

H.R.5946

Magnuson-Stevens Fishery Conservation and Management Reauthorization Act of 2006 (Enrolled as Agreed to or Passed by Both House and Senate)

SEC. 103. REGIONAL FISHERY MANAGEMENT COUNCILS.

(i) CONFLICTS OF INTEREST- Section 302(j) (16 U.S.C. 1852(j)) is amended--

(1) by inserting `lobbying, advocacy,' after `processing,' in paragraph (2);

(2) by striking `jurisdiction.' in paragraph (2) and inserting `jurisdiction, or with respect to an individual or organization with a financial interest in such activity.';

(3) by striking subparagraph (B) of paragraph (5) and inserting the following:

`(B) be kept on file by the Council and made available on the Internet and for public inspection at the Council offices during reasonable hours; and'; and

(4) by adding at the end the following:

`(9) On January 1, 2008, and annually thereafter, the Secretary shall submit a report to the Senate Committee on Commerce, Science, and Transportation and the House of Representatives Committee on Resources on action taken by the Secretary and the Councils to implement the disclosure of financial interest and recusal requirements of this subsection, including identification of any conflict of interest problems with respect to the Councils and scientific and statistical committees and recommendations for addressing any such problems.'.

(j) GULF OF MEXICO FISHERIES MANAGEMENT COUNCIL- Section 302(b) (2) (16 U.S.C. 1852(b)(2)) is amended--

(1) by redesignating subparagraph (D) as subparagraph (E); and

(2) by inserting after subparagraph (C) the following:

`(D)(i) The Governor of a State submitting a list of names of individuals for appointment by the Secretary of Commerce to the Gulf of Mexico Fisheries Management Council under subparagraph (C) shall include--

`(I) at least 1 nominee each from the commercial, recreational, and charter fishing sectors; and

`(II) at least 1 other individual who is knowledgeable regarding the conservation and management of fisheries resources in the jurisdiction of the Council.

`(ii) Notwithstanding the requirements of subparagraph (C), if the Secretary determines that the list of names submitted by the Governor does not meet the requirements of clause (i) the Secretary shall--

`(I) publish a notice in the Federal Register asking the residents of that State to submit the names and pertinent biographical data of individuals who would meet the requirement not met for appointment to the Council; and

`(II) add the name of any qualified individual submitted by the public who meets the unmet requirement to the list of names submitted by the Governor.

`(iii) For purposes of clause (i) an individual who owns or operates a fish farm outside of the United States shall not be considered to be a representative of the commercial or recreational fishing sector.

`(iv) The requirements of this subparagraph shall expire at the end of fiscal year 2012.'