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CHAPTER REFERRED TO IN OTHER SECTIONS

This chapter is referred to in section 1857 of this title.

§ 5101. Findings and purpose**(a) Findings**

The Congress finds the following:

(1) Coastal fishery resources that migrate, or are widely distributed, across the jurisdictional boundaries of two or more of the Atlantic States and of the Federal Government are of substantial commercial and recreational importance and economic benefit to the Atlantic coastal region and the Nation.

(2) Increased fishing pressure, environmental pollution, and the loss and alteration of habitat have reduced severely certain Atlantic coastal fishery resources.

(3) Because no single governmental entity has exclusive management authority for Atlantic coastal fishery resources, harvesting of such resources is frequently subject to disparate, inconsistent, and intermittent State and Federal regulation that has been detrimental to the conservation and sustainable use of such resources and to the interests of fishermen and the Nation as a whole.

(4) The responsibility for managing Atlantic coastal fisheries rests with the States, which carry out a cooperative program of fishery

oversight and management through the Atlantic States Marine Fisheries Commission. It is the responsibility of the Federal Government to support such cooperative interstate management of coastal fishery resources.

(5) The failure by one or more Atlantic States to fully implement a coastal fishery management plan can affect the status of Atlantic coastal fisheries, and can discourage other States from fully implementing coastal fishery management plans.

(6) It is in the national interest to provide for more effective Atlantic State fishery resource conservation and management.

(b) Purpose

The purpose of this chapter is to support and encourage the development, implementation, and enforcement of effective interstate conservation and management of Atlantic coastal fishery resources.

(Pub. L. 103-206, title VIII, §802, Dec. 20, 1993, 107 Stat. 2447; Pub. L. 106-555, title I, §122(b)(1)(A), Dec. 21, 2000, 114 Stat. 2766.)

REFERENCES IN TEXT

This chapter, referred to in subsec. (b), was in the original “this title”, meaning title VIII of Pub. L. 103-206, Dec. 20, 1993, 107 Stat. 2447, which is classified principally to this chapter. For complete classification of title VIII to the Code, see Short Title note below and Tables.

AMENDMENTS

2000—Subsec. (a)(3). Pub. L. 106-555, which directed amendment of par. (3) of this section by substituting “such resources is” for “such resources in”, was executed by making the substitution in par. (3) of subsec. (a), to reflect the probable intent of Congress.

SHORT TITLE OF 2000 AMENDMENT

Pub. L. 106-555, title I, §121, Dec. 21, 2000, 114 Stat. 2766, provided that: “This subtitle [subtitle B (§§121, 122) of title I of Pub. L. 106-555, amending this section and sections 5102, 5103, 5106, and 5107a to 5108 of this title and enacting provisions set out as a note under section 5107 of this title] may be cited as the ‘Atlantic Coastal Fisheries Act of 2000’.”

SHORT TITLE

Section 801 of title VIII of Pub. L. 103-206 provided that: “This title [enacting this chapter and amending section 4107 of this title and provisions set out as a note under section 1851 of this title] may be cited as the ‘Atlantic Coastal Fisheries Cooperative Management Act’.”

§ 5102. Definitions

In this chapter, the following definitions apply:

(1) The term “coastal fishery management plan” means a plan for managing a coastal fishery resource, or an amendment to such plan, prepared and adopted by the Commission, that—

(A) contains information regarding the status of the resource and related fisheries; and

(B) specifies conservation and management actions to be taken by the States.

(2) The term “coastal fishery resource” means any fishery, any species of fish, or any stock of fish that moves among, or is broadly