

115TH CONGRESS
1ST SESSION

H. R. 2560

To amend the Magnuson-Stevens Fishery Conservation and Management Act to encourage elimination of lionfish from United States waters by allowing individuals to exchange lionfish for tags authorizing fishing for certain species in addition to the number of such species otherwise authorized to be taken by such individuals, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 19, 2017

Mr. GAETZ (for himself, Mr. SOTO, Mr. FRANCIS ROONEY of Florida, Mr. LAWSON of Florida, Mr. DESANTIS, Mr. HASTINGS, Mr. DUNN, Mr. DUNCAN of Tennessee, Mr. RUTHERFORD, Ms. ROS-LEHTINEN, Mr. THOMAS J. ROONEY of Florida, Mr. MAST, and Mr. YOHIO) 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 encourage elimination of lionfish from United States waters by allowing individuals to exchange lionfish for tags authorizing fishing for certain species in addition to the number of such species otherwise authorized to be taken by such individuals, 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Reef Assassin Act”.

3 **SEC. 2. ENCOURAGING ELIMINATION OF LIONFISH.**

4 (a) IN GENERAL.—Title III of the Magnuson-Stevens
5 Fishery Conservation and Management Act (16 U.S.C.
6 1851 et seq.) is amended by adding at the end the fol-
7 lowing:

8 **“SEC. 321. ENCOURAGING ELIMINATION OF LIONFISH.**

9 “(a) IN GENERAL.—The Secretary shall issue regula-
10 tions under which a participating State may issue to an
11 individual submitting lionfish taken in Federal or State
12 waters a tag authorizing the taking of a fish of a covered
13 species in Federal waters in addition to any other fish of
14 that species the individual is authorized to take in Federal
15 waters.

16 “(b) REQUIREMENTS FOR ISSUANCE OF TAG.—The
17 regulations shall require—

18 “(1) the submission of 100 lionfish for each tag
19 issued;

20 “(2) that lionfish taken in State waters must be
21 taken by an individual holding a valid license to en-
22 gage in such fishing issued under the laws of such
23 State; and

24 “(3) that each lionfish shall be submitted by re-
25 moving the tail, placing it in a resealable plastic bag,

1 and submitting such bag to a participating State be-
2 fore the tail has significantly deteriorated.

3 “(c) NO LIMITATION ON NUMBER OF TAGS.—The
4 regulations shall not limit the number of tags that may
5 be issued to an individual.

6 “(d) USE OF TAGS.—The regulations shall provide
7 that a tag issued under the regulations—

8 “(1) shall be valid for the 5-year period begin-
9 ning on the date it is issued;

10 “(2) shall authorize only the recreational or
11 commercial taking of a fish that complies with any
12 size limit that otherwise applies to fishing for such
13 fish in the waters in which it is taken;

14 “(3) shall authorize such taking without regard
15 to any seasonal limitation that otherwise applies to
16 the species of fish taken;

17 “(4) shall authorize—

18 “(A) the transfer of tags to any other per-
19 son; and

20 “(B) use of transferred tags in the same
21 manner as such tags may be used by the person
22 to whom the tags were issued; and

23 “(5) shall require that any fish taken under
24 such tag outside any seasonal limitation that other-
25 wise applies to such fish must have the tag fastened

1 between the mouth and gill before being placed in
2 any cooler.

3 “(e) APPROVAL OF STATE TO PARTICIPATE.—

4 “(1) CONDITIONS.—The regulations shall re-
5 quire that as a condition of approving a State to
6 issue tags under this section the Secretary shall re-
7 quire the State to designate a repository for lionfish
8 submitted for such tags.

9 “(2) PROVISION OF FREEZER.—The Secretary
10 shall provide to each participating State freezers in
11 which to store submitted lionfish, at a cost of not
12 more than \$500 for each freezer.

13 “(f) ADDITIONAL REQUIREMENTS.—The Secretary
14 shall—

15 “(1) encourage participating States to use ex-
16 isting infrastructure and staff or volunteers to con-
17 duct the State’s program under this section;

18 “(2) include on the webpage of the National
19 Marine Fisheries Service information about the pro-
20 gram under this section; and

21 “(3) encourage State and local governments to
22 work with retailers and distributors to advance the
23 purchasing and consumption of lionfish.

24 “(g) OTHER PROVISIONS NOT AFFECTED.—

25 “(1) IN GENERAL.—This section—

1 “(A) is intended to protect species of fish
2 that are native to waters of the United States
3 or the exclusive economic zone; and

4 “(B) shall not be construed to constrain
5 any fishery, fishing quota, or fishing allocation.

6 “(2) LIMITATION ON CONSIDERATION OF
7 TAGS.—This section and tags issued or authorized to
8 be issued under this section shall not be considered
9 in any determination of fishing levels, quotas, or al-
10 locations.

11 “(h) DEFINITION.—In this section—

12 “(1) the term ‘covered fish’—

13 “(A) except as provided in subparagraph
14 (B), means red snapper, gag grouper,
15 triggerfish, amberjack; and

16 “(B) does not include any species included
17 in a list of endangered species or threatened
18 species under the Endangered Species Act of
19 1973 (16 U.S.C. 1531 et seq.); and

20 “(2) the term ‘participating State’ means a
21 State that has applied and been approved by the
22 Secretary to issue tags under regulations under this
23 section.”.

1 (b) CLERICAL AMENDMENT.—The table of contents
2 in the first section of such Act is amended by adding at
3 the end of the items relating to title III the following:

“Sec. 301. Encouraging elimination of lionfish.”.

4 (c) DEADLINE FOR REGULATIONS.—The Secretary of
5 Commerce shall issue regulations under the amendment
6 made by subsection (a) by not later than 60 days after
7 the date of the enactment of this Act.

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