'Hop, M. Osborn, M. Rolón, T. Schmidt, and J. Shepard. Gulf States Marine Fisheries Commission.
- No. 71. December 1999. Annual Report of the Southeast Area Monitoring and Assessment Program (SEAMAP), October 1, 1998-September 30, 1999. Prepared by: J.K. Rester, SEAMAP-Gulf of Mexico; G.G. White, SEAMAP-South Atlantic; E.O. Serrano, SEAMAP-Caribbean. Gulf States Marine Fisheries Commission.
- No. 70. December 1999. Law Summary 1999: A Summary of Marine Fishing Laws and Regulations for the Gulf States. Law Enforcement Committee - J.K. Waller, T. Bakker, B. Buckson, D. Johnston, J. Mayne, E.F. Proulx, and D.S. Fiedler; Cynthia B. Yocom, editor. Gulf States Marine Fisheries Commission.
- No. 69. September 1999. Annual Report to the Technical Coordinating Committee, October 1, 1998-September 30, 1999. TCC SEAMAP Subcommittee; Richard S. Waller, Chairman and Jeffrey K. Rester, editors. Gulf States Marine Fisheries Commission.
- No. 68. September 1999. State Legislation Affecting Marine Fisheries in the Gulf of Mexico, 1999. David M. Donaldson, editor. Gulf States Marine Fisheries Commission.
- No. 67. May 1999. Licenses & Fees for Alabama, Florida, Louisiana, Mississippi, and Texas in their Marine Waters for the Year 1998. Cynthia B. Yocom, editor. Gulf States Marine Fisheries Commission.
- No. 66. April 1999. Annual Report, Fisheries Information Network in the Southeast Region (FIN). January 1, 1998- December 1998. Gulf States Marine Fisheries Commission.
- No. 65. January 1999. 1999 Operations Plan for the Fisheries Information Network in the Southeastern United States (FIN). By the FIN Committee. S. Atran, B. Mahood, P. Campbell, L. Kline, W. Laney, S. Lazauski, R. Lukens, D. Lupton, D. Matos, J. Moran, E. Newton, J. O'Hop, J. Poffenberger, J. Califf, M. Rolón, T. Schmidt, J. Shepard, T. Van Devender, B. Dixon, G. Garcia-Moliner, L. Green, S. Holiman, C. Lilyestrom, D. Mumford, E. Newton, J. Pafford, M. Osborn, and B. Stone. Gulf States Marine Fisheries Commission.

- No. 64. February 1999. SEAMAP-Gulf of Mexico Marine Directory, Fishery-Independent Survey Activities. Southeast Area Monitoring and Assessment Program, Richard S. Waller, Chairman. Gulf States Marine Fisheries Commission.
- No. 63. January 1999. SEAMAP Environmental and Biological Atlas of the Gulf of Mexico, 1997. David M. Donaldson, David Hanisko, Nathaniel Sanders, Jr., Perry A. Thompson and Jeffrey K. Rester, editors. Gulf States Marine Fisheries Commission.
- No. 62. December 1998. Annual Report of the Southeast Area Monitoring and Assessment Program (SEAMAP), October 1, 1997-September 30, 1998. Prepared by: J.K. Rester, SEAMAP-Gulf of Mexico, Gulf States Marine Fisheries Commission; G. White, SEAMAP-South Atlantic, Atlantic States Marine Fisheries Commission; L. Hinkey, SEAMAP-Caribbean, Puerto Rico Sea Grant College Program. Gulf States Marine Fisheries Commission.
- No. 61. December 1998. Law Summary 1998: A Summary of Marine Fishing Laws and Regulations for the Gulf States. Law Enforcement Committee - J.K. Waller, T. Bakker, B. Buckson, D. Johnston, J. Mayne, E.F. Proulx, and J.P. Sherlock; Cynthia B. Yocom, editor. Gulf States Marine Fisheries Commission.
- No. 60. September 1998. Annual Report to the Technical Coordinating Committee. October 1, 1997-September 30, 1998. TCC SEAMAP Subcommittee; Richard S. Waller, Chairman and Jeffrey K. Rester. Gulf States Marine Fisheries Commission.
- No. 59. September 1998. State Legislation Affecting Marine Fisheries in the Gulf of Mexico, 1998. David M. Donaldson, editor. Gulf States Marine Fisheries Commission.
- No. 58. June 1998. Licenses & Fees for Alabama, Florida, Louisiana, Mississippi, and Texas in Their Marine Waters for the Year 1997. Editor C.B. Yocom. Gulf States Marine Fisheries Commission.
- No. 57. June 1996. *Proceedings: Integrated Assessment of Shrimp Pathogens: A Workshop*. Sponsored by the USDOC, NOAA, NMFS, USDA, CSREES, EPA. Dr. Thomas D. McIlwain, Dr. Meryl Broussard, Dr. Gary Pruder, organizers. Gulf States Marine Fisheries Commission, May 1998.
- No. 56. February 1998. 1998 SEAMAP-Gulf of Mexico Marine Directory. Fishery-Independent Survey Activities. Southeast Area Monitoring and Assessment Program. Richard S. Waller, Chairman. Gulf States Marine Fisheries Commission.
- No. 55. June 2002. Program Design Document for the Fisheries Information Network in the Southeast Region (FIN). Gulf States Marine Fisheries Commission.
- No. 54. March 1998. 1998 Operations Plan for the Commercial Fisheries Information Network (ComFIN). ComFIN Committee, Gulf States Marine Fisheries Commission.
- No. 53. February 1998. Annual Report: Fisheries Information Network in the Southeast Region (FIN). January 1, 1997-December 31, 1997. Gulf States Marine Fisheries Commission.

- No. 52. January 1998. SEAMAP Environmental and Biological Atlas of the Gulf of Mexico, 1996. David M. Donaldson, David Hanisko, Nathaniel Sanders, Jr., and Perry A. Thompson, editors. Gulf States Marine Fisheries Commission.
- No. 51. December 1997. Annual Report of the Southeast Area Monitoring and Assessment Program (SEAMAP). October 1, 1996-September 30, 1997. SEAMAP - Gulf of Mexico, South Atlantic, Caribbean. Gulf States Marine Fisheries Commission.
- No. 50. September 1997. Annual Report to the Technical Coordinating Committee. October 1, 1996-September 30, 1997. TCC SEAMAP Subcommittee; Richard S. Waller, Chairman. Gulf States Marine Fisheries Commission.
- No. 49. September 1997. Law Summary 1997: A Summary of Marine Fishing Laws and Regulations for the Gulf States. Law Enforcement Committee. Gulf States Marine Fisheries Commission.
- No. 48. March 1998. 1998 Operations Plan for the Recreational Fisheries Information Network in the Southeastern United States [RecFIN(SE)]. RecFIN(SE) Committee. Gulf States Marine Fisheries Commission.
- No. 47. September 1997. State Legislation Affecting Marine Fisheries in the Gulf of Mexico. Gulf States Marine Fisheries Commission.
- No. 46. January 1997. Operations Plan for the Recreational Fisheries Information Network in the Southeastern United States [RecFIN(SE)]. Gulf States Marine Fisheries Commission.
- No. 45. April 1997. Licenses & Fees for Alabama, Florida, Louisiana, Mississippi, and Texas in Their Marine Waters for the Year 1996. Gulf States Marine Fisheries Commission.
- No. 44. March 1997. Annual Report - Fisheries Information Network (FIN) in the Southeast Region. January 1, 1996 - December 31, 1996. Gulf States Marine Fisheries Commission.
- No. 43. 1996. GIS Applications for Fisheries and Coastal Resources Management. Peter J. Rubec and Joseph O'Hop, editors. Gulf States Marine Fisheries Commission.
- No. 42. March 1997. SEAMAP-Gulf of Mexico Marine Directory. Fishery-Independent Survey Activities, 1997. Southeast Area Monitoring and Assessment Program. Richard S. Waller, Chairman. Gulf States Marine Fisheries Commission.
- No. 41. March 1997. SEAMAP Environmental and Biological Atlas of the Gulf of Mexico, 1995. David M. Donaldson, Nathaniel Sanders, Jr., Rick Minkler, and Perry A. Thompson, editors. Gulf States Marine Fisheries Commission.
- No. 40. March 1997. SEAMAP Environmental and Biological Atlas of the Gulf of Mexico, 1994. David M. Donaldson, Nathaniel Sanders, Jr., Rick Minkler, and Perry A. Thompson, editors. Gulf States Marine Fisheries Commission.
- No. 39. February 1997. Netting Regulations for the Gulf States; an unofficial compilation of current netting regulations - for informational purposes only. Gulf States Marine Fisheries Commission.

- No. 38. January 1997. Guidelines for Marine Artificial Reef Materials. TCC Artificial Reef Subcommittee. Gulf States Marine Fisheries Commission.
- No. 37. December 1996. Annual Report of the Southeast Area Monitoring and Assessment Program (SEAMAP), October 1, 1995-September 30, 1996. Gulf States Marine Fisheries Commission.
- No. 36. December 1996. Framework Plan for Fisheries Information Network for Southeast Region. Gulf States Marine Fisheries Commission.
- No. 35. October 1996. Gulf States Marine Fisheries Commission General Session Proceedings: Uses of Fishery-Independent Data. SEAMAP, Gulf States Marine Fisheries Commission.
- No. 34. January 1996. SEAMAP Environmental and Biological Atlas of the Gulf of Mexico, 1993. David M. Donaldson, Nathaniel Sanders, Jr., Rick Minkler, and Perry A. Thompson, editors. Gulf States Marine Fisheries Commission.
- No. 33. December 1995. The Striped Mullet Fishery of the Gulf of Mexico, United States: A Regional Management Plan. Richard L. Leard, Behzad Mahmoudi, Harry Blanchet, Henry Lazauski, Kyle Spiller, Mike Buchanan, Christopher Dyer, and Walter Keithly, editors. Gulf States Marine Fisheries Commission.
- No. 32. April 1995. The Menhaden Fishery of the Gulf of Mexico, United States: A Regional Management Plan. 1995 Revision. Richard L. Leard, John Merriner, Vincent Guillory, Borden Wallace, and Dalton Berry, editors. Gulf States Marine Fisheries Commission. [Hard copies no longer available.]
- No. 31. January 1995. A Profile of the Western Gulf Stone Crab, *Menippe adina*. Vince Guillory, Harriet M. Perry, and Richard L. Leard, editors. Gulf States Marine Fisheries Commission.
- No. 30. October 1994. SEAMAP Environmental and Biological Atlas of the Gulf of Mexico, 1992. David M. Donaldson, Nathaniel Sanders, Jr., Rick Minkler, and Perry A. Thompson, editors. Gulf States Marine Fisheries Commission.
- No. 29. June 1993. SEAMAP Environmental and Biological Atlas of the Gulf of Mexico, 1991. Nathaniel Sanders, Jr., David M. Donaldson, and Perry A. Thompson, editors. Gulf States Marine Fisheries Commission.
- No. 28. May 1993. The Black Drum Fishery of the Gulf of Mexico, United States: A Regional Management Plan. Richard Leard, Richard Matheson, Karen Meador, Walter Keithly, Clarence Luquet, Mark Van Hoose, Christopher Dyer, Scott Gordon, James Robertson, Doug Horn, and Rita Scheffler. Gulf States Marine Fisheries Commission.
- No. 27. December 1992. SEAMAP Environmental and Biological Atlas of the Gulf of Mexico, 1990. Nathaniel Sanders, Jr., David M. Donaldson, and Perry A. Thompson, editors. Gulf States Marine Fisheries Commission.
- No. 26. May 1992. Striped Bass Fishery Management Plan Amendment 1. TCC Anadromous Subcommittee. Gulf States Marine Fisheries Commission.

- No. 25. December 1991. SEAMAP Environmental and Biological Atlas of the Gulf of Mexico, 1989. Nathaniel Sanders, Jr., David M. Donaldson, and Perry A. Thompson, editors. Gulf States Marine Fisheries Commission.
- No. 24. March 1991. The Oyster Fishery of the Gulf of Mexico, United States: A Regional Management Plan. Mark Berrigan, Tommy Candies, John Cirino, Ronald Dugas, Christopher Dyer, Joseph Gray, Tom Herrington, Walter Keithly, Richard Leard, John Ray Nelson, and Mark Van Hoose. Gulf States Marine Fisheries Commission. [Hard copies no longer available.]
- No. 23. February 1991. SEAMAP Environmental and Biological Atlas of the Gulf of Mexico, 1988. Nathaniel Sanders, Jr., David M. Donaldson, and Perry A. Thompson, editors. Gulf States Marine Fisheries Commission.
- No. 22. November 1990. SEAMAP Environmental and Biological Atlas of the Gulf of Mexico, 1987. Nathaniel Sanders, Jr., David M. Donaldson, and Perry A. Thompson, editors. Gulf States Marine Fisheries Commission.
- No. 21. April 1990. The Blue Crab Fishery of the Gulf of Mexico United States: A Regional Management Plan. Philip Steele and Harriet M. Perry, editors. Gulf States Marine Fisheries Commission. [Hard copies no longer available.]
- No. 20. March 1990. SEAMAP Environmental and Biological Atlas of the Gulf of Mexico, 1986. Nathaniel J. Sanders, Jr., Tom Van Devender, and Perry A. Thompson, editors. Gulf States Marine Fisheries Commission.
- No. 19. May 1989. Spanish Mackerel Fishery Management Plan - Gulf of Mexico. Ronald R. Lukens, editor. Gulf States Marine Fisheries Commission. [Hard copies no longer available.]
- No. 18. November 1988. The Menhaden Fishery of the Gulf of Mexico United States: A Regional Management Plan. 1988 Revision. J.Y. Christmas and David J. Etzold, editors. Gulf States Marine Fisheries Commission. [Hard copies no longer available.]
- No. 17. June 1988. SEAMAP Environmental and Biological Atlas of the Gulf of Mexico 1985. Perry A. Thompson, Tom Van Devender, and Nathaniel J. Sanders, Jr., editors. Gulf States Marine Fisheries Commission.
- No. 16. November 1986. Striped Bass Fishery Management Plan - Gulf of Mexico. Larry Nicholson, editor. Gulf States Marine Fisheries Commission. [Hard copies no longer available.]
- No. 15. October 1986. SEAMAP Environmental and Biological Atlas of the Gulf of Mexico 1984. Perry A. Thompson and Nikki Bane, editors. Gulf States Marine Fisheries Commission.
- No. 14. October 1986. Proceedings: Design, Collection, and Assessment of Angler Volunteered Information Programs. Henry G. Lazauski, editor. Gulf States Marine Fisheries Commission.
- No. 13. January 1986. SEAMAP Environmental and Biological Atlas of the Gulf of Mexico 1983. Perry A. Thompson and Nikki Bane, editors. Gulf States Marine Fisheries Commission.



- No. 12. August 1985. Proceedings: SEAMAP Shrimp and Bottomfish Sampling Gear Workshop. John W. Watson and Nikki Bane, editors. Gulf States Marine Fisheries Commission.
- No. 11. January 1985. Executive Summary - Marine Fisheries Initiative - Gulf of Mexico Phase. J.Y. Christmas, David J. Etzold, Thomas D. McIlwain, and Larry B. Simpson, editors. Gulf States Marine Fisheries Commission.
- No. 10. January 1985. Marine Fisheries Initiative - Gulf of Mexico Phase. J.Y. Christmas, David J. Etzold, Thomas D. McIlwain, and Larry B. Simpson, editors. Gulf States Marine Fisheries Commission.
- No. 9. October 1984. A Profile of the Blue Crab Fishery. Harriet M. Perry (editor), Gerald Adkins, Richard Condrey, Paul C. Hammerschmidt, Steve Heath, J.R. Herring, Charles Moss, Garey Perkins. Gulf States Marine Fisheries Commission.
- No. 8. September 1983. The Menhaden Fishery of the Gulf of Mexico United States: A Regional Management Plan. 1983 Revision. J.Y. Christmas, David J. Etzold, and Larry B. Simpson, editors. Gulf States Marine Fisheries Commission. [Hard copies no longer available.]
- No. 7. August 1982. Proceedings of the Blue Crab Colloquium. Harriet M. Perry and W.A. Van Engel, editors. Gulf States Marine Fisheries Commission.
- No. 6. April 1980. Fishery Profiles of Red Drum and Spotted Seatrout. William S. Perret, James E. Weaver, Roy O. Williams, Patricia L. Johansen, Thomas D. McIlwain, Richard C. Raulerson, and Walter M. Tatum. Gulf States Marine Fisheries Commission.
- No. 5. May 1980. Proceedings of the Colloquium on the Biology and Management of Red Drum and Seatrout. Roy O. Williams, James E. Weaver, and Frederick A. Kalber, editors. Gulf States Marine Fisheries Commission.
- No. 4. March 1979. Proceedings on the Colloquium on the Spanish and King Mackerel resources of the Gulf of Mexico. Eugene L. Nakamura and Harvey R. Bullis, editors. Gulf States Marine Fisheries Commission.
- No. 3. October 1966. The Shrimp Fishery of the Gulf of Mexico (Rio Grande River to Key West, FL). Biological notes and recommendations. Shrimp Biological Research Committee. Gulf States Marine Fisheries Commission.
- No. 2. March 1959. The Shrimp Industry of the Gulf of Mexico (Rio Grande River to St. Marks, FL). Biological notes and recommendations. Albert Collier, Robert M. Ingle, Gordon Gunter, and Percy Viosca, Jr. Gulf States Marine Fisheries Commission.
- No. 1. May 1951. Informational Series No. 1 to the Legislators and to the Marine Fisheries Administrators of Alabama, Florida, Louisiana, Mississippi and Texas. (Laws & Regulations for the Shrimp Fishery of the Respective States). Gulf States Marine Fisheries Commission.

## Other

Summary of Aquaculture Programs by State. April 2000. Gulf States Marine Fisheries Commission.

The Fisheries Information Network (FIN), A Cooperative State-Federal Data Collection and Management Program for the Southeast Region. 1999. A descriptive brochure. Gulf States Marine Fisheries Commission.

Coastal Artificial Reef Planning Guide. December 1998. Prepared by: The Joint Artificial Reef Technical Committee of the Atlantic and Gulf States Marine Fisheries Commissions. Contributing authors - R. Christian, H. Ansley, M. Bel, J. Dodrill, B. Figley, S. Heins, T. Hoff, R. MacLoed, M. Meier, S. Murphey, R. Pugliese, K. Rypka, D. Satchwill, J. Tinsman, F. Steimle, R. Lukens, M. Buchanan, R. Kasprzak, S. Heath, J. Culbertson, W. Wahlquist, L. Dauterive. Gulf States Marine Fisheries Commission, Ocean Springs, Mississippi; Atlantic States Marine Fisheries Commission, Washington, DC; and Pacific States Marine Fisheries Commission, Portland, Oregon.

A Cooperative Data Program for Recreational Fisheries in the Gulf of Mexico. Prepared for the United States Congress by the Gulf States Marine Fisheries Commission. April 1998.

Gulf of Mexico Charter Boat Survey Research Program, 1997-1998. An educational brochure. Gulf States Marine Fisheries Commission.

Gulf Menhaden Fact Sheet. An informational brochure. August 1997. Gulf States Marine Fisheries Commission.

*Protecting Fish Habitat - A Guide for Fishermen and Boaters.* Small Efforts Add up to a Big Difference. An informational brochure. Atlantic, Pacific, and Gulf States Marine Fisheries Commissions. 1996. Reprinted 1999.

Gulf States Marine Fisheries Commission - *Serving the Marine Resources of the Gulf of Mexico since 1949.* An informational brochure. August 1996.

State Legislation Affecting Marine Fisheries - Gulf of Mexico. 1990-1996.

Turtle Excluder Devices (TEDs) - A Handy Guide for Fishermen. March 1995.

Summary of Aquaculture Programs by State. A Report to the Technical Coordinating Committee presented by the TCC Habitat Subcommittee. August 1990.

Licenses/Fees Required by Alabama, Florida, Louisiana, Mississippi and Texas. 1984-1996 (see numbered publications on page 1 for recent editions).

Summary of Marine Fishing Laws and Regulations for the Gulf States. October, 1987; 1990; 1992; 1994; 1995; 1996 (see numbered publications on page 1 for recent editions).

A Survey of Recreational Shrimpers in the Bay and Sound Systems of the Gulf Coast. Gary L. Brown, Robert Gurskey, Robert A. Hitlin, J. David Hempstead, and Peggy Hancuff. Prepared under contract no. 000-003 for Gulf States Marine Fisheries Commission. June 1980.

## ANNUAL REPORTS

Gulf States Marine Fisheries Commission Annual Report to the Congress of the United States and to the Governors and Legislators of Alabama, Florida, Louisiana, Mississippi, and Texas. Presented in compliance with the terms of the Compact and State Enabling Acts creating such Commission and Public Law 66\_ - 81<sup>st</sup> Congress assenting thereto.

First (1949-1950)	Forty-fourth (1993)
Second (1950-1951)	Forty-fifth (1994)
Third (1951-1952)	Forty-sixth (1995)
Fourth (1952-1953)	Forty-seventh (1996)
Fifth (1953-1954)	Forty-eighth (1997)
Sixth (1954-1955)	Forty-ninth (1998)
Seventh (1955-1956)	Fiftieth (1999)
Eighth (1956-1957)	Fifty-first (2000)
Ninth (1957-1958)	Fifty-second (2001)
Tenth (1958-1959)	Fifty-third (2002)
Eleventh (1959-1960)	Fifty-fourth (2003)
Twelfth (1960-1961)	Fifty-fifth (2004)
Thirteenth (1961-1962)	Fifty-Sixth (2005)
Fourteenth (1962-1963)	Fifty-Seventh (2006)
Fifteenth (1963-1964)	Fifty-Eighth (2007)
Sixteenth (1964-1965)	Fifty-Ninth (2008)
Seventeenth (1965-1966)	Sixtieth (2009)
Issues 18 through 25 (1966-1967 through 1973-1974) were not published	Sixty-First (2010)
Twenty-sixth (1974-1975)	Sixty-Second (2011)
Issue 27 (1975-1976) was not published	Sixty-Third (2012)
Twenty-eighth (1976-1977)	Sixty-Fourth (2013)
Twenty-ninth (1977-1978)	Sixty-Fifth (2014)
Thirtieth (1978-1979)	Sixty-Sixth (2015)
Thirty-first (1979-1980)	Sixty-Seventh (2016)
Thirty-second (1980-1981)	Sixty-Eighth (2017)
Thirty-third (1981-1982)	Sixty-Ninth (2018)
Thirty-fourth (1982-1983)	
Thirty-fifth (1983-1984)	
Thirty-sixth (1984-1985)	
Thirty-seventh (1985-1986)	
Thirty-eighth (1986-1987)	
Thirty-ninth (1987-1988)	
Fortieth (1988-1989)	
Forty-first (1989-1990)	
Forty-second (1991)	
Forty-third (1992)	

### GSMFC General Sessions

March 2019. Off-Bottom Oyster Aquaculture in the Gulf of Mexico; 2018 Grants. March 2019 GSMFC 69th Annual Spring Meeting General Session. Gulf States Marine Fisheries Commission (online only).

2018 October. Kemp's Ridley -

2018 March. Off-Bottom Oyster Aquaculture in the Gulf of Mexico; 2017 Grants. March 2018. GSMFC 68th Annual Spring Meeting General Session. Gulf States Marine Fisheries Commission (online only).

2017 October. Terrapins and Crab Traps; Examining interactions between terrapins and the crab industry in the Gulf of Mexico. October 2017 GSMFC 68<sup>th</sup> Annual Meeting General Session. Gulf States Marine Fisheries Commission (online only).

2017 March. Harmful Algal Blooms (HABs) in the Gulf of Mexico. March 2016 GSMFC 67<sup>th</sup> Annual Meeting General Session. Gulf States Marine Fisheries Commission (online only).

2016 October. *Gulf of Mexico Oysters, the Industry, and the Future*. October 13, 2016. JW Marriott. New Orleans, LA.

### NEWSLETTER - Discontinued

"**COMPACT NEWS**," a newsletter from the Gulf States Marine Fisheries Commission Staff, is edited by Nancy K. Marcellus and currently published bi-annually (April and November).

*For more information on publications, please contact:*

Gulf States Marine Fisheries Commission  
Attention: Steve VanderKooy (E-mail [svanderkooy@gsmfc.org](mailto:svanderkooy@gsmfc.org))  
2404 Government St.  
Ocean Springs, MS 39564  
Phone (228) 875-5912 x-223  
Fax (228) 875-6604

## PROGRAM REPORTS

### **Interjurisdictional Fisheries Management Program**

(see numbered publications on page 1 for recent publications)

A Partial Bibliography of Oyster Cultch Materials and Resource Management Projects. July 1991. Ron Dugas, Rick Leard, and Mark Berrigan. Gulf States Marine Fisheries Commission.

Proceedings: Conflicts in the Gulf of Mexico Blue Crab Fishery - A Symposium. August 1995. Tom Wagner, editor. Gulf States Marine Fisheries Commission.

### **Southeast Area Monitoring and Assessment Program (SEAMAP)**

(see numbered publications on page 1 for recent publications)

Proceedings of the Reef Fish Workshop at Grand Terre, Louisiana, November 1995. SEAMAP Reef Fish Work Group. Gulf States Marine Fisheries Commission.

Annual Reports to the Technical Coordinating Committee, 1982-1996: Activities and proposed activities for the Southeast Area Monitoring and Assessment Program. Gulf States Marine Fisheries Commission.

Joint Annual Reports of the Southeast Area Monitoring and Assessment Program, FY1985; FY1986; FY1987: Summaries of activities and proposed events for the SEAMAP-Gulf and SEAMAP-South Atlantic components. Gulf States Marine Fisheries Commission.

Joint Annual Reports of the Southeast Area Monitoring and Assessment Program, FY1988-FY1995: Summaries of activities and proposed events for the SEAMAP-Gulf, SEAMAP-South Atlantic, and SEAMAP-Caribbean components. Gulf States Marine Fisheries Commission.

Marine Directories, 1983-1996: Inventories of marine agency contacts (state, federal and university) concerned with fishery research in the Gulf, and summaries of information provided by these organizations: target species, types of fishery-independent sampling gear and platforms, annual sampling effort, and other material. Gulf States Marine Fisheries Commission.

Proceedings of the 1995 SEAMAP Reef Fish Workshop, 1995. SEAMAP Reef Fish Work Group, Grand Terre, Louisiana, October 1995.

### **Wallop-Breaux/Sport Fish Restoration Program**

(see numbered publications on page 1 for recent publications)

WB-1. July 1988. Habitat Criteria for Striped Bass Stocked in Rivers in the Northern Gulf of Mexico. Ronald R. Lukens. Gulf States Marine Fisheries Commission.

WB-2. July 1989. Two Methods of Monitoring and Assessment of Artificial Reef Materials. Ronald R. Lukens, John D. Cirino, J.A. Ballard, and Glenn Geddes. Gulf States Marine Fisheries Commission.

- WB-3. July 1989. Proceedings: Workshop on Marine Recreational Fisheries Statistics Collection in the Gulf of Mexico. Maury Osburn and Henry Lazauski, editors. Gulf States Marine Fisheries Commission and the National Marine Fisheries Service.
- WB-4. August 1989. Proceedings: Marine Recreational Fishing Licensing Symposium, March 15, 1989, New Orleans, Louisiana. Ronald R. Lukens, editor. Gulf States Marine Fisheries Commission.
- WB-5. September 1989. A Profile of State and Federal Marine Recreational Fisheries Programs of the Gulf of Mexico. Virginia Vail, Hal Osburn, and Ronald R. Lukens, editors. Gulf States Marine Fisheries Commission.
- WB-6. September 1989. A Profile of State and Federal Sampling Programs for Eggs, Larvae, and Juveniles of Striped Bass. Ronald R. Lukens, editor. Gulf States Marine Fisheries Commission.
- WB, December 1990. Anadromous Fish Restoration Programs in the Gulf of Mexico. Vernon Minton and Ronald R. Lukens, editors. Gulf States Marine Fisheries Commission.
- WB-7. August 1990. Location and Identification of Thermal Refuges for Striped Bass on the Apalachicola River, Florida. Ronald R. Lukens and James M. Barkuloo. Gulf States Marine Fisheries Commission.
- WB, May 1990. Constituency Awareness and Understanding of the National Recreational Fisheries Policy. Virginia Vail, Hal Osburn, Ronald R. Lukens, editors. Gulf States Marine Fisheries Commission.
- WB, June 1991. A Strategic Plan for Restoration and Management of Gulf of Mexico Anadromous Fisheries. TCC Anadromous Subcommittee. Gulf States Marine Fisheries Commission.
- WB-8. February 1991. Guidelines for Monitoring Striped Bass Eggs, Larvae, Juveniles and Adults in Coastal Programs. Ronald R. Lukens, editor. Gulf States Marine Fisheries Commission.
- WB-9. March 1991. Marine Recreational Fisheries Statistics Survey Intercept Survey Standards for Quality Control. TCC Data Management Subcommittee. Gulf States Marine Fisheries Commission.
- WB, September 1992. Proceedings: Workshop on Marine A For-Hire Recreational Fisheries Survey Methodology. TCC Data Management Subcommittee, Maury Osburn (editor). Gulf States Marine Fisheries Commission.
- WB, March 1992. Federal Aid in Sport Fish Restoration: A Report on Wallop-Breaux Successes and Opportunities. Ronald R. Lukens. Prepared for the U.S. Fish and Wildlife Service. Gulf States Marine Fisheries Commission.
- WB-10. December 1992. Marine Recreational Fishery Data Collection and Management Programs in the Gulf of Mexico Region: Identification and Resolution of Issues. TCC Data Management Subcommittee. Gulf States Marine Fisheries Commission.
- WB-11. December 1993. A Profile of Artificial Reef Development in the Gulf of Mexico. TCC Recreational Fisheries Management Subcommittee. Ronald R. Lukens, Project Coordinator. Gulf States Marine Fisheries Commission.

WB-12. April 1994. The Commercial Fisheries Information Network (ComFIN). A Whitepaper Discussion Regarding the Need for Planning and Coordination of the Collection and Management of Commercial Fishery Statistics. Gulf States Marine Fisheries Commission.

### **Recreational Fisheries Information Network (Southeast) [RecFIN(SE)]**

(see numbered publications on page 1 for recent publications)

RecFIN(SE) Operations Plans; 1993-1996.

RecFIN(SE) Annual Reports; 1993-1995.

July 1996. RecFIN(SE) Fact-Finding Workshop on Charterboat Effort and Harvest.

September 1993. Biological/Environmental Work Group Report for RecFIN(SE).

June 1993. Marine Recreational Fisheries Data Collection Project Summaries for RecFIN(SE).

May 1993. Strategic Plan: Recreational Fishery Information Network for the Southeastern United States RecFIN(SE).

### **Commercial Fisheries Information Network (ComFIN)**

(see numbered publications on page 1 for recent publications)

Operations Plan for Commercial Fisheries Information Network (ComFIN), 1997.

Operations Plans for the Cooperative Statistics Program (CSP), 1994-1996.

Annual Report of the Cooperative Statistics Program (CSP), 1995.

Framework Plan: Cooperative Statistics Program (CSP) for the Southeastern United States; February 1994.

The Commercial Fisheries Information Network (ComFIN), A Whitepaper Discussion Regarding the Need for Planning and Coordination of the Collection and Management of Commercial Fishery Statistics. **see Special Report No. 12-WB.** April 1994.

### **Marine Fisheries Initiative (MARFIN)**

(see numbered publications on page 1 for recent publications)

June 1989. Proceedings: First Annual MARFIN Conference, September 19-20, 1988, Tampa, Florida.

June 1989. Executive Summary to the Annual Report, Marine Fisheries Initiative (MARFIN) Gulf of Mexico, 1 October 1987-30 September 1988.

November 1990. Executive Summary to the Annual Report, Marine Fisheries Initiative (MARFIN) Gulf of Mexico, 1 October 1988-30 September 1989.

January 1991. Proceedings: Third Annual MARFIN Conference, October 31-November 1, 1990, Orlando, Florida.

August 1991. Executive Summary to the Annual Report, Marine Fisheries Initiative (MARFIN) Gulf of Mexico, 1 October 1988-30 September 1990.

May 1991. Proceedings: Fourth Annual MARFIN Conference, September 10-11, 1991, San Antonio, Texas.

July 1992. Executive Summary to the Annual Report, Marine Fisheries Initiative (MARFIN) Gulf of Mexico, 1 October 1990-1 September 1991.

May 1993. Proceedings: Fifth Annual MARFIN Conference, October 28-29, 1992, Corpus Christi, Texas.

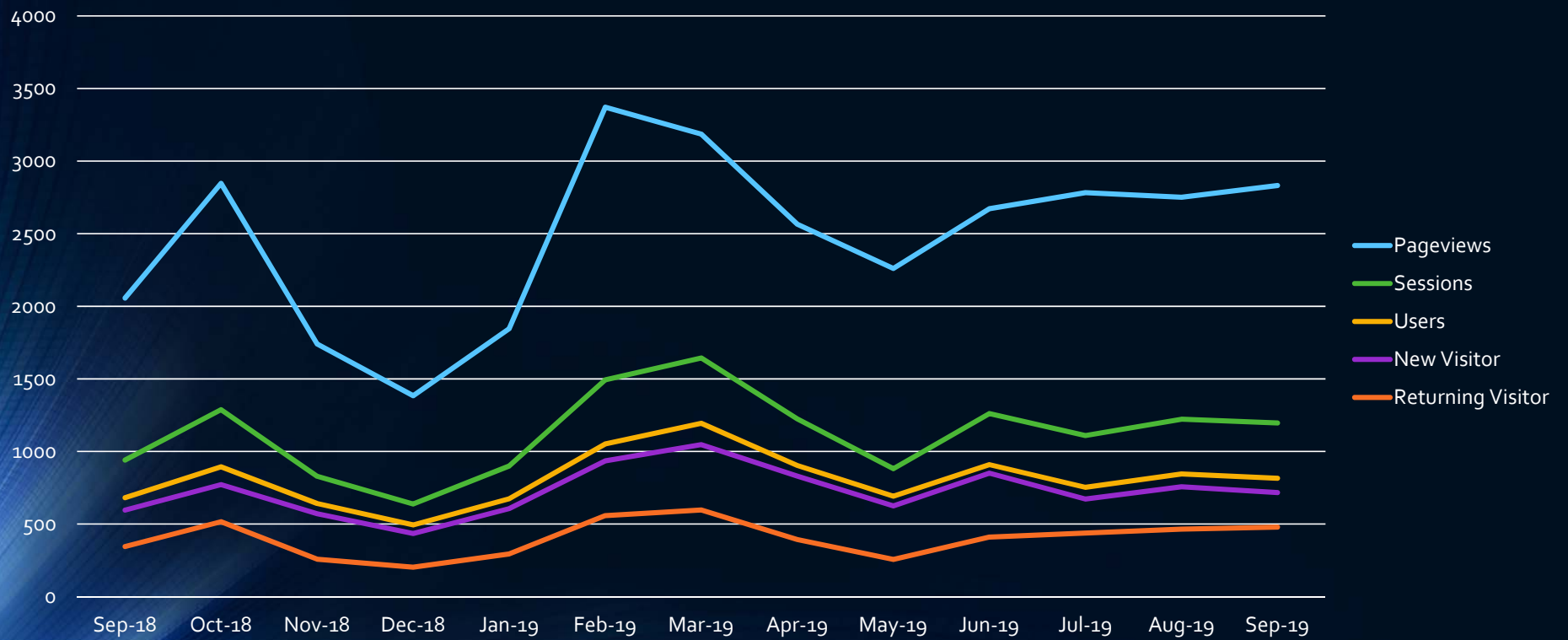


# GSMFC Website Stats

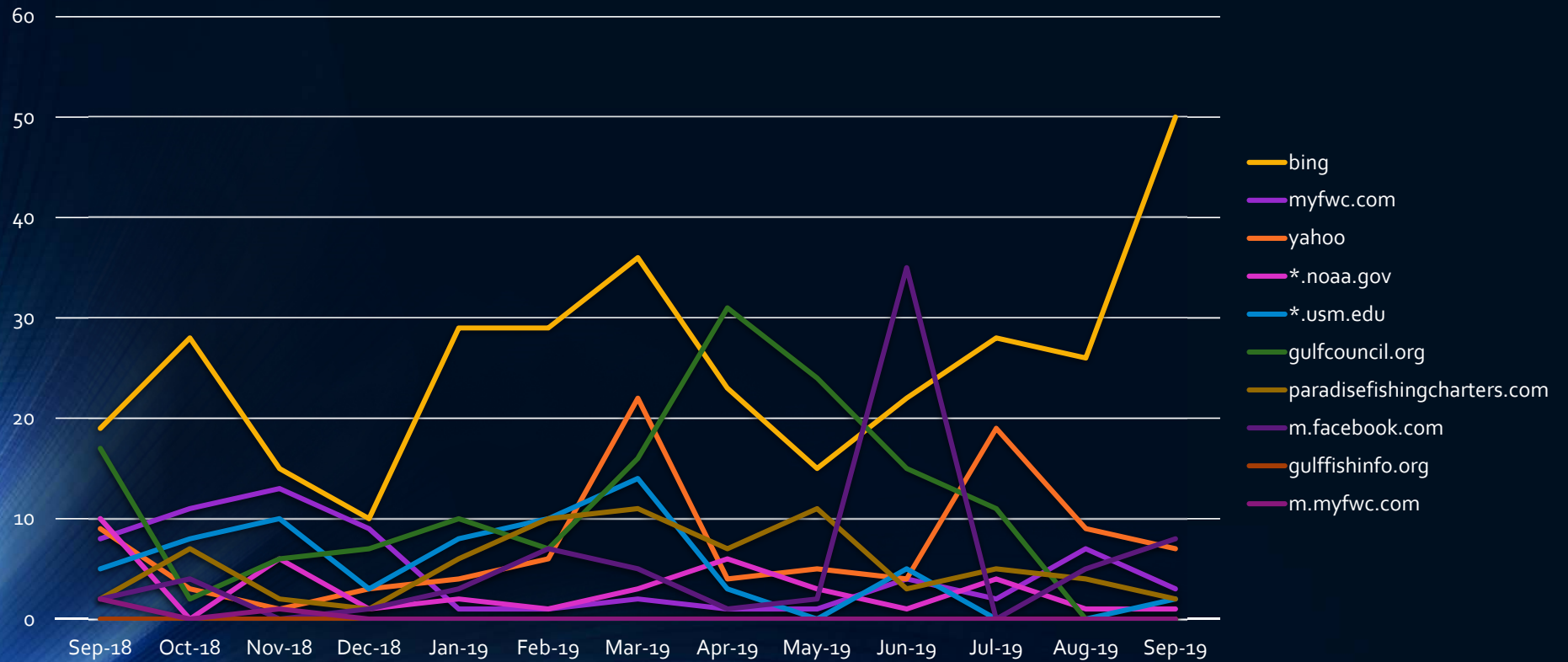
[WWW.GSMFC.ORG](http://WWW.GSMFC.ORG)



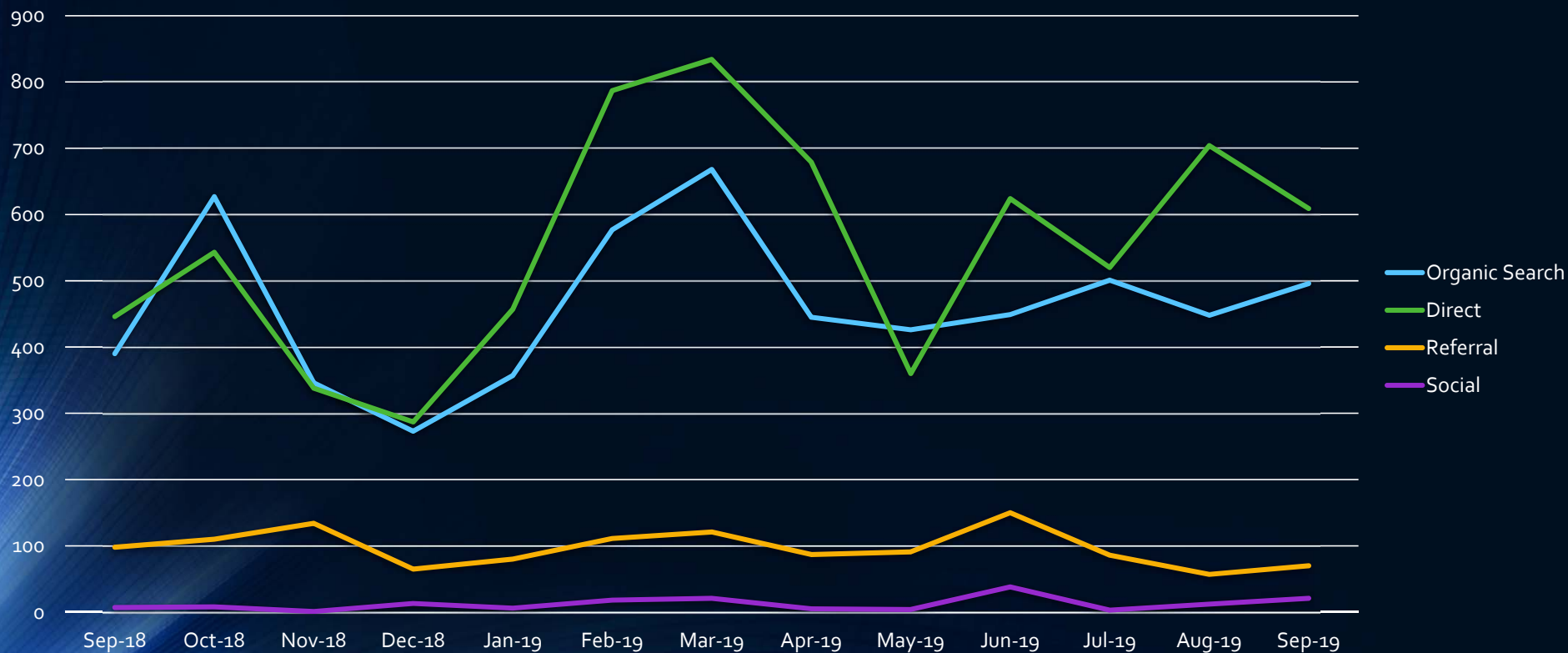
# GSMFC Website Overview



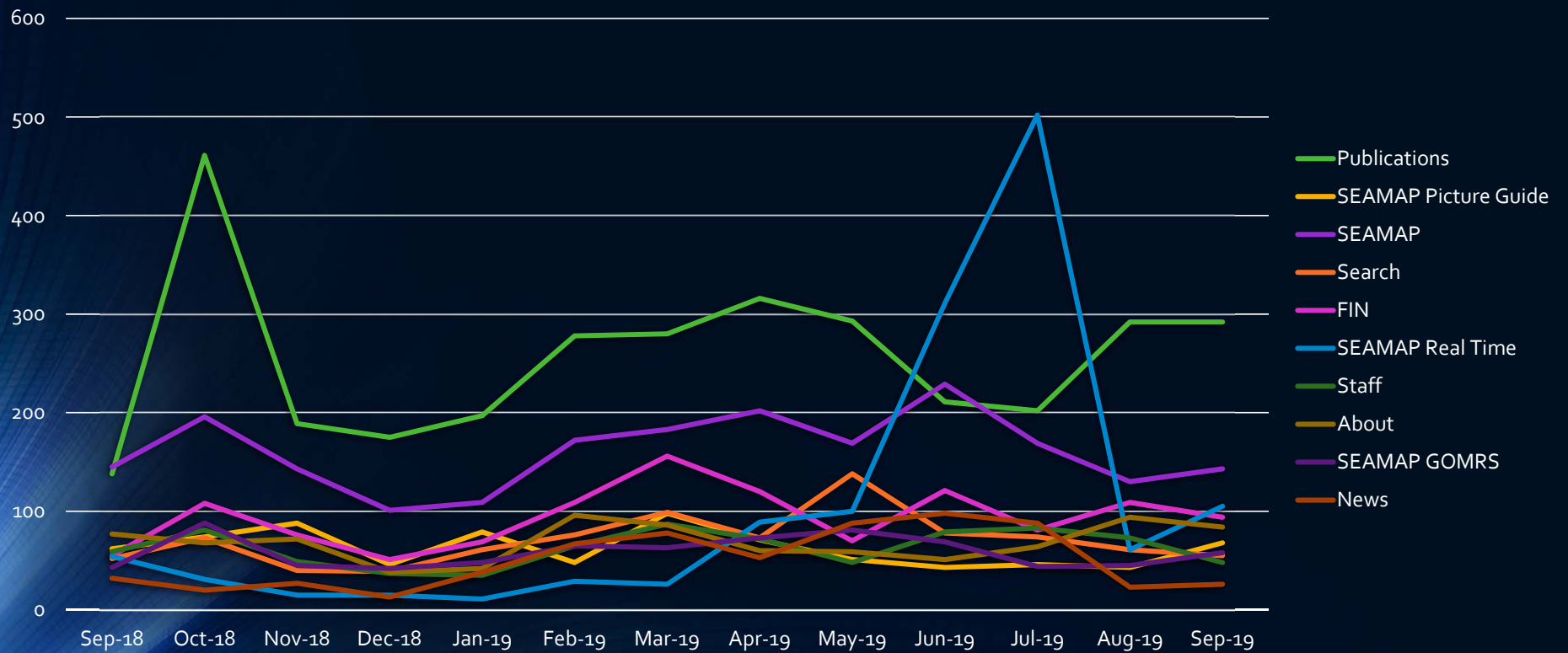
# GSMFC Website Sessions from Source



# GSMFC Website Sessions from Channel



# GSMFC Website Top Pages



# GSMFC Website Top Search Terms



**GULF STATES MARINE FISHERIES COMMISSION**  
**LIST OF OFFICERS**  
1989 - 2019

	<u>1989 - 1990</u>
<b>Chairman</b>	Tommy Gollott (MS)
<b>V. Chairman</b>	Don Duden (FL)
	<u>1990 - 1991</u>
<b>Chairman</b>	Don Duden (FL)
<b>V. Chairman</b>	Leroy Kiffe (LA)
<b>2nd V. Chairman</b>	Taylor Harper (AL)
	<u>1991 - 1992</u>
<b>Chairman</b>	Leroy Kiffe (LA)
<b>V. Chairman</b>	Taylor Harper (AL)
<b>2nd V. Chairman</b>	Rudy Rosen (TX)
	<u>1992 - 1993</u>
<b>Chairman</b>	Taylor Harper (AL)
<b>V. Chairman</b>	Rudy Rosen (TX)
<b>2nd V. Chairman</b>	Joe Gill (MS)
	<u>1993 - 1994</u>
<b>Chairman</b>	Rudy Rosen (TX) (vacated 6/94)
<b>Chairman</b>	Joe Gill (MS) (took over 6/94)
<b>V. Chairman</b>	Ed Conklin (FL)
<b>2nd V. Chairman</b>	Vacant (LA)
	<u>1994-1995</u>
<b>Chairman</b>	Joe Gill (MS) (vacated 12/94)
<b>Chairman</b>	Ed Conklin (FL) (took over 1/95)
<b>V. Chairman</b>	Corky Perret (LA)
<b>2nd V. Chairman</b>	Vacant (AL)
	<u>1995-1996</u>
<b>Chairman</b>	Corky Perret (LA) (vacated 7/96)
<b>Chairman</b>	C. Nelson (AL) (took over 8/96)
<b>V. Chairman</b>	G. McCarty (TX)
<b>2nd V. Chairman</b>	Vacant (MS)
	<u>1996-1997</u>
<b>Chairman</b>	Walter Penry (AL) (took over 10/96)
<b>V. Chairman</b>	Gene McCarty (TX)
<b>2nd V. Chairman</b>	George Sekul (MS)

	<u>1997-1998</u>
<b>Chairman</b>	Buster Brown (TX)
<b>V. Chairman</b>	George Sekul (MS)
<b>2nd V. Chairman</b>	Ed Conklin (FL)
	<u>1998-1999</u>
<b>Chairman</b>	George Sekul (MS)
<b>V. Chairman</b>	Ed Conklin (FL)
<b>2nd V. Chairman</b>	Frederic Miller (LA)
	<u>1999-2000</u>
<b>Chairman</b>	Frederic Miller (LA)
<b>V. Chairman</b>	Russell Nelson (FL)
<b>2nd V. Chairman</b>	Vernon Minton (AL)
<b>Chairman Appointee</b>	Don Perkins (TX)
<b>Immediate Past Chairman</b>	George Sekul (MS)
	<u>2000 - 2001</u>
<b>Chairman</b>	Virginia Vail (FL)
<b>V. Chairman</b>	Vernon Minton (AL)
<b>2<sup>nd</sup> V. Chairman</b>	Mike Ray (TX)
<b>Chairman Appointee</b>	Corky Perret (MS)
<b>Immediate Past Chairman</b>	Frederic Miller (LA)
	<u>2001 - 2002</u>
<b>Chairman</b>	Vernon Minton (AL)
<b>V. Chairman</b>	Mike Ray (TX)
<b>2<sup>nd</sup> V. Chairman</b>	Billy Hewes (MS)
<b>Chairman Appointee</b>	John Roussel (LA)
<b>Immediate Past Chairman</b>	Virginia Vail (FL)
	<u>2002 - 2003</u>
<b>Chairman</b>	Mike Ray (TX)
<b>V. Chairman</b>	Billy Hewes (MS)
<b>2<sup>nd</sup> V. Chairman</b>	John Roussel (LA)
<b>Chairman Appointee</b>	Virginia Vail (FL)
<b>Immediate Past Chairman</b>	Vernon Minton (AL)
	<u>2003 - 2004</u>
<b>Chairman</b>	Billy Hewes (MS)
<b>V. Chairman</b>	John Roussel (LA)
<b>2<sup>nd</sup> V. Chairman</b>	Virginia Vail (FL)
<b>Chairman Appointee</b>	Vernon Minton (AL)
<b>Immediate Past Chairman</b>	Mike Ray (TX)

2004 - 2005  
**Chairman** John Roussel (LA)  
**V. Chairman** Virginia Vail (FL)  
**2<sup>nd</sup> V. Chairman** Chris Nelson (AL)  
**Chairman Appointee** Mike Ray (TX)  
**Immediate Past Chairman** Vacant (MS)

2005 - 2006  
**Chairman** Virginia Vail (FL)  
**V. Chairman** Vernon Minton (AL)  
**2<sup>nd</sup> V. Chairman** Ralph Rayburn (TX)  
**Chairman Appointee** Corky Perret (MS)  
**Immediate Past Chairman** John Roussel (LA)

2006 - 2007  
**Chairman** Vernon Minton (AL)  
**V. Chairman** Ralph Rayburn (TX)  
**2<sup>nd</sup> V. Chairman** Joe Gill (MS)  
**Chairman Appointee** John Roussel (LA)  
**Immediate Past Chairman** Virginia Vail (FL)

2007 - 2008  
**Chairman** Ralph Rayburn (TX) (deceased 1/08)  
**Chairman** Joe Gill (MS) (took over 2/08)  
**V. Chairman** John Roussel (LA)  
**2<sup>nd</sup> V. Chairman** Virginia Vail (FL)  
**Chairman Appointee** Mike Ray (TX)  
**Immediate Past Chairman** Vernon Minton (AL)

2008 - 2009  
**Chairman** Butch Gautreaux (LA)  
**V. Chairman** Virginia Vail (FL)  
**2<sup>nd</sup> V. Chairman** Vernon Minton (AL)  
**Chairman Appointee** Mike Ray (TX)  
**Immediate Past Chairman** Joe Gill (MS)

2009 - 2010  
**Chairman** Virginia Vail (FL)  
**V. Chairman** Vernon Minton (AL)  
**2<sup>nd</sup> V. Chairman** Mike Ray (TX)  
**Chairman Appointee** Joe Gill (MS)  
**Immediate Past Chairman** Butch Gautreaux (LA)



2010 - 2011  
**Chairman** Mike Ray (TX)  
**V. Chairman** Chris Blankenship (AL)  
**2<sup>nd</sup> V. Chairman** Joe Gill (MS)  
**Chairman Appointee** Joey Shepard (LA)  
**Immediate Past Chairman** Vacant (FL)

2011 - 2012  
**Chairman** Chris Blankenship (AL)  
**V. Chairman** Joe Gill (MS)  
**2<sup>nd</sup> V. Chairman** Joey Shepard (LA)  
**Chairman Appointee** David Heil (FL)  
**Immediate Past Chairman** Mike Ray (TX)

2012 - 2013  
**Chairman** Joe Gill (MS)  
**V. Chairman** Randy Pausina (LA)  
**2<sup>nd</sup> V. Chairman** David Heil (FL)  
**Chairman Appointee** Mike Ray (TX)  
**Immediate Past Chairman** Chris Blankenship (AL)

2013 - 2014  
**Chairman** Randy Pausina (LA)  
**V. Chairman** Dan Ellinor (FL)  
**2<sup>nd</sup> V. Chairman** Robin Riechers (TX)  
**Chairman Appointee** Chris Blankenship (AL)  
**Immediate Past Chairman** Joe Gill (MS)

2014 - 2015  
**Chairman** Dan Ellinor (FL)  
**V. Chairman** Mark Lingo (TX)  
**2<sup>nd</sup> V. Chairman** Chris Blankenship (AL)  
**Chairman Appointee** Kelly Lucas (MS)  
**Immediate Past Chairman** Randy Pausina (LA)

2015 - 2016  
**Chairman** Mark Lingo (TX)  
**V. Chairman** Chris Blankenship (AL)  
**2<sup>nd</sup> V. Chairman** Kelly Lucas (MS)  
**Chairman Appointee** Patrick Banks (LA)  
**Immediate Past Chairman** Dan Ellinor (FL)

2016-2017  
**Chairman** Chris Blankenship (AL)  
**V. Chairman** Jamie Miller (MS)  
**2<sup>nd</sup> V. Chairman** Bret Allain (LA)  
**Chairman Appointee** Dan Ellinor (FL)  
**Immediate Past Chairman** Mark Lingo (TX)

2017-2018  
**Chairman** Jamie Miller (MS) (vacated 12/17)  
**Chairman** Bret Allain (LA) (took over 1/18)  
**V. Chairman** Joe Spraggins (MS)  
**2<sup>nd</sup> V. Chairman** Dan Ellinor (FL)  
**Chairman Appointee** Mark Lingo (TX)  
**Immediate Past Chairman** Scott Bannon (AL)

2018-2019  
**Chairman** Joe Spraggins (MS)  
**V. Chairman** Dan Ellinor (FL)  
**2<sup>nd</sup> V. Chairman** Lance Robinson (TX)  
**Chairman Appointee** Scott Bannon (AL)  
**Immediate Past Chairman** Bret Allain (LA)