

New England Regional Fishery Management Council

Peabody Office Bldg., One Newbury Street, Peabody MA, 01960 - 617-535-5450

June 1977 Agenda

Item 12

MEMO

To: William G. Gordon, Regional Director
NMFS, Northeast Region

Date: May 27, 1977

From: 
Spencer Apollonio, Executive Director

Subject: PROPOSED AMENDMENTS TO FCMA.

In response to your request, the Council makes the following recommendations for amendments to the FCMA:

1. Provide for emergency regulations, upon Council request, to be effect for up to six months, to provide protection to stocks until FMP's can be prepared.
2. Exempt FCMA from Section 10 (e) (f) of Federal Advisory Committee Act (FACA) which requires that a federal official approve agenda, convene meetings, attend or chair meetings, and which provides that the federal officer may adjourn such meetings of committees of the Council.
3. Exempt FCMA from FACA requirement (Sec. 10 (a) (2) that committees of Council Members be required to advertise their meeting in the Federal Register.
4. Amend FMCA to provide that Council budgets shall be individually identified as line items within the NOAA/NMFS budget.
5. Amend FCMA according to the Hathaway Bill (attached) to provide for rapid appointments to Council vacancies.
6. Amend FCMA Section 201 (e); "Allocation of Allowable Level - The Secretary of State, in cooperation with the Secretary, shall determine the allocation among foreign nations of the total allowable level of foreign fishing which is permitted with respect to any fishery subject to the exclusive fishery management authority of the United States. The total allowable level of foreign fishing shall be determined by a Fishery Management Plan prepared by the

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SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL

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May 27, 1977

*June agenda
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TO: William H. Stevenson, Regional Director
National Marine Fisheries Service
(sgd) Ernest D. Premetz

FROM: Ernest D. Premetz, Executive Director
South Atlantic Fishery Management Council

SUBJECT: Proposed Amendments to P.L. 94-265

In line with your request, the South Atlantic Council has considered possible amendments to P.L. 94-265. Recommendations adopted by the Council follow:

- (1) All foreign vessels fishing in the U.S. Fishery Conservation Zone must have a valid permit.
- (2) Authorize the Secretary of Commerce, upon recommendation of the Fishery Management Councils, to initiate Emergency Fishery Management Plans (EFMP's) to control both domestic and foreign fisheries within the U.S. Fishery Conservation Zone.
- (3) Provide that Council staff be considered Federal employees for purposes of participation in Federal life and health insurance programs.
- (4) Provide a mechanism for appointing members to the Council in the event the Governor of a particular State fails to act. This could be done through passage of S. 1263 or inclusion of the provisions of said bill in P.L. 94-265, amended as follows:
"In the event a Governor fails to submit nominations within 45 days for either obligatory or at large vacancies as they occur, the Secretary of Commerce shall make his selections from the latest previous list submitted by the Governor of the subject State."

cc:
✓ Executive Directors, Regional Fishery Management Councils

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