

Commercial Fishing and Aquaculture Protection Act of 2019

Summary

Background:

- Losses due to algae bloom, freshwater intrusion, habitat destruction, and related factors continue to threaten the viability of the commercial fishing industry.
- Losses due to disease and bird predation continue to threaten the viability of the aquaculture industry.
- Commercial fishermen and aquaculture producers lack access to a viable risk management tool to help mitigate losses associated with adverse market, weather, or other disaster-related conditions.
- Unique aspects associated with commercial fishing and aquaculture production make it difficult for fishermen to find an appropriate fit under traditional farm and livestock support programs, which are typically based on yield or quantifiable mortality losses.

Bill Summary:

- The Commercial Fishing and Aquaculture Protection Act of 2019 seeks to establish a permanent revenue-based disaster program to either replace or serve as an alternative to the “ad hoc” fishery disaster assistance provided by the U.S. Department of Commerce.
- The program would apply to all species whether commercially fished or farm raised.
- Whether or not a fishery disaster has been declared, it would require the Secretary of Commerce to provide support payments based on a formula if actual total gross revenue for a given year falls below 85 percent of the average total gross revenue for the three previous years.
- Payment Calculation: 85 percent of average total gross revenue for three previous years, minus actual total gross revenue during loss year.
- Hypothetical Example (using oysters):
 - 3-year average harvest: 1 million oysters
 - 3-year average price: \$0.25 per oyster
 - 3-year average total gross revenue: \$250,000
 - 2019 actual total gross revenue: \$50,000
 - Payment: $.85 \times \$250,000 - \$50,000 = \$162,500$
- The program would be subject to the availability of appropriated funds, so the bill would not score. Disaster supplemental appropriations measures could be an avenue for funding, such as the \$150 million provided for fishery disaster assistance in the FY2019 Supplemental Appropriations Act enacted on June 6, 2019.
- The program would begin with the 2019 calendar year and remain available each year thereafter.