

SIGNIFICANT NOAA STATUTORY AUTHORITIES

Fisheries Management and Protection

Magnuson-Stevens Fishery Conservation and Management Act*

The Act provides for the conservation and management of the Nation's fishery resources; authorizes the regulation of domestic commercial and recreational fishing; provides for fishery management plans that will achieve and maintain the optimum yield from each fishery; and establishes regional fishery management councils to prepare, monitor, and revise such plans.
Expired: September 30, 1999 (PL 104-297)

Marine Mammal Protection Act*

Provides for long-term management and research programs for marine mammals and places a moratorium on the taking or importing of marine mammals and products, with limited exceptions. The Department is responsible for enforcing the Act's provisions with respect to whales, porpoise, seals and sea lions. The Department of the Interior is responsible for all other marine mammals.
Expired: September 30, 1999 (PL 103-238)

Endangered Species Act*

The Act provides for the conservation of endangered or threatened species of fish and wildlife. It also provides for the listing of species determined to be endangered or threatened by the Secretaries of the Interior or Commerce, with Commerce responsible for marine, estuarine and anadromous species. Cooperative agreements may be entered into with any state that establishes and maintains an adequate and active conservation program for listed species. Commerce provides expert biological opinions to federal agencies, prosecutes violations and issues permits to states, local governments and private landowners for activities that may harm listed species.
Expired: September 30, 1992 (PL 100-478)

NOAA Marine Fish Program Authorization Act*

This law provides general authorization for NOAA Fisheries, including, but not limited to, activities under the Fish and Wildlife Coordination Act of 1956. The law provides authorization for data collection, conservation and management, and state and industry cooperation.
Expired: September 30, 1998 (PL 99-659, as amended by 104-297)

Atlantic Tunas Convention Act*

The Act implements the International Convention for the Conservation of Atlantic Tunas by authorizing the President to appoint U.S. commissioners, and authorizing the Secretaries of Commerce and State to establish an advisory committee, conduct research, promulgate regulations and otherwise enforce the Act.
Expires: September 30, 2001 (PL 105-384)

Atlantic Striped Bass Conservation Act

Provides Federal assistance for the development, implementation and enforcement of interstate policy on conservation and management of Atlantic Striped Bass. The Atlantic States Marine Fisheries Commission monitors the enforcement of the Interstate Fisheries Plan for Striped Bass and reports to the Secretaries of Commerce and the Interior on the effectiveness of enforcement. If it is determined that the Plan is not being enforced effectively in a State's waters, the Secretary of Commerce must declare a moratorium on fishing in those waters and may assess civil penalties for moratorium violations.

Expires: September 30, 2003 (PL 106-555)

Interjurisdictional Fisheries Act*

The Act provides for NOAA to make grants to the states in support of the management of interjurisdictional fisheries; disaster assistance funds to restore fishery resources affected by natural or undetermined causes; and development of interstate fishery management plans by the Atlantic States, Gulf States and Pacific Marine Fisheries Commissions.

Expired: September 30, 2000 (PL 104-297)

Atlantic Coastal Fisheries Cooperative Management Act

The Act provides for coordinated management of coastal migratory fisheries along the U.S. Atlantic coast. The Act provides a mechanism to ensure Atlantic coastal state compliance with mandated conservation measures in approved state fishery management plans. All Atlantic coast states that are included in a Commission fishery management plan must comply with certain conservation provisions of the plan or the Secretary of Commerce may impose a moratorium in that state's waters for harvesting the species in question.

Expires: September 30, 2005 (PL 106-555)

Anadromous Fish Conservation Act*

The Act provides for NOAA to make grants for the conservation, development, and enhancement of anadromous fishery resources (those that migrate from salt to fresh water for spawning) including species in the Great Lakes and Lake Champlain. This program supports projects to manage, restore or enhance United States anadromous species such as Pacific and Atlantic salmon, Atlantic and shortnose sturgeon, and American Shad and river herrings.

Expired: September 30, 2000 (PL 104-297)

Coastal Management and Navigation Services

Coastal Zone Management Act*

Authorizes a Federal program of financial and technical assistance to coastal states and local governments for the purpose of managing the use and development of coastal areas of the various coastal States. Authorizes the Secretary of Commerce to make grants to coastal States for administering Federally-approved coastal zone management programs. Such programs may address: redevelopment of deteriorating and underutilized urban waterfronts and ports and the provision of access of public beaches; nonpoint pollution control; estuarine research; offshore energy development; facilities and services required as a result of Outer Continental Shelf energy activity; and developing and administering coordinated coastal zone planning.

Expired: September 30, 1999 (PL 104-150)

Coast and Geodetic Survey Act

The Secretary of Commerce is authorized to conduct hydrographic and topographic surveys, tide and current observations, geodetic-control surveys, field surveys for aeronautical charts, and geomagnetic, seismological, gravity, and related geophysical measurements to provide charts and other information for safe marine and air navigation. Also, these charts and information have commercial and industrial uses and fulfill engineering and scientific purposes. This information is collected, assimilated, and distributed by NOAA under its authority in the Act.

No expiration (33 U.S.C. §§ 883a et seq.)

Comprehensive Environmental Response, Compensation, and Liability Act, as amended (CERCLA)*

CERCLA (or Superfund) addresses the cleanup of hazardous waste sites. Under CERCLA, federal and state governments are directed to categorize hazardous waste sites and prioritize cleanup responses. NOAA plays an important role as a federal trustee for natural resources when damages occur to federal natural resources from the release of a hazardous substance.

Expired: September 30, 1990 (42 U.S.C. §§ 9601 et seq.)

Hydrographic Services Improvement Act*

The Act authorizes appropriations for Fiscal Years 1999-2001 for nautical mapping and charting, hydrographic surveys, and NOAA geodetic functions. The Act also authorizes funds to carry out tide and water current measurement functions, including the implementation and authorization of a national quality control system for real-time tide and water current network.

Expires: September 30, 2001 (PLs 106-383 and 106-384)

Marine Protection, Research and Sanctuaries Act*

Title I: Title I of the Act provides for the regulation of dumping and transportation for dumping of material, including sewage sludge, into ocean waters. EPA shares responsibility for administration with the Army Corps of Engineers, which regulates dumping of dredged material; the Coast Guard, which has responsibility for surveillance of dumpers; and NOAA, which is responsible for monitoring the environment at and around dumpsites.

Title II: Title II provides for a comprehensive monitoring and research program on the effects of ocean dumping and a continuing research program on the possible long-term effects of pollution, overfishing, and other activities on the ocean ecosystem. The programs are undertaken by NOAA in coordination with EPA and the Coast Guard.

Title III: See National Marine Sanctuaries Act

Titles 1 and 2 Expired: September 30, 1999 (PL 104-283)

National Marine Sanctuaries Act

Authorizes the Secretary of Commerce to designate as national marine sanctuaries those areas of the marine environment that are deemed of national significance due to their conservation, recreational, ecological or esthetic values. Currently, 14 sanctuaries have been designated. Directs the Secretary to conduct research and educational programs regarding the resources of the sanctuaries and enhancement of public awareness, understanding and wise use of the marine environment; and conduct enforcement activities that are necessary and reasonable.

Expires: September 30, 2005 (PL 106-513)

National Sea Grant College Program Act

The Act authorizes the awarding of grants and contracts to support university-based marine research, education, and advisory services in various fields related to the development of marine resources.

Expires: September 30, 2003 (PL 105-160)

Oceans Act of 2000

This Act establishes a commission to make recommendations for a coordinated and comprehensive national ocean policy. Members of the Commission are appointed by the President from lists provided by Congress. Within 18 months of the establishment of the Commission, the Commission is required to submit to Congress and the President a final report of its findings and recommendations regarding U.S. ocean policy. The President is required to submit to Congress a statement of proposals to implement or respond to the Commission's recommendations.

Expires: September 30, 2003 (P. L. 106-256)

Oil Pollution Act of 1990 (OPA)

The OPA creates a comprehensive prevention, response, liability, and compensation regime for dealing with oil pollution from vessels and shore facilities. NOAA is a federal trustee for natural resources damaged by spills covered by the OPA and is charged with the responsibility to develop the natural resource damage regulations used when oil or hazardous substances are improperly released into the waters of the United States.

No expiration (33 U.S.C. §§ 2701 et seq.)

Fur Seal Act of 1966

The Act provides for the orderly withdrawal of NOAA from the civil administration of the Pribilof Islands, Alaska. The Secretary of Commerce is authorized to provide financial assistance to Pribilof Island entities and grants to the State of Alaska to construct solid waste management facilities. The Act also authorizes funding for five years for NOAA to complete its environmental cleanup and landfill closure obligations prior to final transfer of jurisdiction to six local entities.

Expires: September 30, 2005 (PL 106-562)

Harmful Algal Bloom and Hypoxia Research and Control Act of 1998

Title VI of P.L. 105-383, called the Harmful Algal Bloom and Hypoxia Research and Control Act of 1998, notes the need for a comprehensive effort to prevent and control such occurrences. Directs the President to establish an Inter-Agency Task Force on Harmful Algal Blooms and Hypoxia, with the Secretary of Commerce as the Chairman. Charges the Task Force to submit to Congress an assessments of the ecological and economic consequences of harmful algal blooms and hypoxia; alternatives for reducing, mitigating and controlling these phenomena and the social and economic costs and benefits of such alternatives. Authorizes appropriations through FY 2001 to the Secretary of Commerce for research, education, and monitoring activities related to prevention, reduction, and control of harmful algal blooms and hypoxia.

*Expires: September 30, 2001 (PL 105-383)**

Weather Services

National Weather Service “Organic Act”

Provides the basic authority of the National Weather Service, including the authority to forecast the weather, issue storm warnings, collect and transmit marine intelligence for the benefit of commerce and navigation, and take meteorological observations necessary to establish and record the climatic conditions of the United States.

No expiration (15 U.S.C. § 313)

Satellite Services

Land Remote Sensing Policy Act of 1992

Provides for the licensing of private remote sensing space systems by the Secretary of Commerce. NOAA executes this authority for the Secretary. Specifically, no person subject to U.S. jurisdiction may operate a private remote sensing space system without first obtaining a license from NOAA/NESDIS. NOAA has issued regulations to carry out its licensing and related enforcement responsibilities under the Act.

No expiration (15 U.S.C. § 313)

** Expired or expiring authorities may be taken up for reauthorization in the 107th Congress.*