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Legislation to Avert Unnecessary Fishing Closures Gathers Senate Support

Nelson/Rubio Bill racing the clock to fix management problems in federal saltwater fisheries

WASHINGTON, D.C. – Nov. 29, 2011– With a December 31 deadline looming, support is surging for legislation to ensure that the National Oceanic and Atmospheric Administration's (NOAA) National Marine Fisheries Service uses sound science to set catch limits for the nation's fisheries as a Senate version of the Fishery Science Improvement Act was introduced late yesterday by Senators Bill Nelson (D-Fla.) and Marco Rubio (R-Fla.).

As amended in 2006, the Magnuson-Stevens Fishery Conservation and Management Act (MSA) requires Regional Fishery Management Councils to put in place annual catch limits (ACLs) for every fishery by December 31, 2011. The requirements were intended to end overfishing by 2011 but were predicated on two critical assumptions: catch limit decisions would be based on up-to-date and accurate stock assessments; and there would be improved catch data to better anticipate potential problems in a given fishery. Neither of these obligations has been met.

"Fishery management decisions should be based on sound science," Sen. Nelson said. "This legislation will ensure that science is a priority."

"It's a simple formula," said Sen. Rubio. "Regulatory decisions, if necessary, should always be based on sound science. This legislation provides a simple answer to fishermen and to fishery managers."

Bi-partisan original co-sponsors of the [Nelson/Rubio Bill \(S.1916\)](#) include Oceans Subcommittee Chairman Sen. Mark Begich (D-Alaska); Congressional Sportsmen's Caucus Co-Chairman Sen. John Thune (R-S.D.); Sen. Mary Landrieu (D-La.); Sen. Lisa Murkowski (R-Alaska); Sen. David Vitter (R-La.), and Sen. Roger Wicker (R-Miss.).

Similar to legislation introduced in the House by Rep. Rob Wittman (R-Va.) and 34 bi-partisan co-authors, the Nelson/Rubio Bill has the backing of a broad coalition of fishing, boating and industry groups that see a critical need for federal managers to avoid an unacceptable situation in which arbitrary deadlines are being allowed to trump the essential need for science-based management of our marine resources.

The Congressional Sportsmen's Caucus – the largest bi-partisan, bi-cameral caucus in the U.S. Congress with nearly 300 Members representing all 50 states – has lent its powerful voice to calls for this legislation that will safeguard the strong conservation standards of the Magnuson-Stevens Act while addressing the shortcomings within NOAA Fisheries. The bill has the support of American Sportfishing Association (ASA), Center for Coastal Conservation (Center), Coastal Conservation Association (CCA), Congressional Sportsmen's Foundation (CSF), International Game Fish

Association (IGFA), National Marine Manufacturers Association (NMMA) and The Billfish Foundation (TBF).

To maintain MSA's conservation tenets, the Nelson/Rubio Bill would not apply to stocks that have already been determined to be overfished. However, it offers key components that are intended to steer NOAA Fisheries back to the true intention of the 2006 MSA reauthorization. The bill states that if NOAA Fisheries has not done a stock assessment on a particular stock in the last six years, and there is no indication that overfishing is occurring, an annual catch limit on that stock is not required.

"The legislation is critical to sportsmen from coast to coast to coast," said CSF President Jeff Crane. "NOAA Fisheries needs this discrete legislative fix to ensure that recreational and commercial fishermen are not left at the dock because of the agency's lack of science."

The federal government currently has approximately 528 fish stocks or complexes of stocks under management, and today only 121 of those stocks are considered "adequately assessed." If the agency does not have the data to even hazard a guess about an ACL for some species, there is currently an option for the agency to simply remove those stocks from all management protections, which is not a desirable result. The Nelson/Rubio Bill provides a timely path for NOAA Fisheries to manage all of America's marine fish stocks based on sound science.

"Conservation of our marine resources is important to anglers, so much so that we demand a level of confidence and trust in the federal fisheries management system," said Jeff Angers, president of the Center for Coastal Conservation. "The Nelson/Rubio Bill strengthens the ties between science and the rational management of our resources. The ultimate goal of this bill is to achieve sound management practices that make economic sense for the country, conservation sense for the resource and common sense for anglers."

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For a Fact Sheet on the Nelson/Rubio Bill (S.1916), click [here](#).