

merce \$17,500,000 for each of fiscal years 2007 through 2012 to carry out this section.”

§ 1865. Bycatch reduction engineering program

(a) Bycatch reduction engineering program

Not later than 1 year after January 12, 2007, the Secretary, in cooperation with the Councils and other affected interests, and based upon the best scientific information available, shall establish a bycatch reduction program, including grants, to develop technological devices and other conservation engineering changes designed to minimize bycatch, seabird interactions, bycatch mortality, and post-release mortality in Federally managed fisheries. The program shall—

- (1) be regionally based;
- (2) be coordinated with projects conducted under the cooperative research and management program established under this chapter;
- (3) provide information and outreach to fishery participants that will encourage adoption and use of technologies developed under the program; and
- (4) provide for routine consultation with the Councils in order to maximize opportunities to incorporate results of the program in Council actions and provide incentives for adoption of methods developed under the program in fishery management plans developed by the Councils.

(b) Incentives

Any fishery management plan prepared by a Council or by the Secretary may establish a system of incentives to reduce total bycatch and seabird interactions, amounts, bycatch rates, and post-release mortality in fisheries under the Council’s or Secretary’s jurisdiction, including—

- (1) measures to incorporate bycatch into quotas, including the establishment of collective or individual bycatch quotas;
- (2) measures to promote the use of gear with verifiable and monitored low bycatch and seabird interactions, rates; and
- (3) measures that, based on the best scientific information available, will reduce bycatch and seabird interactions, bycatch mortality, post-release mortality, or regulatory discards in the fishery.

(c) Coordination on seabird interactions

The Secretary, in coordination with the Secretary of¹ Interior, is authorized to undertake projects in cooperation with industry to improve information and technology to reduce seabird bycatch, including—

- (1) outreach to industry on new technologies and methods;
- (2) projects to mitigate for seabird mortality; and
- (3) actions at appropriate international fishery organizations to reduce seabird interactions in fisheries.

(d) Report

The Secretary shall transmit an annual report to the Senate Committee on Commerce, Science, and Transportation and the House of Representatives Committee on Resources that—

(1) describes funding provided to implement this section;

(2) describes developments in gear technology achieved under this section; and

(3) describes improvements and reduction in bycatch and seabird interactions associated with implementing this section, as well as proposals to address remaining bycatch or seabird interaction problems.

(Pub. L. 94-265, title III, §316, as added Pub. L. 109-479, title I, §116(a), Jan. 12, 2007, 120 Stat. 3605.)

REFERENCES IN TEXT

This chapter, referred to in subsec. (a)(2), was in the original “this Act”, meaning Pub. L. 94-265, Apr. 13, 1976, 90 Stat. 331, as amended, known as the Magnuson-Stevens Fishery Conservation and Management Act, which is classified principally to this chapter. For complete classification of this Act to the Code, see Short Title note set out under section 1801 of this title and Tables.

CHANGE OF NAME

Committee on Resources of House of Representatives changed to Committee on Natural Resources of House of Representatives by House Resolution No. 6, One Hundred Tenth Congress, Jan. 5, 2007.

§ 1866. Shark feeding

Except to the extent determined by the Secretary, or under State law, as presenting no public health hazard or safety risk, or when conducted as part of a research program funded in whole or in part by appropriated funds, it is unlawful to introduce, or attempt to introduce, food or any other substance into the water to attract sharks for any purpose other than to harvest sharks within the Exclusive Economic Zone seaward of the State of Hawaii and of the Commonwealths, territories, and possessions of the United States in the Pacific Ocean Area.

(Pub. L. 94-265, title III, §317, as added Pub. L. 109-479, title I, §119, Jan. 12, 2007, 120 Stat. 3607.)

§ 1867. Cooperative research and management program

(a) In general

The Secretary of Commerce, in consultation with the Councils, shall establish a cooperative research and management program to address needs identified under this chapter and under any other marine resource laws enforced by the Secretary. The program shall be implemented on a regional basis and shall be developed and conducted through partnerships among Federal, State, and Tribal managers and scientists (including interstate fishery commissions), fishing industry participants (including use of commercial charter or recreational vessels for gathering data), and educational institutions.

(b) Eligible projects

The Secretary shall make funds available under the program for the support of projects to address critical needs identified by the Councils in consultation with the Secretary. The program shall promote and encourage efforts to utilize sources of data maintained by other Federal agencies, State agencies, or academia for use in such projects.

¹ So in original. Probably should be “of the”.