

UNITED STATES DEPARTMENT OF  
**COMMERCE**  
**NEWS**

WASHINGTON, D.C. 20230

NATIONAL  
OCEANIC AND  
ATMOSPHERIC  
ADMINISTRATION

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NOAA03-081  
**FOR IMMEDIATE RELEASE**  
June 27, 2003

**BUSH ADMINISTRATION RECOMMENDS STRENGTHENING OF  
MAGNUSON-STEVENSON ACT**

As Congress prepares to review and re-authorize the Magnuson-Stevens Fishery Conservation and Management Act, NOAA Fisheries, an agency of the Commerce Department's National Oceanic and Atmospheric Administration (NOAA), offers recommendations to strengthen and build upon the success of existing fisheries management programs.

"The proposals we're submitting seek to improve some of the provisions of the Magnuson-Stevens Act so we can continue to strengthen our science and management capabilities and better adapt to the ever-changing needs of our environment and fishing communities," said Bill Hogarth, director of NOAA Fisheries.

Hogarth explained that the last re-authorization provided the tools to make dramatic changes in fisheries management that focused on goals and improved operations. "As evidenced in our recent report to Congress, the Sustainable Fisheries Act of 1996 – which has been in place only six years – is working to rebuild fish stocks," said Hogarth.

The Magnuson-Stevens Fishery Conservation and Management Act is the nation's premier fisheries conservation law. Originally developed in 1976, the act provides for federal management of fisheries in the 200 mile U.S. Exclusive Economic Zone. The act established authority with the Department of Commerce, through NOAA Fisheries and the eight regional fishery management councils, for management of U.S. fishing operations.

Throughout the 1980s and early '90s, America experienced burgeoning fisheries in these waters as the demand for seafood worldwide rose. During that same period, technology made fishing more efficient and profitable, and more Americans began participating in both commercial and recreational fishing.

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Responding to the increasing challenges facing fisheries management, Congress overhauled the provisions of the act in 1996 – through a re-authorization known as the Sustainable Fisheries Act – to place greater emphasis on fishery management regimes that rebuild overfished stocks, reduce the amount of fish caught unintentionally and discarded, protect fish habitats, prevent overfishing of our nation’s fishery resources, and minimize adverse economic impacts on fishing communities.

Since implementation of these major changes, fisheries managers have made great strides toward ensuring the sustainability of our nation’s living marine resources. For example, NOAA Fisheries’ recent report to Congress on the status of U.S. fish stocks notes the recovery of twenty species over the past five years and the elimination of overfishing for twenty-five species.

Hogarth said that the Bush Administration’s recommendations are the result of six years of council and agency regulatory actions under the Magnuson-Stevens Act. “I believe our fisheries management system is one of the most successful in the world, and with refinement, we can look forward to an even better system,” Hogarth said.

Hogarth noted that NOAA Fisheries is awaiting a report due out later this year by the U.S. Commission for Ocean Policy, which is expected to recommend a wide scope of proposals for how to better manage our oceans. Those recommendations will be carefully evaluated at that time.

The Bush Administration’s recommendations for this year’s Magnuson-Stevens Act re-authorization contain seven key components which are listed on the document accompanying this release.

NOAA Fisheries is dedicated to protecting and preserving our nation’s living marine resources and their habitat through scientific research, management and enforcement. NOAA Fisheries provides effective stewardship of these resources for the benefit of the nation, supporting coastal communities that depend upon them, and helping to provide safe and healthy seafood to consumers and recreational opportunities for the American public. To learn more about NOAA Fisheries, please visit: [www.nmfs.noaa.gov](http://www.nmfs.noaa.gov).

The Commerce Department’s National Oceanic and Atmospheric Administration (NOAA) is dedicated to enhancing economic security and national safety through the prediction and research of weather and climate-related events and providing environmental stewardship of our nation’s coastal and marine resources. To learn more about NOAA, please visit <http://www.noaa.gov>.

Copies of the Magnuson-Stevens Fishery Conservation and Management Act fact sheets can be viewed online at: <http://www.nmfs.noaa.gov>.

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## **Administration's Recommendations for Magnuson-Stevens Act Re-authorization**

Technical amendments to regional fishery management operations. The Administration believes the fisheries management system has by and large succeeded in engaging regional user groups and other constituencies in the regulatory process, and improving the information available to decision makers. The long-term objective is to make the management system more efficient by streamlining the public comment and Secretarial review and approval process. Cost effective provisions for notifying the public have also been introduced.

Amendments to develop standards and requirements for the development of individual fishing quotas (IFQs). IFQs could provide a means of bringing into better balance the harvesting capability of our fleets with the amount of fish available for harvest. This market-based management tool would serve to end the race for fish, improve product quality, enhance safety at sea, while allowing for greater efficiency in fishing operations. These proposals are intended to provide the Councils and industry with a process to develop capacity reduction programs within a national framework.

An amendment that would improve the effectiveness of fishing capacity reduction programs. This amendment would allow a fishing capacity reduction program to apply to several fisheries in a geographical area, allow the Secretary of Commerce to conduct a program without first receiving a request from a council or governor, which permits a program to span multiple fisheries. Such buyback programs can help reduce harvesting capacity to biologically and economically sustainable levels. It also requires that harvester proponents of a capacity reduction program provide the Secretary of Commerce with a proposed implementation plan. These changes allow the Secretary of Commerce to address overcapacity problems that span multiple fisheries and better streamline the program implementation process, and provide the Secretary of Commerce with detailed information about the need for capacity reduction. It would also help address the problem of fishing vessels moving out of one fishery when a capacity reduction program is introduced into adjacent fisheries.

Tougher fines and penalties for fishery violations. This recommendation would deter fisheries violations by increasing the maximum civil and criminal penalties and allowing sanctions on permits issued to individuals to remain in effect even if the permit is transferred to another person. Under these proposals, NOAA Fisheries can more effectively punish violators and deter potential offenders.

Amendments to give the councils and the Secretary discretion in developing additional funding mechanisms for fishery observer programs. This recommendation would provide funding alternatives for observer programs. One approach, when possible, is to fund this program with fees paid by the industry. This is in contrast to current provisions that limit these options to the North Pacific. NOAA Fisheries expects that mandatory observer programs will be implemented in more federally managed fisheries in the years to come, and a variety of funding sources will be necessary to meet the needs of these important programs.

The removal of restrictions on access to essential economic data. This would better enable councils and NOAA Fisheries analysts to conduct required economic assessments of the prospective costs and benefits of management measures, the potential impacts on small businesses, and the

implications for the sustained participation of fishing communities.

A statutory distinction between the terms “overfishing” and “overfished”. The act currently has a single definition that applies to both overfishing and overfished, whereas overfishing relates to the rate of fishing harvests, and overfished relates to the size of the stock of fish. With separate definitions of these terms, NOAA Fisheries and the councils will be in a better position to identify target levels for each factor and to establish appropriate management measures for the stocks of fish that are subject to overfishing and/or are overfished.

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