S. 1747

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Fluke Fairness Act of 2021''.

SEC. 2. FINDINGS.

Congress finds the following:

(1) Summer flounder is an important economic fish stock for commercial and recreational fishermen across the Northeast and Mid-Atlantic United States.

(2) The Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.) was reauthorized in 2006 and instituted annual catch limits and accountability measures for important fish stocks.

(3) That reauthorization prompted fishery managers to look at alternate management schemes to rebuild depleted stocks like summer flounder.

(4) Summer flounder occur in both State and Federal waters and are managed through a joint fishery management plan between the Council and the Commission.

(5) The Council and the Commission decided that each State's recreational and commercial harvest limits for summer flounder would be based upon landings in previous years.

(6) These historical landings were based on flawed data sets that no longer provide fairness or flexibility for fisheries managers to allocate resources based on the best science.

(7) This allocation mechanism resulted in an uneven split among the States along the East Coast which is problematic.

(8) The fishery management plan for summer flounder does not account for regional changes in the location of the fluke stock even though the stock has moved further to the north and changes in effort by anglers along the East Coast.

(9) The States have been locked in a management system based on data collected from 1981 to 1989, thus, the summer flounder stock is not being managed using the best available science and modern fishery management techniques.

(10) It is in the interest of the Federal Government to establish a new fishery management plan for summer flounder that is based on current geographic, scientific, and economic realities.

SEC. 3. DEFINITIONS.

In this Act:

(1) COMMISSION.—The term ''Commission'' means the Atlantic States Marine Fisheries Commission.

(2) COUNCIL.—The term ''Council'' means the Mid-Atlantic Fishery Management Council established under section 302(a) of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1852(a)).

(3) NATIONAL STANDARDS.—The term ''National Standards'' means the national standards for fishery conservation and management set out in section 301(a) of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1851(a)).

(4) SECRETARY.—The term ''Secretary'' means the Secretary of Commerce.

(5) SUMMER FLOUNDER.—The term ''summer flounder'' means the species Paralichthys dentatus.

SEC. 4. SUMMER FLOUNDER MANAGEMENT REFORM.

(a) FISHERY MANAGEMENT PLAN MODIFICATION.—Not later than 1 year after the date of enactment of this Act, the Council shall submit to the Secretary, and the Secretary may approve, a modified fishery management plan for the commercial management of summer flounder under title III of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1851 et seq.) or an amendment to such plan that—

(1) shall be based on the best scientific information available;

(2) establishes commercial quotas in direct proportion to the distribution, abundance, and location of summer flounder as reflected by fishery independent surveys conducted by the National Marine Fisheries Service and State agencies;

(3) considers regional, coastwide, or other management measures for summer flounder that comply with the National Standards; and

(4) prohibits the establishment of commercial catch quotas for summer flounder on a State-by-State basis using historical landings data that does not reflect the status of the summer flounder stock, based on the most recent scientific information.

(b) CONSULTATION WITH THE COMMISSION.—In preparing the modified fishery management plan or an amendment to such a plan as described in subsection (a), the Council shall consult with the Commission to ensure consistent management throughout the range of the summer flounder.

(c) FAILURE TO SUBMIT PLAN.—If the Council fails to submit a modified fishery management plan or an amendment to such a plan as described in subsection (a) that may be approved by the Secretary, the Secretary shall prepare and consider such a modified plan or amendment.

SEC. 5. REPORT.

Not later than 1 year after the date of the approval under section 4 of a modified fishery management plan for the commercial management of summer flounder or an amendment to such plan, the Comptroller General of the United States shall submit to Congress a report on the implementation of such modified plan or amendment that includes an assessment of whether such implementation complies with the National Standards.

By Mrs. FEINSTEIN (for herself and Mr. PADILLA):

S. 1769. A bill to adjust the boundary of the Santa Monica Mountains National Recreation Area to include the Rim of the Valley Corridor, and for other purposes; to the Committee on Energy and Natural Resources.

Mrs. FEINSTEIN. Mr. President, I am pleased to reintroduce the ''Rim of the Valley Corridor Preservation Act'' along with my California colleague Senator PADILLA.

This legislation, based on a Congressionally-authorized National Park Service study, would increase the size of the Santa Monica Recreation Area by 191,000 acres, accomplishing multiple goals of expanding access to green space for underserved communities and conserving and connecting wildlife habitat corridors, while maintaining private property rights and existing land-use authorities.

In 2008, Congress passed the Rim of the Valley Corridor Study Act, which directed the National Park Service to study the area. The park expansion in our bill is based upon this six-year special resource study.

This bill also takes into account more than 2,000 comments received by the public, elected officials, local organizations, and other stakeholders.

The ''Rim of the Valley Corridor Preservation Act'' would add 191,000 acres to the Santa Monica Mountains National Recreation area. This addition, known as the Rim of the Valley Unit, would provide improved recreational, educational, and outdoor opportunities to the local communities.

The proposed expansion would also better protect natural resources and habitats, including valuable habitat for endangered wildlife, such as the California red-legged frog, mountain lions, bobcats, foxes, badgers, coyotes, and deer.

Notably, the ''Rim of the Valley Corridor Preservation Act'' would only allow the Department of the Interior to acquire non-Federal land within the new boundaries through exchange, donation, or purchase from willing sellers.

As I mentioned, this legislation will significantly expand outdoor recreational opportunities for residents of Los Angeles County, one of the most densely populated and park-poor areas in California. The impact of the coronavirus pandemic has only underscored the importance of having access to green spaces close to home.

In fact, 47% of Californians—that's six percent of the total U.S. population—live within two hours of the proposed expansion area. Enlarging the Santa Monica Mountains National Recreation Area, at no cost to U.S. taxpayers, will provide these communities with increased access to public lands and boost the local economy.

In light of President Biden's January 27, 2021 Executive Order on ''Tackling the Climate Crisis at Home and Abroad'' setting the goal of protecting ''30 percent of our lands and waters by 2030'', this legislation aligns with that goal and provides an opportunity to advance it based on federal agency recommendation and a robust public process.

Last Congress, we successfully advanced this legislation out of the Energy and Natural Resources Committee in the Senate.

My colleague, Representative ADAM SCHIFF, reintroduced this legislation in the House, where it passed as part of a larger package in a bipartisan vote last February.

I look forward to working with my colleagues to pass the ''Rim of the Valley Corridor Preservation Act'' out of the Senate as well.

Thank you, Mr. President, I yield the floor.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 227—HONORING THE 100TH ANNIVERSARY OF THE CREATION OF WONDER BREAD IN INDIANAPOLIS, INDIANA

Mr. BRAUN submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 227

Whereas Wonder Bread became a dietary staple for the people of the United States, becoming synonymous with lunch time for school children, diners on highways, and

cafeterias in our factories and military bases, and it is part of the collective experience of living in the United States;

Whereas Wonder Bread was developed by the Taggart Baking Company;

Whereas Wonder Bread was founded in 1905 by brothers Alexander and Joseph Taggart and Alexander's son, Alexander Jr.;

Whereas the company's main factory was located at 18–28 North New Jersey Street in Indianapolis, Indiana;

Whereas Alexander and Joseph were immigrants from the Isle of Man, located in the Irish Sea, and their company became the largest bread bakery in the State of Indiana, producing over 300,000 loaves of bread per week;

Whereas people in the United States were turning away from home baked bread and purchasing their bread due to its convenience and affordability;

Whereas ''soft'' bread was desirable, leading the company to develop a bread with an even texture, soft crust, and a resiliency that enabled butter, jam, and peanut butter to be easily spread upon it;

Whereas Elmer Cline, the Taggart Vice President for merchandising development, came up with the name ''Wonder Bread'' and the colorful balloons on the packaging after watching a hot air balloon race at the Indianapolis Motor Speedway;

Whereas Wonder Bread was sold to the Continental Baking Company in 1925, and subsequently combined the standardized 1.5 pound loaves with the Otto Frederick Rohwedder invention for slicing newly baked bread in the factory and the Henri Sevigne machine that wrapped the loaves in waxed paper to ensure freshness, expanding the Wonder Bread identity, deliverability, and storage capability;

Whereas Wonder Bread's popularity greatly expanded after World War II, leading to a Government request to enhance Wonder Bread with vitamins and minerals to enable the company to advertise its nutritional qualities as well as its convenience;

Whereas Wonder Bread became a major sponsor of renowned children's television shows, and as a result, children from across the country embraced the bread even more;

Whereas the creation and rising popularity of Wonder Bread coincided with a new industrial era where factories produced food with uniform size and weight, and its pre-sliced convenience and being wrapped in resealable packaging made Wonder Bread an icon in the United States; and

Whereas Wonder Bread was not associated with a particular ethnic group, religion, or region of the country and was something new that all people of the United States were experiencing together as something that symbolized the collective experience of the post-war United States and all its possibilities: Now, therefore, be it

Resolved, That it is the sense of the Senate that—

(1) while the Wonder Bread brand has been purchased by multiple companies in the last century, it will always be associated with Indianapolis, Indiana, where the Taggart brothers first developed it;

(2) the influence of the production, packaging, and advertising of Wonder Bread set a standard for an entire industry;

(3) Wonder Bread's story of being created by immigrants, combining with other innovations to create something entirely new, and embracing new means of advertising and distribution all combined to make the story of Wonder Bread unique to the United States;

(4) Wonder Bread, and its immediate association with childhood, is a touchstone for all people of the United States, a product that is iconic to our culture, and a symbol of the age in which it was developed; and

(5) the 100th anniversary of the launching of Wonder Bread is a moment to celebrate United States heritage and the innovation of the people of the United States.

SENATE RESOLUTION 228—DESIGNATING MAY 15, 2021, AS ''KIDS TO PARKS DAY''

Mr. WYDEN (for himself, Mr. PORTMAN, Mr. BOOKER, Mr. HEINRICH, Ms. HIRONO, Ms. COLLINS, and Mr. BURR) submitted the following resolution; which was considered and agreed to:

S. RES. 228

Whereas the 11th annual Kids to Parks Day will be celebrated on May 15, 2021;

Whereas the goals of Kids to Parks Day are to—

(1) promote healthy outdoor recreation and responsible environmental stewardship;

(2) empower young people; and

(3) encourage families to get outdoors and visit the parks and public land of the United States;

Whereas, on Kids to Parks Day, individuals from rural, suburban, and urban areas of the United States can be reintroduced to the splendid National, State, and neighborhood parks located in their communities;

Whereas communities across the United States offer a variety of natural resources and public land, often with free access, to individuals seeking outdoor recreation;

Whereas the people of the United States, young and old, should be encouraged to lead more healthy and active lifestyles;

Whereas Kids to Parks Day is an opportunity for families to take a break from their busy lives and enjoy a day of active, wholesome fun; and

Whereas Kids to Parks Day will—

(1) broaden an appreciation for nature and the outdoors in young people;

(2) foster a safe setting for independent play and healthy adventure in neighborhood parks; and

(3) facilitate self-reliance while strengthening communities: Now, therefore, be it

Resolved, That the Senate—

(1) designates May 15, 2021, as ''Kids to Parks Day'';

(2) recognizes the importance of outdoor recreation and the preservation of open spaces for the health and education of the young people of the United States; and

(3) encourages the people of the United States to observe Kids to Parks Day with safe family trips to parks.

AMENDMENTS SUBMITTED AND PROPOSED

SA 1704. Mr. MARSHALL submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table.

SA 1705. Mr. COTTON submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, supra; which was ordered to lie on the table.

SA 1706. Mr. PAUL (for himself, Mr. TUBERVILLE, and Mr. MARSHALL) submitted an amendment intended to be proposed by him to the bill S. 1260, supra; which was ordered to lie on the table.

SA 1707. Mr. PAUL (for himself, Mr. JOHNSON, Mr. TILLIS, Mr. TUBERVILLE, Mr. MARSHALL, and Mr. BRAUN) submitted an amendment intended to be proposed by him to the bill S. 1260, supra; which was ordered to lie on the table.

SA 1708. Mrs. BLACKBURN (for herself and Mr. LUJÁN) submitted an amendment intended to be proposed by her to the bill S. 1260, supra; which was ordered to lie on the table.

SA 1709. Mr. COTTON submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, supra; which was ordered to lie on the table.

SA 1710. Mr. KENNEDY (for himself, Mr. RISCH, Mr. HAGERTY, Mr. TILLIS, and Mr. TOOMEY) submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, supra; which was ordered to lie on the table.

SA 1711. Mr. KENNEDY submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, supra; which was ordered to lie on the table.

SA 1712. Mr. MARSHALL submitted an amendment intended to be proposed by him to the bill S. 1260, supra; which was ordered to lie on the table.

SA 1713. Mr. MARSHALL submitted an amendment intended to be proposed by him to the bill S. 1260, supra; which was ordered to lie on the table.

SA 1714. Mr. MARSHALL submitted an amendment intended to be proposed by him to the bill S. 1260, supra; which was ordered to lie on the table.

SA 1715. Mr. RISCH (for himself, Mr. BARRASSO, and Mr. YOUNG) submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, supra; which was ordered to lie on the table.

SA 1716. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, supra; which was ordered to lie on the table.

SA 1717. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, supra; which was ordered to lie on the table.

SA 1718. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, supra; which was ordered to lie on the table.

SA 1719. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, supra; which was ordered to lie on the table.

SA 1720. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, supra; which was ordered to lie on the table.

SA 1721. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, supra; which was ordered to lie on the table.

SA 1722. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, supra; which was ordered to lie on the table.

SA 1723. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S.