



LUMMI INDIAN BUSINESS COUNCIL

2616 KWINA DRIVE • BELLINGHAM, WASHINGTON 98228 • (360) 884-1489

DEPARTMENT _____

EXT. _____

Attached 2

September 28, 2001
The Honorable Donald Evans
Secretary of Commerce
United States Department of Commerce
14th and Constitution Avenue, NW
Washington, DC 20230

2001 OCT -9 PM 6:43

OS EXECUTIVE SECRETARIAT

Dear Mr. Secretary:

I formally request you declare a fisheries resource failure pursuant to Section 312 of the Magnuson-Stevens Fishery and Conservation and Management Act (Act) so disaster assistance can be provided to the adversely impacted commercial and subsistence fishermen, communities, small business owners, and their employees on Lummi Indian Reservation in the northwest corner of Washington State. I am hopeful you will be able to act quickly to mitigate this situation before the human and ecological impacts are magnified.

On September 4th, 2001, the Lummi Indian Business Council, the governing body of the Lummi Nation, declared a fisheries economic disaster throughout the Reservation due to the catastrophic collapse of the salmon returns. The exact causes of the failure are still undetermined, but are most likely linked to a number of factors including: changing ocean conditions causing poor ocean survival, and disease; and interception in state, federal, and international waters. The tribe is currently engaged in an assessment of these fisheries, consistent with our Sustainable Fisheries Policy, with emphasis on salmon spawning escapement and subsistence harvest. Our assessment will consider the full salmon lifecycle from freshwater spawning habitat to ocean migration.

In 1999 and 2000 the Lummi Nation suffered unprecedented low salmon returns. In response, the Lummi Nation worked with the State of Washington and the Bureau of Indian Affairs to make funds were made available under their welfare and retraining programs. Lummi Nation government and its members have not been able to access funding under Section 312 of the Act. In these disasters the Bureau of Indian Affairs has provided personal emergency living expense assistance. However, the Tribe received no grants on federal funds for needed economic development projects. Therefore the impact of the third consecutive fisheries failure on Tribal members is very serious. I am proud of the efficient manner in which the Lummi Nation and the Bureau of Indian Affairs have able to provide disaster aid in years past. I am asking that this effort be expanded to include financial assistance to re-structure and re-finance the Lummi Nation Salmon.

Fishing industry such that it can achieve profitability given the remaining fisheries resources and economic development projects needed to diversify our economy.

Unfortunately, the failure of the salmon runs are more pronounced this year and, due to the failures over the past few years, the devastating impact of the commercial and subsistence fisheries crash has been compounded. As described in the enclosures, the 2001 salmon returns in the disaster regions are significantly less than the 20-year average and some returns are the lowest on record. There are more than 600 families in the disaster area who are dependent on salmon for economic and social survival. The situation this year has deteriorated and many individuals in the communities are unable to pay for food, essential utilities, home heating fuel, and gasoline for other subsistence activities now and through the quickly upcoming winter. Further, nearly all of the 4,500 members of the Lummi Nation rely on subsistence fishing as a major aspect of their Native lifestyle and to supplement their limited cash economy. For some of these families, this disaster has caused a serious depletion in traditional subsistence food sources.

As described in the enclosed documents, the tribe is already engaged in a comprehensive effort to assess the situation and provide desperately needed assistance and services to its affected membership of the disaster area. A disaster declaration under Section 312 is needed to make federal resources available for individual and family assistance; a 5-year research, monitoring, and enforcement effort; and community and workforce development for economic diversification.

The cumulative impact of several years of poor salmon runs has exhausted personal and community resources in a large portion of our tribe. We will be grateful for your earliest possible formal action on our request for a Section 312 fishery failure.

If I may be of further assistance, please call me at (360) 384-1489 or have a member of your staff contact Ms. Raynette Finkbonner, Chief of Staff in my office at the same number.

Sincerely,



Gordon Adams, Vice Chairman
Lummi Nation

Enclosures:
2001 Fisheries Disaster Declaration

CC: The Honorable Patty Murray, US Senator
The Honorable Maria Cantwell, US Senator
The Honorable Richard Larsen, Congressman



LUMMI INDIAN BUSINESS COUNCIL

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LUMMI NATION

SALMON
FISHERIES
ECONOMIC
DISASTER

2001

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ACT**

**COPY OF CFDA NUMBER 11.452, UNALLIED INDUSTRY
PROJECTS**



LUMMI INDIAN BUSINESS COUNCIL

2616 KWANA ROAD • BELLINGHAM, WASHINGTON 98226-9298 • (360) 384-1489

DEPARTMENT _____

EXT. _____

September 11, 2001

Dear Fishers,

Within the last week, LIBC has resolved that it must devise a strategy that would counteract the adverse economic and social effects that will be caused by the failure of the 2001 Salmon season. It is particularly clear to us that our fleet cannot continue to survive midst these dire economic conditions and market breakdowns. Consequently, we believe that we must formulate a "bail-out plan" that will provide a form of relief that could either provide the real means for our fishers to re-position themselves in this deteriorating industry, or secure an opportunity to effectively exit the industry completely. This is much easier said than done, and we suspect that such an undertaking will not be accomplished without pain and/or sacrifice. However, we hope that by devising a "smart and comprehensive" plan, we can maintain a fleet that can sustain itself until the day that the industry begins to correct itself, and provide a level of economic fairness for those who may be damaged in the implementation of such a bail-out. We have scheduled a meeting that we are asking you to attend for September 7, 2001 at 12:00, noon in the LIN Council Chambers.

In an effort to expedite the agenda for said meeting; following is a basic analysis of the issues that are facing us all. We hope that this will broaden your understanding of the situation and it's gravity, and allow you time to begin formulating your input for this meeting.

Fleet Condition:

Many of the larger and more expensive fishing boats have received "low interests loans" from the federal SBA disaster program, and the vast majority of these fishers still are unable to remain current with their lenders and vendors. In many cases, these fishers have pledged every asset at their disposal, (including their homes and property) as security, and are likely to be forced to file for bankruptcy protection. It is probable that the majority of these vessels will be lost to foreclosure within the next few months. It is certain that existing federal assistance programs will not resolve their problems, and solutions will be particularly difficult. Yet, there continues to be a lingering question, is saving these vessels really financially practical and realistic? On a production basis, the 2001 Fraser run was predicted to be the high of the cycle. If 2001 really is the high of the cycle, what will the balance of the cycle have in store for us? Are there realistic opportunities for these vessels in other fisheries? Where will the capital come from to

complete such conversions? Should these fishers consider downsizing to a vessel that has other cost-effective applications? Or should they just exit the fishing industry altogether? These are obviously emotionally charged issues, but they must be considered in the equation. I must also caution you, that there will always be limitations on any federal or state program.

Market Conditions:

We have seen Puget Sound Sockeye prices at \$.75 per pound on the grounds during the 2001 fishery, and it is said that the buyers lost money on products that they bought. This low price occurred even though 2001 was the low cycle of the Bristol Bay Sockeye run, which historically has driven price levels throughout the entire industry. So what is happening? It is a fact that the Yen/Dollar exchange rate fell by 20% from 2000 to 2001, and surely has adverse impacts on the value of exported Sockeye. Determining the future of the exchange rate is relatively unpredictable. However, no one is predicting any radical improvement for the short term.

It is also a fact that the Chilean "farmed Salmon production" is expected to total nearly 140 million pounds in 2001. This product is being sold in Japan at an average wholesale price range of \$1.58 to \$1.65 per pound. In contrast, Bristol Bay, during a good year, could produce 130 million finished pounds. The Bristol Bay processors would need to sell that product at \$2.02 in Japan to breakeven on Sockeye that was bought at an "ex-vessel price" of \$.40 per pound. Just three years ago, Salmon marketers would say that no way would Chilean Coho be substituted for Sockeye. These same folks are now trying to find a way to sell Sockeye with out losing their companies. They will also say that the Chileans have pushed "wild Salmon" out of the domestic marketplace as well.

Although Sockeye has always been the mainstay of our fleet, it is also important to consider the relative impacts caused by farmed fish on other Salmon species. Even though the Bellingham Bay Kings have always been a valued "domestic fresh product", it has also been displaced by farmed fish. This can also be said for our Coho. Chums will always be primarily bought for their Roe. However, that product was adversely impacted when the State of Washington sold Japan the smolt to build the huge Hokkaido run, which now produces millions of Chums that produces tons of Ikura, (Chum Roe).

There is often a popular theory regarding the development of a niche in the domestic market for our Salmon products. Given the circumstances, such a notion would be a long ways out, and more importantly extremely expensive, and with no guarantees of success. So, what do you really think the future holds for our Salmon?

Political Landscape of Puget Sound Salmon

The Fraser Panel of the Pacific Salmon Commission manages Fraser River Sockeye Salmon. The governments of both the United States and Canada appoint members to that commission. More importantly, both British Columbia and the State of Washington have a significant say in who is appointed, and both of those governments have publicly stated that they preferred recreational fishing to commercial harvests.

They argue that recreational type Salmon harvesting is not only more manageable and environmentally friendly, but more economically beneficial to the state and provincial governments. These governmental positions probably spawned the recent round of "buy-back programs", or at least made it much more politically acceptable. The bottom line is that we cannot look to these governments for support nor assistance.

There are numerous other dynamics involved in making decisions regarding our future in the Salmon industry, such as other tribes, treaty rights, and trust responsibility. Although those issues should always be considered, no one other than us will be able to offer or implement strategies that will solve "our" challenges. And, certainly no one will argue that the Salmon industry isn't in dire straits, or even on the verge of collapse. So, now the question becomes, what are we prepared to do to save our overall fishing industry. We hope to see you at this very important meeting.

Sincerely Yours,

A handwritten signature in cursive script, appearing to read "Gordon Adams".

Gordon Adams, Vice Chairman



LUMMI INDIAN BUSINESS COUNCIL

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EXT. _____

RESOLUTION #2001 - OF THE LUMMI INDIAN BUSINESS COUNCIL

TITLE: Lummi Nation Declaration of Economic Fisheries Disaster Area

WHEREAS, the Lummi Indian Business Council is the duly constituted governing body of the Lummi Indian Reservation by the authority of the Constitution and By-laws of the Lummi Tribe of the Lummi Reservation, Washington; and

WHEREAS, the Lummi Nation is in extreme economic distress due to fundamental changes in the world salmon market, unprecedented low salmon prices and in some areas chronic low returns of salmon due to the lack of appropriate and effective actions to carry out the trust and fiduciary responsibilities of the Federal government to the Lummi Nation and other tribal governments i.e. ESA, US/Canada Treaty and long term neglect of resources essential to the Tribes to maintain their *S'chelangen*; and

WHEREAS, as a result, prices paid for premium sockeye was .77 per pound that is 80% less than the price in 1988 that was 3.63/pound; and

WHEREAS, the Lummi Nation Reservation is an economically distressed community that lacks economic alternatives to provide job opportunities for its 4,500 membership; and

WHEREAS, gross earnings from the 2000 commercial fishing salmon harvest, in local waters were less than \$1.4 million; this value has fallen from the annual average value in the mid 80's of \$9,000,000 a drop of 83%; and

WHEREAS, compared to 2000, there is a 40% drop in available jobs and a 82.9% drop in expected personal income in the economic base of the Lummi Nation; and

WHEREAS, the 2001 Fraser sockeye salmon run, projected to return at 12.8 million fish and provide an expected Lummi harvest of 330,000 sockeye, the failure of the productive runs left a run of only 6.5 million fish and a Lummi harvest of 62,000 fish or 19% of expectations, after providing for escapement goals; and

WHEREAS, the chronic poor returns of some species salmon to be harvested by Lummi Nation have severely limited commercial fishing opportunities and further added to the economic distress of the Lummi Nation; and

WHEREAS, the commercial salmon fishing in the region has been restricted by actions of the Federal, States and Inter-national agreements such as the US/Canada Treaty annex provisions (Coho, Chinook and Sockeye annexes to the treaty), and the U.S. Endangered Species Act; and

WHEREAS, Lummi fisher families have historically depended on commercial fishing income to maintain a subsistence lifestyle to pay for such essential as electricity, home heating, and water sewer services; and

WHEREAS, the Lummi Nation has suffered a severe reduction in tax revenues approximately 50%, including fish taxes, which pay for essential community service; and

WHEREAS, Lummi fishers who have been dependent on the commercial salmon fisheries are in a state of transition as the fishing industry considers such options as financial and business restructuring and increased marketing to maintain the salmon industry as a viable part of the Regions economy; explore opportunities for economic diversification; and

WHEREAS, the fish is as important to Lummi people as the air we breathe and has provided our fishermen and fleet of Lummi fishing vessels, a primary livelihood in Puget Sound waters and in Whatcom County; and

WHEREAS, changes in the world salmon market are due to factors beyond the Lummi Nation's control, including the rapid growth in production of farmed salmon in foreign nations such as Chile, Norway, and increasing farm fish production in Canada and Washington State, displacing traditional markets for Lummi fishers and fishers in Washington, Oregon and California; and

WHEREAS, extensive economic damages have occurred and will continue to occur for the Lummi Nation Fishing industry that consists of over 500 fishermen and 400 vessels; and

WHEREAS, Lummi Indian Nation needs assistance in the following areas:

- Small Business Administration assistance and relief
- Indian Financing Act grants and loans assistance and relief
- Federal Emergency Management Agency assistance and relief
- Mortgage and rental relief
- Utilities and critical living expenses
- Assistance to impacted Reservation and associated Businesses
- Unemployment compensation
- Grants for vessel and equipment repair, maintenance, and upgrade
- Assistance for planning the future of the fishing industry
- Assistance for planning entrepreneurship programs
- Assistance for displaced fishermen retraining
- Relief from unfair foreign competition.

THEREFORE BE IT RESOLVED, the Lummi Indian Business Council proclaims and declares the Lummi Indian Reservation as an Economic Fishery Resource Disaster Area and

hereby provides notice to the Federal government that it will hold them to their trust, fiduciary, and moral obligations to the Lummi Nation and its people; and

BE IT FURTHER RESOLVED, that the Lummi Nation, in a government-to-government relationship, requests the Honorable Whatcom County Executive and the Honorable Governor of the State of Washington to declare an economic disaster for the people in Washington State controlled fisheries and to grant or seek such assistance as herein requested and requests the Honorable President of the United States to grant or seek the assistance herein requested; and

BE IT FURTHER RESOLVED, that the Lummi Nation is a federally recognized Tribe under the Point Elliott Treaty of 1855 between the Lummi Nation and the United States of America and governs the Lummi Indian Reservation and extends its jurisdiction over its ceded territories including the tidelands along its exterior boundaries will take on the role of lead agency for the following actions taken in response to this economic disaster declaration.

1. The Tribal Chairman will write the President of the United States to make him aware of the seriousness of the situation and to request his assistance in marshalling federal resources and seeking additional federal funds to assist in diversifying the economy of the Lummi Nation.
2. The Tribe will pursue needed research and research funding that taps the knowledge and skills of local people and organizations on the biology and science of salmon runs and other economically viable fish species of Washington and Canadian ecosystems.
3. The Tribe will need funding to seek ways to improve marketing opportunities for Lummi Wild Salmon including retail and regional marketing.
4. The Lummi Nation government will organize a Coordinated Response Partnership (CRP) for all agency responses to the economic disaster. Tribal agencies will act through the CRP consistent with their existing statutory authority to assist fisher families utilizing existing state and federal assistance with developing long-term goals and strategies for economic diversification including the following:
 - A. CRP will provide comprehensive information to families about the existing programs available from state and federal agencies for home heating, energy, employment and training, subsistence, health and social services, economic development funding, and other essential services.
 - B. Recognizing that this economic disaster results in cash shortage for basic living expenses, the CRP will also assist in collecting the necessary background data to support request for additional federal funds if the amount currently available is not adequate to meet the needs of recipients eligible for existing federal programs.
 - C. The CRP will work with the Tribal Family Services Department, and will work with fisher families to expedite applications for Low Income Housing Energy

Assistance Programs (LIEAP) and will forward requests to the federal government as additional LIEAP funds are deemed necessary.

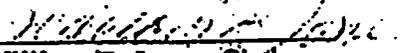
D. The CRP will work with the Lummi Economic Development Department to plan economic development summits to be held in the next 6 months to focus on long-term issues such as; fisheries industry restructuring, economic diversification, and strategies to meet Lummi economic development goals.

E. The CRP will work with the Lummi Funding Department to work with the Bureau of Indian Affairs to facilitate the release of general assistance fund to the Tribe pursuant to 25 CFR part 20 BIA General Assistance.

5. The Lummi Nation Rapid Response Unit will be developed and focus their efforts on the needs of the affected families with assistance in retraining for alternative occupations. Job Counselors will work one on one with applicants to identify training and employment goals in occupations that are in demand and suitable to the individual.

BE IT FURTHER RESOLVED, that the Chairman (or Vice Chairman in his absence) is hereby authorized and directed to execute this resolution and any documents connected therewith, and the Secretary (or the Recording Secretary in her absence) is authorized and directed to execute the following certification:

LUMMI NATION

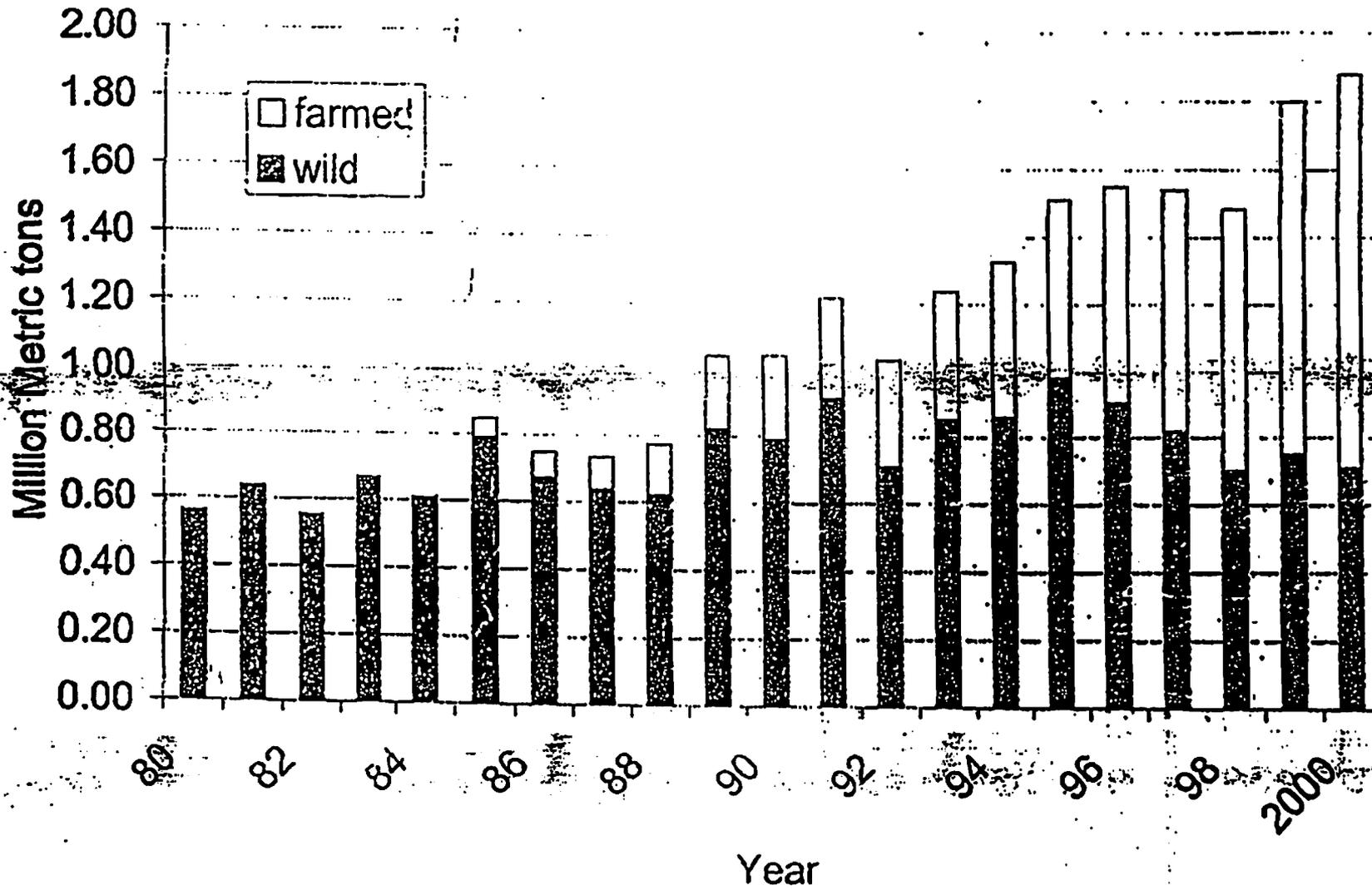

William E. Jones, Chairman
Lummi Indian Business Council

CERTIFICATION

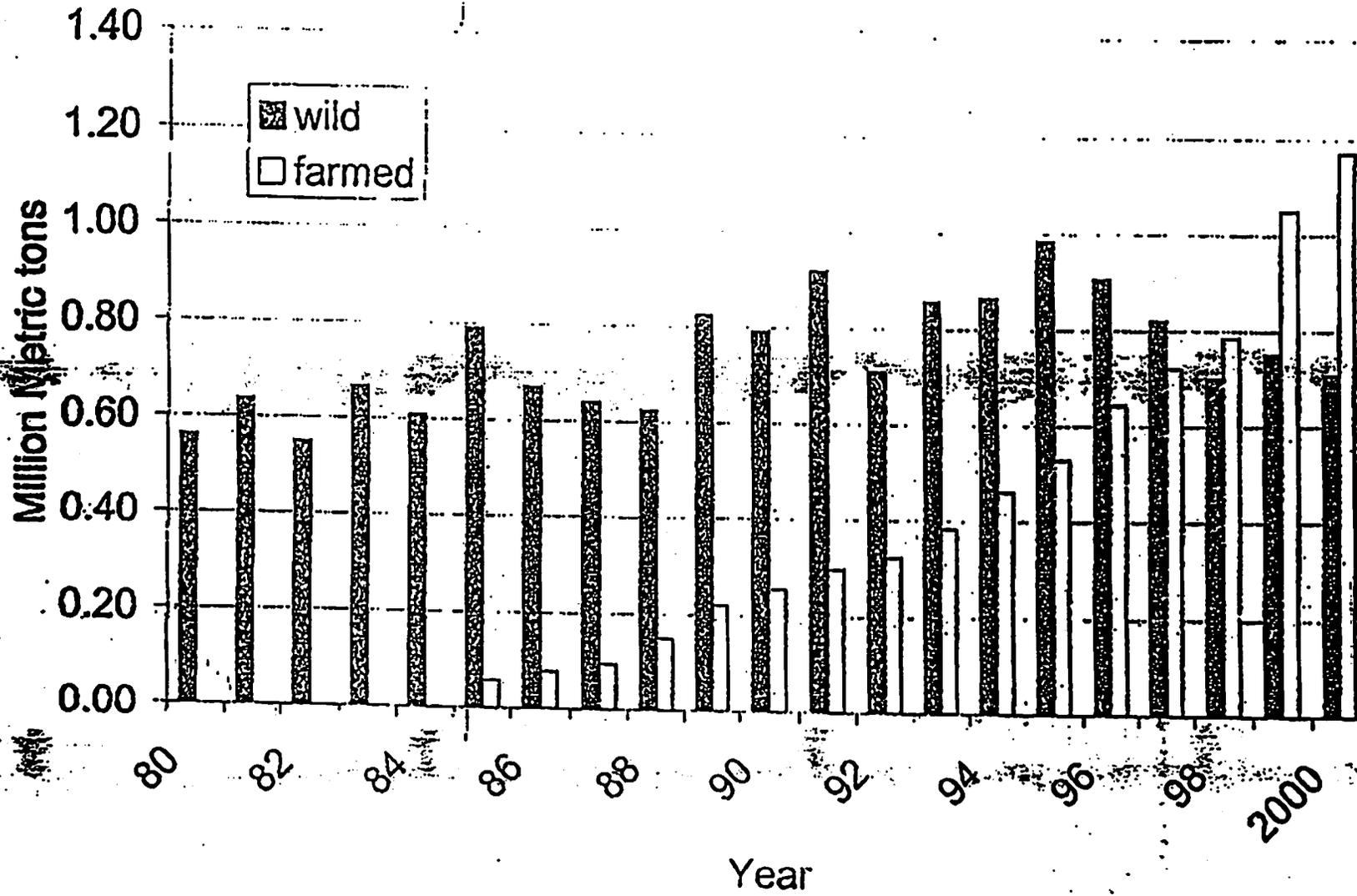
As Secretary of the Lummi Indian Business Council, I hereby certify that the above Resolution # was adopted at a regular meeting of the Council held on the 4th of September 2001 at which time a quorum of was present by a vote of for, against, and abstention(s).


Penny Carol Hill, Secretary
Lummi Indian Business Council

World Production of Salmon



World Production of Salmon



Congressional Letter

Dear Senator or Congressperson

1. Request for immediate relief of the emergency economic conditions facing the Lummi Nation and other Northwest Fishing Tribes and Fishers.

2. Salmon aid Bill similar to the Farm Aid Bills long-term support for restructuring the Treaty-Based Salmon Fishing Industry.

BACKGROUND

The Lummi Nation has for countless generations been a fishing people. The importance of fishing to the way of life (schelangen) of the Lummi people is an inherent right that is represented in the Treaty of Point Elliott of 1855, later upheld in the US v Washington (Boldt) decision. The fish are as important to us as the air we breathe. While these problems are similar to those of other fishers, there is a unique responsibility of the Federal government to these resources. The fisheries resources on which Lummi Nation fishers are dependent; are protected by the Point Elliot treaty with the United States of America. Lummi Nation fishers are dependent on the annual run of Sockeye Salmon that are premium quality and that command a premium price. This is the economic basis for the formerly profitable Lummi Fishing Fleet.

Cumulative effects for the Lummi Nation

The absolute worst fishing year was the 1999 when Tribal fishers received no days of sockeye fishing. The 2000 fishing season provided no relief. The 2001 fishing season is the second worst fishing year on record for the Lummi Nation. The cumulative effects of these economic disasters approach a loss of \$20 to \$40 million dollars in income. Fishers operational costs have remained constant or have increased. Boat moorage, insurance, boat payments and equipment charges have continued to accumulate.

Other Related Factors

Other factors negatively impacting the fishing industry are listed below:

- Destruction of Fish Habitat,
- Increased Farmed Fish Depressing Markets
- Effect of ESA
- US/Canada Treaty
- International High Seas Fishing

DATA

Lummi Nation for 2001 Sockeye Fisheries			
Number of Fish Expected	Number of Pounds	Price/Pound	Income Expectation
363,000	2,178,000	79/pound	\$1.7 million
Actual Fish	Actual Pounds		Actual Income
68,809	370,103		\$292,381
Disastrous Differences			
83%↓	82.1%↓		82.9%↓

The Lummi Nation has historically maintained the largest fleet of the Boldt-area tribes and as recently as 1985 this fleet numbers 700 boats and produced an average income of \$22,000.

Reduction in the Number of Registered Sockeye Fishers				
Year	1998	1999	2000	2001
# of Registered Fishers (Does not include all Fishers)	589	511	618	373

NEED/REQUESTS for ASSISTANCE

Short Term Needs/Request

1. Support for the immediate basic living expenses of Tribal fishing families. Lummi Fishers need assistance to pay for the basic living expenses for themselves and their families. The 373-sockeye fishers support an estimated 1,865 persons. This is a sizeable number of people who represent 30% of the total Tribal population. Estimated costs over two years \$3,124,248.

2. Support for immediate job training and placement assistance through the dislocated workers programs. Lummi Fishers need job training and placement assistance to transition out of fishing to other occupations. Our County has lost over 1,400 jobs recently due to high electricity prices. Currently there is a glut of workers on the local labor market, which makes training and job experience of applicants even more critical to successful employment. Estimated costs over two years \$2,500,000.

3. Funding for planning and development of long-term solution. While immediate human needs must be met the Salmon Fishing Industry must be re-structured with government assistance to avoid wholesale bankruptcies and loss of whole communities. The long-term solution for this continuing economic disaster for is not another welfare or training program. The Lummi Nation is seeking a one-time payment of \$500,000 to support the planning, development and start-up phases of a comprehensive project. Some of the elements of the long-term plan are listed below:

Re-structuring the Salmon fishing industry to fit fishing resources that are still in transition.

Fishing related and non-fishing Business Development and Transition Assistance

Fisher debt forgiveness from SBA and/or refinancing with the USDA to sustain the fisheries fleet.

Long-term subsidy of the fishing industry to offset impact of macro economics outside of the control of the fishers.

Long term market research to develop projections that can be used to re-structure the current fishing industry.

Governor Knowles' Letter to Secretary of Commerce



State of Alaska
Office of the Governor
Anchorage

July 28, 2000

The Honorable Norman Y. Mineta
Secretary of Commerce
United States Department of Commerce
14th and Constitution Avenue, NW
Washington, DC 20230

Dear Mr. Secretary:

I formally request you declare a fisheries resource failure pursuant to Section 312 of the Magnuson-Stevens Fishery and Conservation and Management Act (Act) so disaster assistance can be provided to the adversely impacted commercial and subsistence fishermen, communities, small business owners, and their employees in Alaska's Kuskokwim River, Yukon River, and Norton Sound regions. I am hopeful you will be able to act quickly to mitigate this situation before the human and ecological impacts are magnified.

On July 20, 2000, I declared a disaster in western and interior Alaska due to the catastrophic collapse of the salmon returns. The exact causes of the failure are still undetermined, but are probably linked to a number of factors including: changing ocean conditions causing poor ocean survival, and disease; and interception in state, federal, and international waters. The state is currently engaged in an assessment of these fisheries, consistent with our Sustainable Fisheries Policy, with emphasis on salmon spawning escapement and subsistence harvest. Our assessment will consider the full salmon lifecycle from freshwater spawning habitat to ocean migration. Under this conservation plan we have closed almost all commercial harvest in the impacted regions, and I have asked the Alaska Board of Fisheries to address interception by state managed fisheries. Additionally, the state fisheries managers and the Federal Subsistence Board have initiated conservation-based subsistence restrictions.

As you may recall, in 1997 and 1998 areas of Alaska suffered unprecedented low salmon returns. In response, funds were made available under Section 312 of the Act. In these disasters the state provided personal emergency living expense assistance and contracting grants to communities so federal funds can be utilized for employment and needed economic development projects. I am proud of the efficient manner in which the state was able to provide disaster aid in years past and hope to avoid unnecessary and costly delays in disaster relief this year.

Unfortunately, the failure of the salmon runs is more pronounced this year and, due to the failures over the past few years, the devastating impact of the commercial and subsistence fisheries crash has

been compounded. As described in the enclosures, the 2000 salmon returns in the disaster regions are significantly less than the 20-year average and some returns are the lowest on record. There are more than 80 communities in the disaster area and all are dependent on salmon for economic and social survival. The situation this year has deteriorated and many individuals in the communities are unable to pay for food, essential utilities, home heating fuel, and gasoline for other subsistence activities now and through the quickly upcoming Alaska winter. Further, nearly all of these communities rely on subsistence as a major aspect of their Native lifestyle and to supplement their limited cash economy. In some of these communities, this disaster has caused a serious depletion in traditional subsistence food sources.

As described in the enclosed documents, the state is already engaged in a comprehensive effort to assess the situation and provide desperately needed assistance and services to affected residents of the disaster area. A disaster declaration under Section 312 is needed to make federal resources available for individual and family assistance; a 5-year research, monitoring, and enforcement effort; and community and workforce development for economic diversification.

The cumulative impact of several years of poor salmon runs has exhausted personal and community resources in a large portion of our state. I am aware of and greatly appreciate that members of your staff began informally to assess the situation as soon as we made them aware of the developing situation. We will be grateful for your earliest possible formal action on our request for a Section 312 disaster declaration.

If I may be of further assistance, please call me at (907) 465-3986 or have a member of your staff contact John Katz in my Washington, D.C., office at (202) 624-5858.

Sincerely,

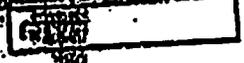
Tony Knowles
Governor

Enclosures:

- 2000 Fisheries Disaster Declaration
- Governor's Letter to the President
- Governor's Press Release Announcing the Disaster Declaration
- Fisheries Resource Information

- cc: The Honorable Ted Stevens, U.S. Senator
- The Honorable Frank Murkowski, U.S. Senator
- The Honorable Don Young, U.S. Representative
- John Katz, Director and Special Counsel, Washington, D.C. Office
- Jacob Law, Director, Office of Management and Budget
- Wesley Warren, Interior and Related Agencies, Office of Management and Budget
- MG Philip Oates, Commissioner, Dept. of Military and Veterans Affairs
- Frank Rue, Commissioner, Dept. of Fish and Game
- Deborah Sedwick, Commissioner, Dept. of Community and Economic Development

(Contact Your Legislator) | Contact the Governor | Webmaster |



NOV 01 2001 10:00 AM AKC 215

Spring, MD 20910, (301) 713-2334.

CFDA Number: 11.452, Unaffiliated Industry Projects.

[Click here to go to the web site.](#)

Magnuson-Stevens Act Section 312(a)

Under this section, a commercial fishery failure can be declared due to a fishery resource disaster of natural or undetermined causes, or manmade causes not related to fishing. A commercial fishery failure must be shown in order to provide assistance.

Upon determination of the commercial fishery failure, funds are authorized to be available for use by affected States or fishing communities or directly by the Secretary in cooperation with the affected State or fishing community to assess the economic and social effects of the commercial fishery failure. The funds may also be used for any activity deemed appropriate by the Secretary to restore the fishery or prevent a similar failure in the future, and to assist a fishing community affected by the failure.

The Secretary must determine that any activity authorized for these purposes must not expand the size or scope of the commercial fishery failure to that fishery or into other fisheries or other geographic regions. The Federal share of the cost of any activity authorized under section 312(a) must not exceed 75 percent of the total cost of that activity. The Secretary is authorized to make sums available for this purpose as necessary for FYs 1996, 1997, 1998, and 1999.

Contact: Director, Office of Sustainable Fisheries, NMFS, NOAA, 1315 East West Highway, Silver Spring, MD 20910, (301) 713-2334.

CFDA Number: 11.477, Fisheries Disaster Relief

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NOAA Fisheries, 1315 East West Highway, B-5 MC3, Silver Spring, MD 20910