

# The American Sportfishing Association

*75 years of advocating for more fish, more anglers and more business*

Since the American Sportfishing Association (ASA) came into being in 1933 as a result of action by U.S. government, it should be no surprise that the Government Affairs function has been one of ASA's main concerns during its 75 years.

As early as 1938 the Associated Fishing Tackle Manufacturers (AFTM), the forerunner of ASA, had a lobbyist representing the industry's interests in Washington, D.C. While ASA's headquarters were located outside the nation's capital for approximately 35 years, the association remained active in government affairs, meeting with presidents and Cabinet members, testifying before Congress and keeping members informed about legislation.

While ASA has been the voice for the sportfishing industry on countless issues at the federal, state and local levels, none have been as long-running or as resource intensive as the federal manufacturers excise tax on fishing equipment.



**75 YEARS**  
1933 - 2008

## **1939–1946—After Initial Opposition, AFTM Supports Bill to Improve Fisheries Via An Excise Tax**

In 1939 Rep. Frank H. Buck introduced legislation imposing a 10 percent excise tax on some fishing equipment to support states' sportfish programs.

AFTM resolved in 1940 "that the officers of this Association use every means in their power to defeat any bill putting any tax on fishing tackle."

A year later, however, AFTM supported the Buck Bill in part because of the creation of the U.S Fish and Wildlife Service. But AFTM opposed enacting the tax at that time as defense legislation was pending that could add an additional excise tax to fund the war effort. Action on the Buck Bill halted when the country entered World War II.

## **1941—Congress Passes Excise Tax to Support General Fund—Not Fisheries—Despite AFTM Opposition**

In 1941 the U.S. House of Representatives passed the Treasury Revenue Bill, subjecting artificial baits, lures and flies to a 10 percent excise tax to support the General Fund of the U.S. Treasury. AFTM immediately hired a lobbyist to present its case to the Senate.

After two hearings before the Senate Finance Committee, the

Senate removed the tax on those items. During the Conference Committee, however, they were added back to the bill, and the excise tax became law.

In 1946 Buck reintroduced his legislation. At this point, AFTM favored repealing the excise tax altogether, reversing its support in 1941 of funding fisheries via such a tax. The Buck Bill did not pass.

## **1947–1950—AFTM Opposed, Then Supported, Then Opposed the Sport Fish Restoration Act**

In 1947 Rep. John Dingell Sr. introduced legislation similar to Buck's. AFTM, however, continued to favor eliminating the excise tax.

But the next year AFTM reversed course again endorsing the Sport Fish Restoration bill, known by its two sponsors, John Dingell and Edwin Johnson, as the Dingell-Johnson Bill. Both houses passed the legislation, but President Harry Truman vetoed it.

The following year Dingell revised the bill to address Truman's concerns. But in March 1950

AFTM switched gears again and advised the House Ways and Means Committee that it would rather repeal the excise tax entirely.

That did not happen and President Truman signed the Federal Aid in Sport Fish Restoration Act on August 9, 1950.

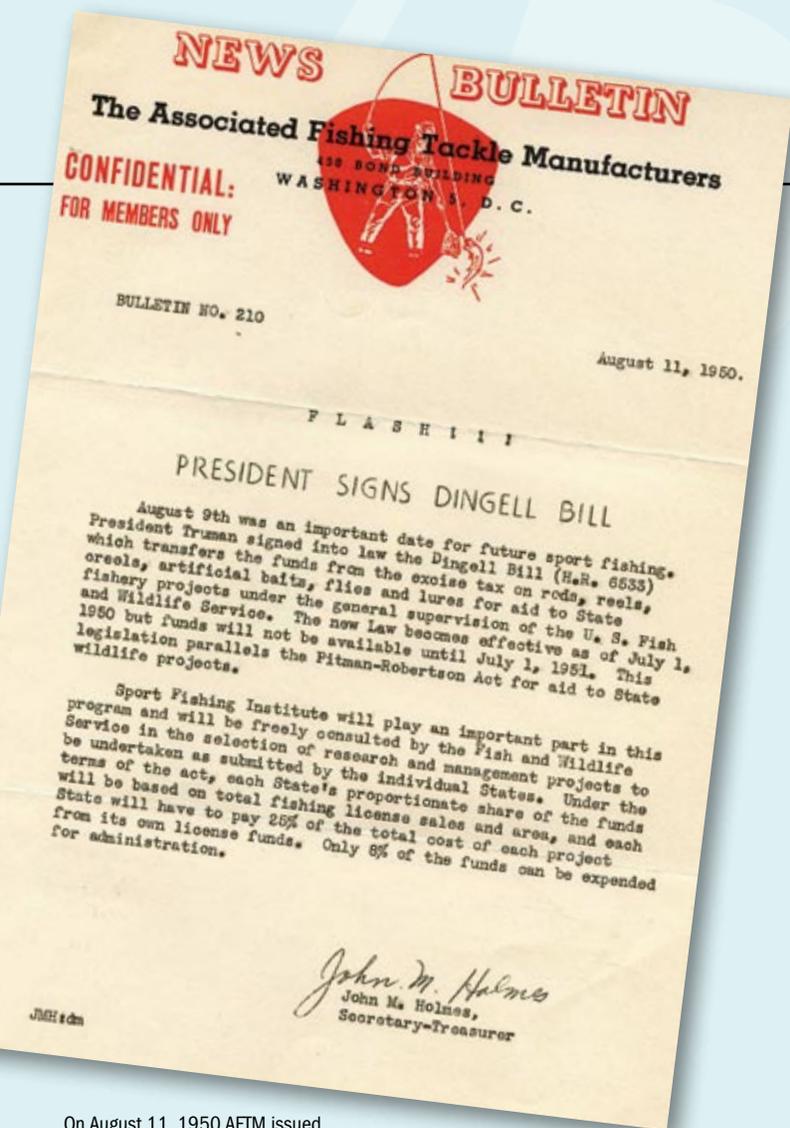
From 1952 through 2008 state fish and wildlife/natural resource agencies have received \$5,789,257,623 in funding for fishery conservation and enhancement.



Sen. John Dingell



Sen. Edwin Johnson



On August 11, 1950 AFTM issued a flash bulletin alerting members that President Harry Truman had just signed the Dingell Bill into law.

### 1951—AFTM Helped Prevent Excise Tax Increase

In May 1951 the House Ways and Means Committee approved increasing the excise tax on rods, reels, creels, artificial flies, baits and lures from 10 to 15 percent. Two AFTM representatives testified before the Senate Finance Committee opposing the proposal.

The Senate voted against the increase, and it was removed from the bill at a joint committee meeting. Other sporting goods did not fare as well; the tax on many items was increased (until 1954 when it was lowered again).

### Sport Fishing Institute (SFI) Reported on Benefits to Fisheries, Yet Association's Stance on Excise Tax Continues to Oscillate

While the *SFI bulletin* was detailing the benefits of the Sport Fish Restoration Act, covering what states were doing with their money and documenting the new demand for fisheries workers, the association's position on the tax could only be described as a "love-hate" relationship.

- 1958—Considered previous opposition to the excise tax "short sighted"
- 1965—Favored appealing the excise tax
- 1973—Supported amending the act to tax all articles of sportfishing equipment
- 1981—Opposed amending the act to tax additional sportfishing equipment

### AFTMA Opposed Early Versions of Wallop-Breaux

In the late 1970s Congress focused on increasing the funds available for fisheries. Sen. Jennings Randolph introduced legislation to tax additional items of fishing tackle and recreational boating equipment.

The Associated Fishing Tackle Manufacturer's (AFTMA) Executive Director testified before the House Subcommittee on Fisheries and Wildlife Conservation and the

Environment against doing so. But AFTMA also approved a resolution that its membership was not unanimous on any stand regarding Dingell-Johnson expansion, a division that was clear in meeting minutes and newsletters of the period.

The boating industry also opposed the tax, and Randolph's bill was not passed.



Rep. John Breaux



Sen. Malcolm Wallop

### 1982—SFI Compromise Led to Passage of Wallop-Breaux

In 1982 SFI developed a compromise that would bring more money to fisheries and gain the industry's support. The 3 percent excise tax on boating equipment would be removed from the bill and funds from the motorboat fuel tax would support sportfishing programs, as would duties on imported tackle.

Sen. Malcolm Wallop and Rep. John Breaux sponsored a bill along these lines that also authorized \$36 million to recruit anglers and boaters. It passed both houses, and President Ronald Reagan signed it into law on July 18, 1984.

### 1970—National Resources Council of America Members Met with President Nixon

Members of the National Resources Council of America, including SFI's Executive Vice President, met with President Richard Nixon in the White House for the first discussion

between a U.S. president and a broadly representative group of conservation leaders.

The conservationists advocated for increased funding to address water pollution. The group also

pledged to help explain President Nixon's "encouraging proposals" to the public.

President Richard Nixon met with conservation leaders in the White House's Cabinet Room on February 23, 1970.



Historic meeting of conservation leaders with President Richard Nixon took place in the Cabinet Room of the White House (above) on February 23, 1970. Seated around the Cabinet Table (starting at left and proceeding in clockwise direction) are: Prezioso (NRPA), Berry (SC), Herbst (IWLA), Stroud (NRCA Chmn; SFI—partly obscured), Foote (NRCA Sec.; WMI), Kimball (NWF), Zinn (NWF), Howe (CF), Kotris (TU), Towell (AFA), Dunn (AFA)—R. Cahn (Counc. Envir. Adv.), President Nixon—Stahr (NAS), Brandborg (WS), and Sherpe (LWV). Three Presidential Aides are seated against wall on left. (Official Photograph, The White House)

### 2000 to the present—ASA Ensures Excise Tax is Fair and Applied Consistently

ASA has always tried to ensure the tax's application is fair and consistent and that its proceeds are appropriated correctly. To that end ASA has

- Fought for the tax to be collected at the retail level
- Established a clearinghouse to share information from the Internal Revenue Service
- Advocated for companies not to be penalized when there is ambiguity about whether a product should be taxed

### 1976, 1996, 2006—Magnuson-Stevens Fishery Conservation and Management Act

In 1976 Congress passed the Magnuson-Stevens Fishery Conservation and Management Act, the nation's principal law for conserving and managing marine fisheries. It expanded U.S. jurisdiction of fishery resources to 200 miles, a provision AFTMA and the Sport Fishing Institute (SFI) supported.

In 1996 the act was amended. ASA lobbied the House of Representatives successfully on behalf of two amendments to the bill: one stopped overfishing by limiting fishery management councils' ability to allow harvests that exceed the maximum amount of fish that can be taken in a

sustainable matter. The other one required shrimpers in the South Atlantic and Gulf of Mexico to use devices to reduce fish bycatch waste. And ASA lobbied the Senate to remove a provision that could restrict catch-and-release fishing in saltwater.

The Magnuson-Stevens Act was amended again in 2006. During debate on the bill, ASA voiced the thoughts of the sportfishing industry to many members of Congress, which lead to provision to improve the role of science in fisheries managements and place limits on the establishment of no-fishing areas.

### 1995—ASA Helped Create National Policy for Aquatic Resources; President Clinton Commends Association

In 1995 President Bill Clinton signed an Executive Order on Recreational Fisheries that requires federal agencies to conserve, restore and enhance aquatic resources to improve recreational angling. The order was partially the result of the Recreational Fisheries Stewardship Initiative developed by ASA and its partners on the Sport Fishing and Boating Partnership Council.

After the signing Clinton delivered a personal greeting to ASA members and partners attending the Recreational Fisheries Summit, praising ASA for protecting the nation's resources.

## ASA Addresses Marine Protected Areas Issue

At the 2006 Sportfishing Summit, ASA's Board authorized funds and staff time to address the proliferation of marine protected areas (MPAs).

Since then ASA, along with its partners, have been working to ensure that fishery management decisions and discussions about measures that restrict public access to public resources must involve an open public process, have a solid scientific basis, and include specific guidelines on implementation and follow-up.

The establishment of any MPA, regardless of its level of restrictions, should:

- Be based on the best scientific information available.
- Include criteria to assess the conservation benefits of the closed area.
- Establish a timetable for review of the closed area's performance that is consistent with the purposes of the closed area.
- Be based on an assessment of the benefits and impacts of the closure, including its size, in relation to other management measures (either alone or in combinations with such measures), including the benefits and impacts of limiting access to: users of the area, overall fishing activity, fishery science, and fishery and marine conservation.



ASA President and CEO Mike Nussman presented Sen. John Breaux with the Norville Prosser Lifetime Achievement Award during National Fishing and Boating Week 2004. Breaux was honored for his three decades of leadership on fisheries and fishing issues, including co-sponsoring the 1984 bill that expanded funding for sportfish conservation and education.

## 2007—President Signs Order to Protect Striped Bass and Red Drum

With the full support of the sportfishing industry and the vast expanse of the Chesapeake Bay as his backdrop, on October 20, 2007, President Bush signed an Executive Order establishing gamefish status for striped bass and red drum in federal waters, moving another step forward in conserving two of the most popular game fish in the United States.

This Executive Order directs the Commerce and Interior Departments to put regulations in place to establish gamefish status for red drum and striped bass in federal waters.

Due to intense overfishing, both striped bass and red drum were nearly decimated in the 1970s and into the 1980s. This decline led to a drive by recreational anglers to curtail the harvest of these species by imposing federal moratoriums on commercial and recreational striped bass and red drum fishing in federal waters. The President's Executive Order would ban the commercial sale of red drum and striped bass in federal waters. A number of states already prohibit the sale of these fish caught in state waters.



Joining President Bush at the Chesapeake Bay Maritime Museum in St. Michaels, Md., for the signing of an Executive Order to protect and conserve the striped bass and red drum were, from left, Mike Nussman, president and CEO, American Sportfishing Association; Brad Burns, president, Stripers Forever; Dave Pfeiffer, president, Shimano America Corp.; Walter Fondren, chairman, Coastal Conservation Association; U.S. Secretary of Commerce Carlos Gutierrez; U.S. Rep. Wayne Gilchrest (R-MD); and U.S. Secretary of the Interior Dirk Kempthorne.

## August 25, 2008—President Bush Signs Memo Sustaining Fishing in Marine Designation Process

In an August 25, 2008, Executive Memo to the Secretaries of Defense, Interior and Commerce and the Chairman of the Council on Environmental Quality (CEQ), President George W. Bush directed them to study potential marine protected areas in the central Pacific Ocean. In that memo the President directed the agencies and CEQ to sustain access to recreational fishing as part of their

study effort. What was also significant about the memo was that it did not direct any study of areas in the Gulf of Mexico and the south Atlantic for designation which will have a significant impact on sportfishing in those regions. ASA has a leadership role in working with the President's staff to assure that any marine protected areas created by Presidential proclamation provide for sportfishing.

## 1952—present—The Sport Fish Restoration and Boating Trust Fund

From 1952 through 2008 state fish and wildlife/natural resource agencies have received \$5,789,257,623 in funding for fishery conservation and enhancement.