

AMENDMENT NO. \_\_\_\_\_ Calendar No. \_\_\_\_\_

Purpose: To ensure that funds are used for fisheries management.

**IN THE SENATE OF THE UNITED STATES—113th Cong., 1st Sess.**

(no.) \_\_\_\_\_

(title) \_\_\_\_\_

\_\_\_\_\_

Referred to the Committee on \_\_\_\_\_ and ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT intended to be proposed by \_\_\_\_\_

Viz:

1 On page \_\_, between lines \_\_ and \_\_, insert the following:  
2

3 **SEC. \_\_. FISHERIES FUNDING.**

4 Section 2(b) of the Act of August 11, 1939 (15  
5 U.S.C. 713c-3(b)), is amended—

6 (1) in paragraph (1), in the matter preceding  
7 subparagraph (A), by striking “The Secretary of Agriculture shall transfer to the Secretary each fiscal  
8 year, beginning with the fiscal year commencing  
9 July 1, 1954, and ending on June 30, 1957,” and  
10 inserting “Subject to paragraph (4), the Secretary of  
11

1 Agriculture shall transfer to the Secretary for each  
2 fiscal year,”; and

3 (2) by adding at the end the following:

4 “(3) Of funds transferred under paragraph (1)  
5 for the first fiscal year after the date of the enact-  
6 ment of the \_\_\_\_\_ Act for which the Secretary  
7 makes the certification described in paragraph (4),  
8 an amount not to exceed \$100,000,000 shall be  
9 available to fisheries with respect to which the Sec-  
10 retary of Commerce made a determination during  
11 fiscal year 2012 under section 308(b) of the Inter-  
12 jurisdictional Fisheries Act of 1986 (16 U.S.C.  
13 4107(b)) and section 312(a) of the Magnuson-Ste-  
14 vens Fishery Conservation and Management Act of  
15 1976 (16 U.S.C. 1861a(a)) that there was a com-  
16 mercial fishery failure due to a fishery resource dis-  
17 aster.

18 “(4) The Secretary of Agriculture may not  
19 transfer funds under paragraph (1) for a fiscal year  
20 until after the date the Secretary submits to Con-  
21 gress a certification for the fiscal year stating that  
22 such funds shall be used—

23 “(A) only for the purposes described in  
24 clauses (i) through (iv) of paragraph (1)(A); or

1           “(B) in the case of first fiscal year after  
2           the date of the enactment of the \_\_\_\_\_  
3           Act for which the Secretary makes a certifi-  
4           cation under this paragraph, only for those pur-  
5           poses or in accordance with paragraph (3).

6           “(5)(A) If the Secretary of Agriculture does not  
7           transfer funds to the Secretary under paragraph (1)  
8           because the requirements of paragraph (4) are not  
9           met for that for a fiscal year, the Secretary of Agri-  
10          culture shall maintain such funds on deposit in ap-  
11          propriate interest-bearing accounts that shall be es-  
12          tablished by the Secretary of the Treasury, or in-  
13          vested in obligations of, or guaranteed by, the  
14          United States. Any revenue accruing from such de-  
15          posits and investments shall be deposited in such ac-  
16          counts and available for future transfer under para-  
17          graph (1).

18          “(B) Funds that are not transferred to the Sec-  
19          retary under paragraph (1) because the require-  
20          ments of paragraph (4) are not met for a fiscal year  
21          shall be deposited in the fund established under  
22          paragraph (1) and transferred to the Secretary for  
23          the next fiscal year that funds may be transferred  
24          under paragraph (1).”.