



# PRESS RELEASE

## Recreational Fishing Alliance

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### **RFA SAYS MARKETING PLOY WILL KEEP AMERICA FROM FISHING Cautions Angler Support For Lame Duck Legislative Shell Game**

Ever since the Magnuson Stevens Fishery Conservation and Management Act (Magnuson) was reauthorized by Congress in 2006, the Recreational Fishing Alliance (RFA) has been leading efforts to reform the law. “When Magnuson was passed by unanimous consent without any discussion or debate, inflexible definitions were memorialized by federal law removing all ability to responsibly manage both fish and fishermen,” said RFA Executive Director, Jim Donofrio. “RFA has been warning the industry about a looming fisheries crisis and calling for an open debate ever since,” he added.

Instead of agreeing to open public debate, a new marketing campaign coordinated by the American Sportfishing Association (ASA) and National Marine Manufacturers Association (NMMA) through the industry sponsored *Keep America Fishing*™ website is actively collecting angler contacts into an electronic database, while suppressing any open debate on real fisheries reform. “The bills sponsored by Sen. Bill Nelson of Florida (S3594) and Rep. Dan Boren of Oklahoma (HR6316) are supported by trade groups ASA and NMMA, but I wonder if the anglers themselves are really aware of what’s actually contained in the legislation,” Donofrio said.

According to the ASA’s *Keep America Fishing* website, the Nelson/Boren legislation gives NOAA “*the time, resources and guidance*” to meet its responsibilities to properly implement Magnuson “*in the manner in which it was originally envisioned by Congress in 2006.*” However, Donofrio said it was Congress that originally passed this faulty legislation without discussion. “The Nelson/Boren legislation provides cover for NOAA to keep stalling, yet it fails to address accountability measures, arbitrary deadlines and statutory overfishing definitions contained in Magnuson which are actually destroying our industry,” Donofrio said. “ASA called Magnuson *a big win* for the sportfishing industry in 2007, yet fishermen have been losing access because of it ever since,” he said.

RFA has actively lobbied for congressional efforts to counteract these overly-restrictive measures through support of legislation sponsored by Rep. Frank Pallone to add flexibility to federal rebuilding timelines (HR1584) and by Rep. John Mica (HR3307) which could’ve limited the authority of the Secretary to shut down the South Atlantic red snapper fishery without improved studies. While the Pallone bill had a Senate companion bill sponsored by Sen. Charles Schumer (S1255), efforts to find a Florida Senator to sponsor a companion to the Mica bill were unsuccessful in advance of the controversial Amendment 17A and the red snapper closure.

“For three years, the industry’s trade association has fought our efforts to reform Magnuson, while only recently throwing their own personal support into lame-duck session bills by Sen. Nelson and Rep. Boren,” Donofrio said. “The real problem is the Nelson/Boren bills will not help keep Americans fishing but instead will pay a handful of fishermen not to fish.”

According to the RFA, the Nelson/Boren legislation would actually amend the emergency action section of Magnuson to broaden the definition of an emergency situation, providing NOAA with even more justification to close down fisheries while granting the Commerce Secretary with increased authority to declare emergencies. Theoretically, Donofrio says such an amendment could allow NOAA the discretion to adjust landings more quickly in favor of fishing communities, but he points out how the current NOAA Administration has proven very little ‘positive’ history with fishermen to take such initiatives. “Amending federal law to give NOAA power to shut down fisheries more quickly when the flawed harvest projections show harvest limits might be met is a recipe for economic disaster, just ask the operators of our black sea bass fleet,” Donofrio said.

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*The Recreational Fishing Alliance is a national, grassroots political action organization representing recreational fishermen and the recreational fishing industry on marine fisheries issues. RFA’s Mission is to safeguard the rights of saltwater anglers, protect marine, boat and tackle industry jobs, and ensure the long-term sustainability of our Nation’s saltwater fisheries. For information, call 888-JOIN-RFA or visit [www.joinrfa.org](http://www.joinrfa.org).*

RFA said the bill would also amend Magnuson to allow the Commerce Secretary to make payments to fishermen affected by those Magnuson provisions calling for an end of overfishing, but it fails to address the underlying problem of why fishermen are not actually allowed access to these fisheries. “The bill is actually written so that the only fishermen offered government handouts are those fishing under specific sections of Magnuson,” Donofrio said, pointing where the bill specifically addresses fisheries consistent with that part of Magnuson that uses annual catch limits in their management plans. “What these bureaucrats can’t seem to comprehend is that our fishermen aren’t looking for government handouts, they’re simply asking the government for a hand so that we can continue to fish,” Donofrio added.

RFA says to qualify for federal assistance under to the Nelson/Boren plan, a fishery would have to be completely closed (no retention), the stock would need to be classified as experiencing overfishing, and the closure would have to be in place for an entire fishing season. “For our Northeast and Mid-Atlantic fishermen, sea bass would not qualify for assistance, neither would our South Atlantic grouper fishermen who are being shut out of certain fisheries due to the deepwater closure there,” Donofrio said. “This bill is nothing but a fisheries shell game, and it certainly doesn’t keep anyone actively fishing.”

In terms of providing economic assistance, the bills describe how permit fees would go into the Fisheries Conservation and Management Fund first created under section 208 of Magnuson. Donofrio said the Nelson/Boren legislation would amend how that fund is managed, making it more robust when any permit fees are increased. “Being as how recreational anglers are the largest fishing constituent group though we’re not currently under a permit program is a bit troubling,” Donofrio said. “This is perfect language for catch share advocates who would like to push for recreational permit programs to increase the balance of the Fund,” he said.

There’s also additional language related to state matching funds whereby states would be required to pay out additional assistance to fishing communities once the federal responsibilities are met. “Considering the lack of surplus in most state budgets, it’s unlikely many of our coastal states could meet this matching fund requirement, meaning we can expect to see an expanded push for increased permit fees at the state level, perhaps even recreational permit programs to drive revenue,” Donofrio said.

Recent press releases supporting the Keep America Fishing web campaign have hyped it as the ‘voice of the American angler,’ which RFA says is mostly market-speak. “The tackle industry trade publications are calling this a ‘brand’ which tells me as much as I need to know,” said Jim Hutchinson, Jr., Managing Director of the RFA. “I spent years in the business of marketing and branding, and what our fishing industry needs now is a backbone, not a marketing campaign,” he said.

According to Hutchinson, Keep America Fishing is aimed mostly at casual fishermen and Internet browsers, what one industry insider described as *Lunchbox Larry* types. “These boardroom executives think of our saltwater anglers as inactive, unmotivated rubes who could care less if they catch anything,” Hutchinson said. “Our hardcore RFA members don’t simply want a boat ride experience with friends and family, they want to be able to hunt down and harvest some fish once in awhile.”

Hutchinson explains that there are no Keep America Fishing activists, no lobbyists, no fisheries experts or staff scientists, “it’s simply a marketing ploy run by an ad agency hired to make the trade association look like it’s doing something to protect the rights of anglers,” Hutchinson said, adding “this is the same group which told the industry not to join the RFA at our national rally in DC, who believed that a national demonstration wouldn’t work, and who’s now trying to pass off a webpage as grassroots activism, I think it’s deplorable,” he said.

“Fishermen who signed up for Keep America Fishing email campaigns as are now united under one voice with a group which openly supported the restrictive language written into Magnuson in 2006 and is now advocating for building broader private angler support for catch shares in 2010,” Donofrio added.