



Fisheries
Transparency
Initiative

TAKING STOCK

Online Transparency of Fisheries
Management Information



**United States
of America**

2022 Summary Assessment Report

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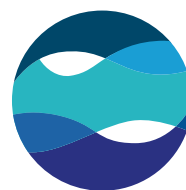
Every effort has been made to verify the accuracy of the information contained in this assessment. All information was believed to be correct as of December 2022. Nevertheless, the Fisheries Transparency Initiative (FiTI) cannot accept responsibility for the consequences resulting from the use of this assessment or its contents by others.

Furthermore, in conducting this assessment, the FiTI did not investigate the veracity or completeness of the published information and did not make any judgement about the integrity of the information or practices disclosed.

We would like to thank all the individuals and institutions who contributed to the various stages of research and preparation of this assessment.

The Fisheries Transparency Initiative (FiTI) is a global multi-stakeholder partnership that strengthens transparency and collaboration in marine fisheries management.

By making fisheries management more transparent and inclusive, the FiTI promotes informed public debates on fisheries policies and supports the long-term contribution of the sector to national economies and the well-being of citizens and businesses that depend on a healthy marine environment.



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www.fiti.global

TAKING STOCK: Online Transparency of Fisheries Management Information assesses the level of information that national authorities in the United States (US) publish on government websites regarding the country's marine fisheries sector.



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The United States **TAKING STOCK: Online Transparency of Fisheries Management Information** assessment consists of this Summary Assessment Report, as well as an in-depth Detailed Assessment Report.

Both reports, as well as information on the methodology, can be found at:
www.fiti.global/taking-stock



SUSTAINABLE FISHERIES NEED TRANSPARENCY

For millennia, those who dedicated themselves to fishing, whether for food, income or recreation, did not need to worry about the sustainable management of this natural resource. Fish stocks replenished themselves with ease. **This is no longer the case.** The ocean is under increasing threats from myriad impacts, like climate change, pollution, and overfishing.

Governments have the fundamental obligation to manage common resources, such as fish, on behalf of their citizens. But this invokes a complex challenge: to ensure that fishing and fish trade contribute to income, employment, food and nutrition for millions of people, while conserving marine biodiversity for present and future generations.

Public availability of information is critical to achieving sustainable fisheries. Yet, transparency in fisheries management has not been a priority. Many governments do not disclose basic information on their fisheries sectors, such as laws, permits, fishing agreements, stock assessments, financial contributions, catch data and subsidies. Additionally, there are widespread concerns that companies are not consistently reporting accurate information on catches, fishing practices and payments to governments. The data that is already publicly available is too often incomplete, outdated, unverified, or not readily accessible.



“Lack of basic transparency could be seen as an underlying facilitator of all the negative aspects of the global fisheries sector – IUU fishing, fleet overcapacity, overfishing, ill-directed subsidies, corruption, poor fisheries management decisions, etc. A more transparent sector would place a spotlight on such activities whenever they occur, making it harder for perpetrators to hide behind the current veil of secrecy and requiring immediate action to be taken to correct the wrong.”

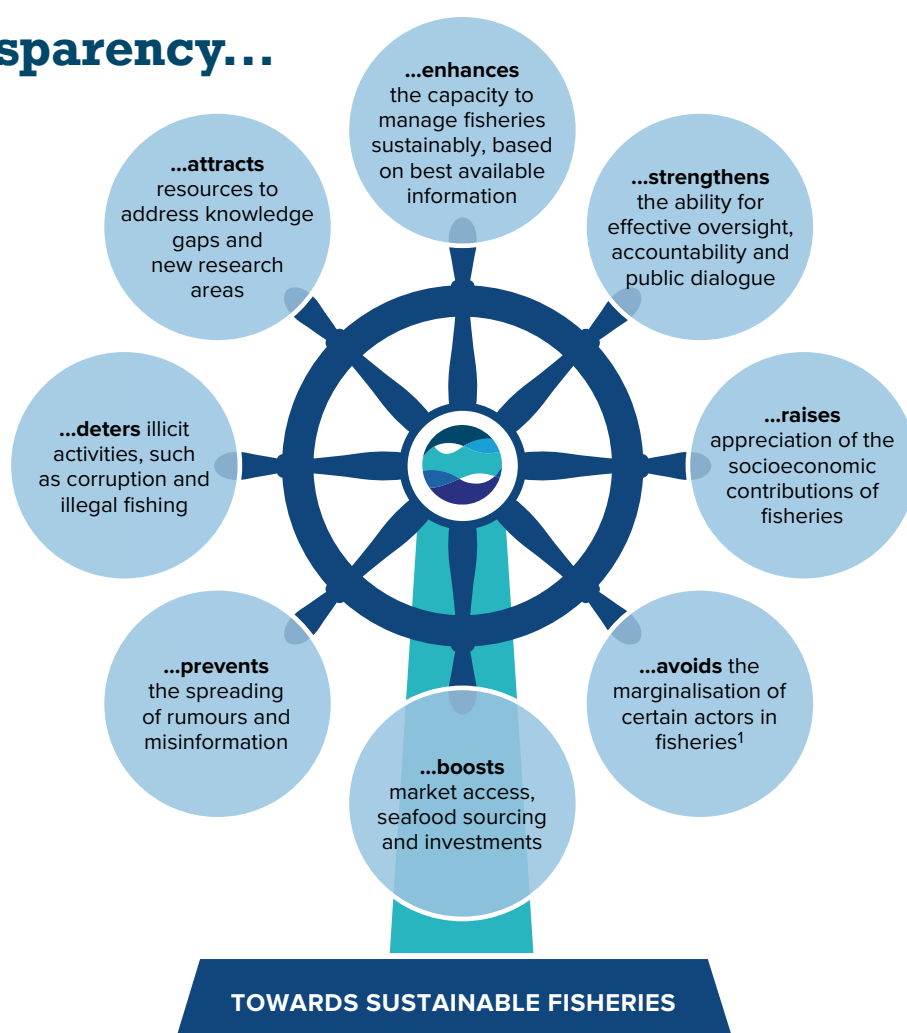
Food and Agriculture Organization of the United Nations (FAO)
The State of World Fisheries and Aquaculture 2010



Enhancing transparency in fisheries management appeals to all stakeholders that appreciate the enormous value of marine fisheries – whether that relates to food and nutrition security, employment, the value to national economies, or the cultural importance of fishing.

Transparency in fisheries management yields multiple benefits, and their relevance and applicability vary depending on the national context.

Transparency...



Promoting these positive features of fisheries lies at the heart of the Fisheries Transparency Initiative (FiTI).



Fisheries
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Initiative

¹ In particular small-scale fisheries and women.

Transparency is not voluntary. It is a government's duty and a citizen's right!

The provision of accessible, timely and credible information on a country's marine fisheries is increasingly becoming a **legal requirement for governments**, stemming, among other things, from Freedom of Information laws. Such laws are frequently based on three key principles: *public participation*, *access to justice* and *access to information*. The last of these principles implies that the public should be able to obtain environmental information (including information about their country's fisheries sector) with only limited, explicitly defined exceptions arising from justifiable confidentiality claims and security matters.



The US has strong legislation for government transparency and is regarded as one of the leading nations for advancing the principle of Open Government. In 2009, the US implemented the **Open Government Directive** following the signing of the Memorandum on Transparency and Open Government. This directive asserts that executive departments and agencies take specific actions to implement the principles of transparency, participation, and collaboration by

- Publishing government information online;
- Improving the quality of government information;
- Creating and institutionalising a culture of open government; and
- Creating an enabling policy framework for open government.

Furthermore, the Freedom Of Information Act Improvement Act of 2016 strengthened the public's access to information held by federal government agencies, including establishing the 'presumption of openness'.

- The US joined the **Open Government Partnership (OGP)**² in 2011 and is currently implementing 8 commitments from its 4th National Action Plan.
- As of 2017, the US is no longer an implementing country of the **Extractive Industries Transparency Initiative (EITI)**³, but supports the EITI International Secretariat through the US Agency for International Development (USAID).
- As of today (February 2023) the US government has not committed to join or support the **Fisheries Transparency Initiative (FiTI)**.



The importance of public access to government information is also emphasised in the UN Sustainable Development Goals (SDGs). Target 16.10 of the SDGs calls on all states to adopt legislation or policies guaranteeing the right to information, which is essential not only for the achievement of Goal 16, but is an enabler to achieving other SDGs.

² <https://www.opengovpartnership.org/members/united-states/>













³ <https://eiti.org/supporters/united-states>

ABOUT THIS ASSESSMENT

This is the first time that the United States has been assessed regarding the online transparency of its marine fisheries sector.

This TAKING STOCK assessment covers 12 thematic areas of fisheries management, as defined by the FiTI Standard.⁴

The **FiTI Standard** is the only internationally recognised framework that defines what information on fisheries management should be published online by national authorities. The FiTI Standard was developed over two years in a global multi-stakeholder endeavour. Its objective is to contribute to the sustainability of marine fisheries by increasing the accessibility and credibility of national fisheries management information.

- | | | | | | |
|----|---|---|-----|--|------------------------------------|
| #1 |  | Fisheries Laws, Regulations and Official Policy Documents | #7 |  | Post-Harvest Sector and Fish Trade |
| #2 |  | Fisheries Tenure Arrangements | #8 |  | Fisheries Law Enforcement |
| #3 |  | Foreign Fishing Access Agreements | #9 |  | Labour Standards |
| #4 |  | The State of the Fisheries Resources | #10 |  | Fisheries Subsidies |
| #5 |  | Large-Scale Fisheries | #11 |  | Official Development Assistance |
| #6 |  | Small-Scale Fisheries | #12 |  | Beneficial Ownership |

For this assessment, these 12 thematic areas have been broken down into a total of **39 transparency elements**.⁵

⁴ <https://www.fiti.global/fiti-standard>

⁵ An overview of these 39 transparency elements can be found in the section '[Key findings](#)'.

This assessment evaluates whether basic information on the US marine fisheries sector is **freely available** on government websites, whether it is **up to date** and whether it is **easy to find**.⁶



Additionally, this assessment:

- Considers whether information is published in a way that renders it easy to **(re)use**, e.g. to download, search and filter;
- Documents instances of **'good transparency practices'**, where published information allows non-experts to draw reliable conclusions;⁷ and
- Proposes practical **recommendations** to improve online transparency around the US marine fisheries sector.



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This assessment is intended to support national authorities in the United States to improve transparency in fisheries management and to stimulate interest in fisheries among a wide range of stakeholders.

It also establishes a comprehensive benchmark for evaluating progress over time.



⁶ For more information about the assessment's methodology, please refer to <https://www.fiti.global/taking-stock/methodology>.

⁷ For example, national authorities may utilise innovative techniques to help visualise information, such as online information systems or fact sheets.



Public disclosure of information cannot be directly equated with actual progress towards sustainable fisheries management.

A lack of transparency in fisheries management is not always a deliberate state of affairs. Governments with poor levels of transparency are often viewed negatively, as if driven by the desire to hide information from public scrutiny. However, what may be perceived as opacity or secretive practices is often the result of other factors, such as the complexity of the fisheries sector, a lack of technology, expertise and staff, or legal concerns. Some government ministries or national agencies, particularly those that are underfunded, may not prioritise transparency. Unfortunately, these arguments can also be used as a convenient excuse to avoid scrutiny.

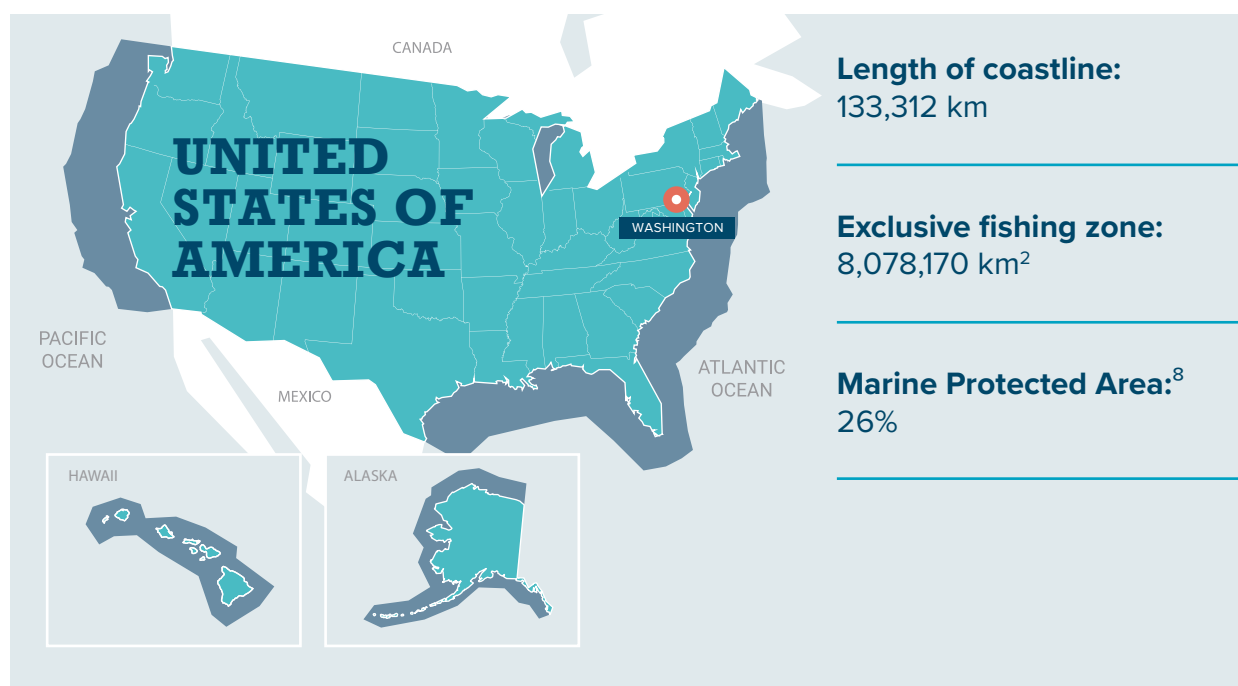
A low level of transparency in this TAKING STOCK assessment may not be a sign of wrongdoing, but rather highlights an opportunity for national authorities to enhance disclosure to stakeholders. Likewise, a high level illustrates strong disclosure systems, but this may not reflect operational success regarding the sustainable management of marine fisheries.

Transparency should also not be misinterpreted as a direct indicator for ethical behaviour, such as honesty and integrity.

This assessment is therefore not an end in itself. Instead, it takes stock of current disclosure practices against an internationally recognised transparency framework – the FiTI Standard – with a view to starting a conversation with all relevant stakeholders in the marine fisheries sector of the United States.

The ambition is that this and future **TAKING STOCK** assessments will contribute to making government transparency the global norm in fisheries management.

CONTEXTUAL INFORMATION ON MARINE FISHERIES IN THE US



Recent developments relevant to the US marine fisheries sector:



The US is pioneering new systems of data gathering for fisheries, based on new technologies and improved collaboration and coordination between fishers, scientists and managers at the State and federal level. Recent initiatives include the work of the Net Gains Alliance and the establishment of Fisheries Information Networks.



In June 2022, the US government issued a National Security Memorandum to address illegal, unreported, and unregulated (IUU) fishing and related harmful fishing practices. This will include new rules to enhance and strengthen its ability to address IUU fishing activities and combat forced labor in the seafood supply chain.



A proposed new federal law to update the 2007 Magnuson–Stevens Fishery Conservation and Management Act was submitted to US Congress in 2021: the Sustaining America's Fisheries for the Future Act. This proposed legislation includes provisions for improved public participation and transparency in fisheries management decisions, as well as provisions to strengthen fisheries management in the context of climate change. However, its progress remains uncertain.

⁸ Under the United Nations Sustainable Development Goal 14.5, countries (including the US) committed to conserve at least 10 per cent of their coastal and marine areas, consistent with national and international law and based on the best available scientific information.

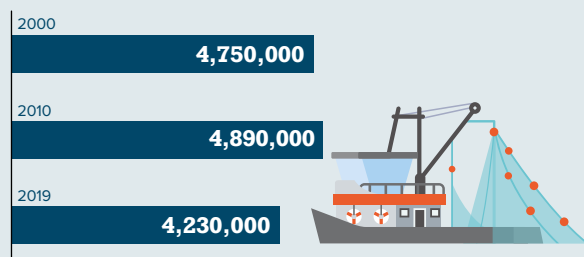


UNITED STATES OF AMERICA

The marine fisheries sector in the United States plays an important role in fulfilling the economic, employment, food security, and nutrition needs of its citizens.⁹

Capture fisheries production

(tonnes, live weight)

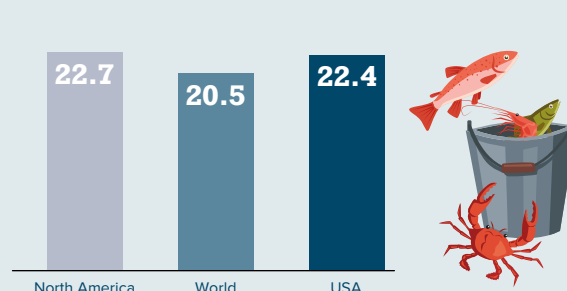


The US is the 5th largest fishing nation in the world (based on capture volume).

Source: FAO State of World Fisheries and Aquaculture 2022

Fish available for consumption

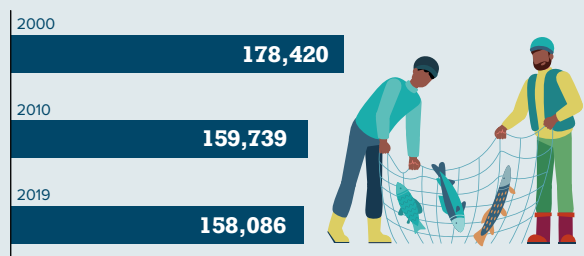
kg/per capita



Source: FAO State of World Fisheries and Aquaculture 2022, FAO GLOBEFISH Market Profile – USA 2019

Number of fishers

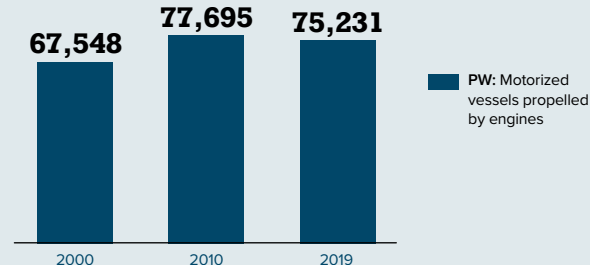
(estimates)



Source: FAO Fishery and Aquaculture Statistics 2019 (published in 2021)

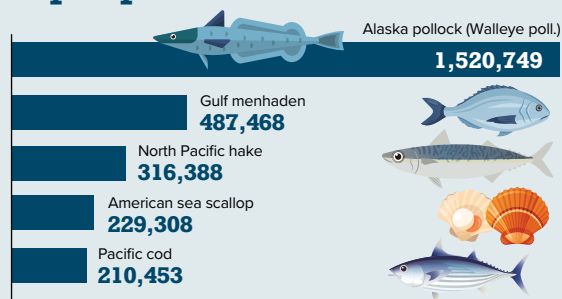
Number of fishing vessels

(estimates)



Source: FAO Fishery and Aquaculture Statistics 2019 (published in 2021)

Top 5 species



Source: FAO GLOBEFISH Market Profile - USA 2019 (in tonnes, by production volume)

Export of fish and fish products

The US is the **3rd largest exporter** of fishery commodities in the Americas, after Chile and Canada.



Source: FAO Fishery and Aquaculture Statistics 2019 (published in 2021)

⁹ This information reflects international statistics (e.g. from the United Nations FAO), which in some cases may differ from national statistics. In addition, this report does not state the contribution of the US fisheries sector to the national Gross Domestic Product (GDP). Although this is a common way of expressing the economic value of fisheries, GDP is not sufficient for fully representing the overall social, economic and environmental costs and benefits of the sector.



KEY FINDINGS

PUBLIC ACCESS TO FISHERIES INFORMATION



UNITED STATES OF AMERICA

KEY FINDINGS
Public access to fisheries information



This assessment shows that the US is likely to be among the top nations in the world regarding transparency of fisheries management, and that US national authorities consider collating and publishing information online on the marine fisheries sector as an essential aspect of fisheries management.



For **32 out of 38** applicable transparency elements, US national authorities publish information online ('Public Access'), with consistently high levels of quality.



For **4** transparency elements there is no information published.



For **2** transparency elements no information has yet been produced by US national authorities.

Not produced

Information for 2 transparency elements has **not been collected** or **compiled yet**.

No public access

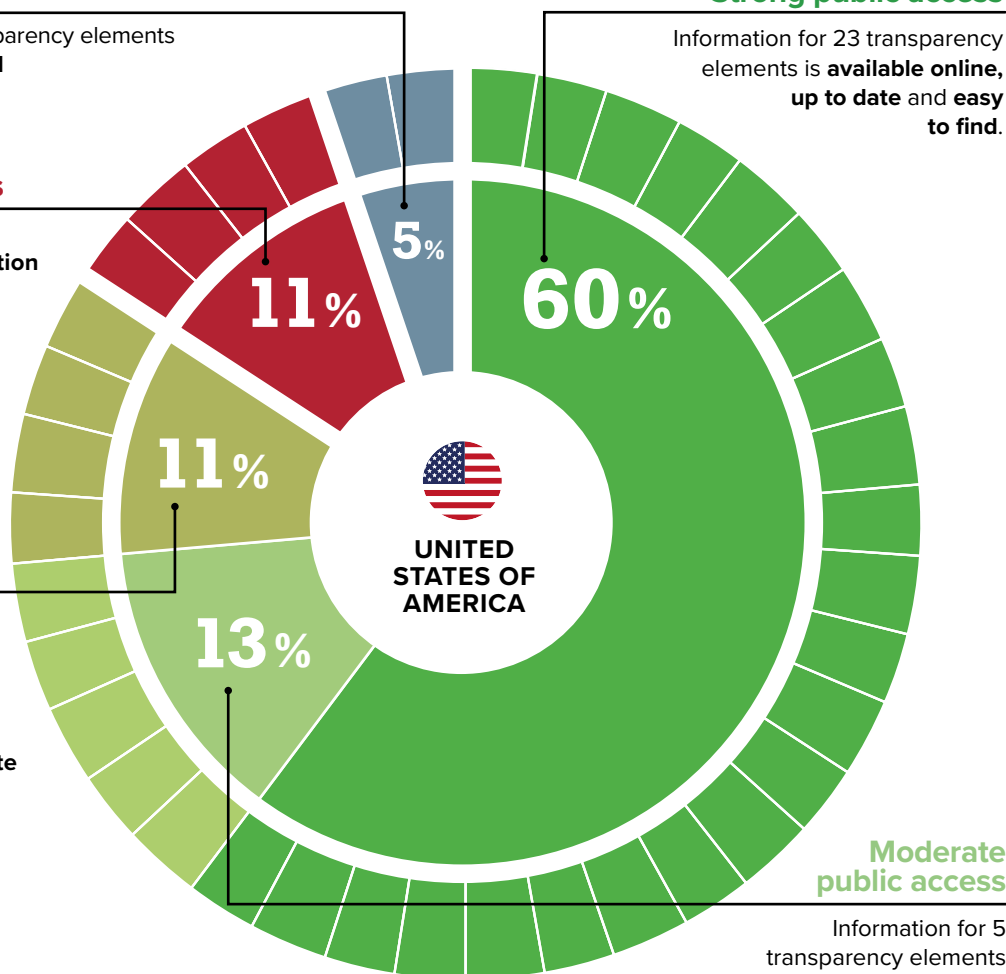
For 4 transparency elements, **no information is published online**, even though there is evidence that this information is available to national authorities.

Weak public access

Information for 4 transparency elements is **only partially available online**, and is also **neither fully up to date** nor **easy to find**.




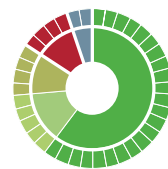






























































Strong public access

Information for 23 transparency elements is **available online**, **up to date** and **easy to find**.



1 of the 39 transparency elements is considered as **not applicable** to the US marine fisheries sector (see [Annex](#)).


DETAILED OVERVIEW







						
Thematic area	ID	Transparency element	AVAILABLE ONLINE?	UP TO DATE?	EASY TO FIND?	
#1  Fisheries Laws, Regulations and Official Policy Documents	1-A	Laws on marine fisheries				Strong public access
	1-B	Fisheries policy documents				Strong public access
	1-C	Fisheries management plans				Strong public access
#2  Fisheries Tenure Arrangements	2-A	Commercial fishing (large-scale and small-scale)				Strong public access
	2-B	Coastal subsistence fishing				Strong public access
	2-C	Scientific and exploratory fishing				Strong public access
	2-D	Sport fishing				Strong public access
#3  Foreign Fishing Access Agreements	3-A	Foreign-flagged vessels fishing in US waters				Strong public access
	3-B	US-flagged vessels fishing in foreign waters				Moderate public access
#4  The State of the Fisheries Resources	4-A	National reports on the state of marine fish populations				Strong public access
	4-B	Scientific stock assessments				Strong public access
#5  Large-Scale Fisheries	5-A	Vessels				Weak public access
	5-B	Payments				Weak public access
	5-C	Catches within US waters				Strong public access
	5-D	Catches outside US waters				Strong public access
	5-E	Landings in US ports				Strong public access
	5-F	Transshipments and landings in foreign ports				Not produced
	5-G	Discards				Strong public access
	5-H	Fishing effort				Strong public access

✓ To a full extent
 ⚠ To a large extent
 ⚠ To a limited extent
 ✗ No
 ⚪ Not produced
 ⚪ Not applicable



DETAILED OVERVIEW

Thematic area	ID	Transparency element	AVAILABLE ONLINE?	UP TO DATE?	EASY TO FIND?	
 Small-Scale Fisheries	6-A	Vessels	✓	✓	✓	Moderate public access
	6-B	Licenses	✓	✓	✓	Strong public access
	6-C	Fishers	✗	✗	✗	No public access
	6-D	Payments	✓	✓	✗	Moderate public access
	6-E	Catches	✓	✓	✓	Strong public access
	6-F	Discards	✓	✓	✓	Strong public access
 Post-Harvest Sector and Fish Trade	7-A	Imports	✓	✓	✓	Strong public access
	7-B	Exports	✓	✓	✓	Strong public access
	7-C	Employment in commercial fisheries	✓	✓	✓	Strong public access
	7-D	Employment in informal fisheries	⚪	⚪	⚪	Not produced
 Fisheries Law Enforcement	8-A	Enforcement of laws	✓	✓	✓	Strong public access
	8-B	Sanctions for major offences	✓	✓	✓	Moderate public access
 Labour Standards	9-A	Enforcement of labour standards	✓	✓	⚪	Weak public access
	9-B	Sanctions for labour standard offences	✓	✓	⚪	Moderate public access
 Fisheries Subsidies	10-A	Government financial transfers or subsidies	✗	✗	✗	No public access
 Official Development Assistance	11-A	Assistance for national fisheries development	⚪	⚪	⚪	Not applicable
	11-B	Assistance for foreign fisheries development	✓	✓	✓	Weak public access
 Beneficial Ownership	12-A	Legal basis for beneficial ownership transparency	✓	✓	✓	Strong public access
	12-B	Beneficial ownership registry	✗	✗	✗	No public access
	12-C	Beneficial ownership disclosure in fisheries	✗	✗	✗	No public access

 To a full extent
  To a large extent
  To a limited extent
  No
  Not produced
  Not applicable





GIVING MEANING TO TRANSPARENCY: NOTABLE EXAMPLES

The value of this TAKING STOCK assessment does not only lie in understanding what information on a country's marine fisheries is available online, and where gaps exist. Fundamentally, and in very simple terms, **public access to fisheries information is important to help answer critical questions about the sustainability of the sector.**

Examples

Who manages our fisheries?

Are our fisheries being sustainably managed?

What is the contribution of marine fisheries to our national food security?

How much does my country earn from our fisheries resources?

Who catches our fish?

What is the value of fisheries to our national economy?

How is my country dealing with illegal, unreported and unregulated fishing?

How well is the government protecting the rights of people working in the fisheries sector?



Government

Fishers
(Industrial and artisanal)

Media

Parliamentarians

Civil Society Organisations

Academia

Given the complexity of fisheries management, answering such questions is not always a straightforward task. However, by increasing public access to fisheries information, governments provide their citizens and business partners the necessary means to engage in informed public debates.

In the US, it is evident that public information provided by national authorities allows for informed public debates across a large range of key policy issues and helps to answer important 'big picture' questions. Notable examples include:

✓	Are national policies working to achieve sustainable fisheries?	NOAA Fisheries undertakes extensive scientific assessments of hundreds of fish stocks and provides public access to quarterly updates, clearly indicating the status of fish populations. Additionally, NOAA Fisheries provides the annual comprehensive report 'Status of Stocks', which includes also analysis on the reasons for changes in fish populations.
✓	What is the economic contribution of marine fisheries in the US?	Comprehensive economic data is compiled and published by NOAA Fisheries, with reports available at a per fishery level through Regional Fishery Management Commissions (RFMCs). Furthermore, NOAA's flagship annual report 'Fisheries Economics of the United States' provides a comprehensive overview and highlights historical trends.
✓	How much fish is caught in US waters and how much is discarded at sea?	NOAA Fisheries provides extensive catch data across commercial and recreational fisheries. Scientific stock assessments are available online for some of the most important fisheries targeted by commercial fishing vessels, outlining clear recommendations for limiting fishing effort where needed. There are also in-depth reports on the rates of discards for many fisheries, although coverage of this information is not yet complete.
✓	What laws and policies exist to regulate fisheries?	NOAA Fisheries provides accessible and well laid out information on the complex landscape of fisheries laws, regulations, and policies at the federal, regional and state level. It also helps people understand how to access information on draft legislation and how they can get involved in influencing decision-making processes.





US national authorities fail to disclose information on only a few key issues, even though there is evidence that this information is available. Notable examples include:¹⁰

✗	How is the US government supporting its fisheries sector?	NOAA Fisheries does not provide consolidated information or analysis about public subsidies to the fisheries sector. This omission is surprising since the US has taken a strong approach to government disciplines on fishing subsidies at the international level as well as the need for transparency on government reporting, e.g. through opinions expressed at meetings of the World Trade Organization and also in relation to its support for international initiatives against IUU fishing.
✗	Who benefits from the US marine fisheries sector?	Despite the fact that the legal basis for beneficial ownership transparency in the US is defined in the Corporate Transparency Act, the US government does not publish information on beneficial owners or the rules and procedures for incorporating beneficial ownership when regulating access to fisheries.
✗	How are cases of illegal fishing resolved?	Although addressing illegal activities in the fisheries sector is highlighted as a priority in the US, published information on the outcomes of investigations and prosecutions for serious offences is inconsistent. This includes partial information on the outcomes of cases where foreign vessels have been caught fishing in US waters illegally. The Law Enforcement Management Information Database, managed by the US Fish and Wildlife Service, includes cases of illegal imports and exports of fish, but as of 2016 this has been treated as confidential.

This assessment identified only two transparency elements, relevant for US marine fisheries, where national authorities do not seem to collate information:¹¹

✓	What is the scope of informal fisheries in the US?	Our assessment found no government data on informal employment in the marine fisheries sector published online (neither by NOAA Fisheries, nor by the Department of Labor). This is not because informal employment in fisheries does not exist in the US, rather it appears to be an understudied and possibly neglected aspect of the fisheries sector. Non-governmental reports suggest informal employment is likely to be a feature of the post-harvest sector, including employment among seasonal workers and undocumented migrants in the post-harvest sector.
✓	Are catches transshipped or landed in foreign ports?	Published information is inconclusive on whether fish caught in US waters by vessels is transshipped at sea or landed directly in a foreign port. It is assumed that foreign-flagged vessels in US waters (e.g. the Canadian fleet targeting tuna) do land their catches outside of the US. US-flagged vessels may also land or transship catches abroad, e.g. tuna vessels operating in the Pacific (although the majority of these catches are landed in American overseas territories).

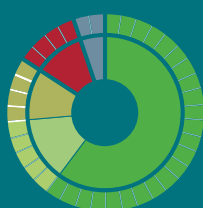
¹⁰ Countries that implement the FiTI follow its core principle of 'progressive improvement', which states that countries are not expected to have complete data for every transparency requirement from the beginning. Instead, public authorities must disclose the information they have, and where important gaps exist, demonstrate improvements over time.

¹¹ It is possible this information is published by national authorities online, but this assessment was unable to locate it, mainly due to the challenges of searching through government websites.

A DEEP DIVE INTO PUBLIC ACCESS TO FISHERIES INFORMATION



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Additional important insights can be gained by understanding whether the published information ('Public access') meets basic information requirements, is up to date and easy to find.



**AVAILABLE
ONLINE?**



UP TO DATE?



EASY TO FIND?



AVAILABLE ONLINE?

AVAILABLE
ONLINE?

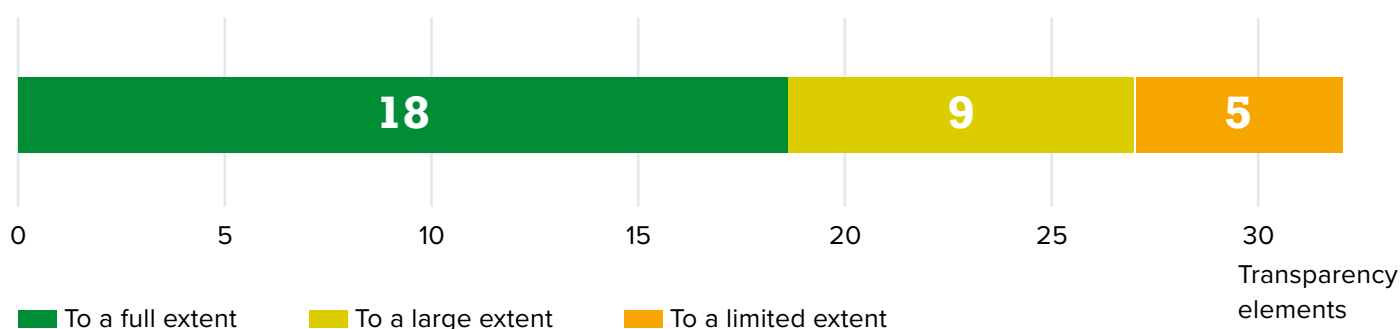


US national authorities publish information online for 32 transparency elements (i.e 'Public access').¹² Of those elements, more than half (56%) fully meet the information requirements of the FiTI Standard.¹³

A DEEP DIVE INTO
PUBLIC ACCESS TO
FISHERIES INFORMATION



Is information in accordance with the FiTI Standard available online?



The primary national authority who provides public information on marine fisheries management in the US is the fisheries department of the National Oceanic and Atmospheric Administration (the National Marine Fisheries Service, commonly referred to as NOAA Fisheries).

There is considerable complexity to the management of US marine fisheries, due to the large number of diverse fisheries, as well as a management approach that provides distinct responsibilities to federal, regional and State level authorities.¹⁴ Federal, regional and State laws and regulations governing marine fisheries are particularly numerous and detailed. NOAA Fisheries is therefore faced with a considerable challenge of collating data and making this available on their central website. **In general, this is done very well, and NOAA Fisheries provides a large amount of information that meets most of the transparency requirements** of the FiTI Standard.

For example, NOAA Fisheries has been assessed positively on its information regarding **laws and policies**. This is assisted by the thorough way in which proposed and finalised laws and regulations for fisheries are compiled and presented through the US Code, the US Code of Federal Regulations and the websites of the US Register and House of Congress.

NOAA Fisheries provides detailed scientific information on the **catches and landings** made by different sectors, as well as the findings of **scientific fish stock assessments**.

¹² From a total of 39 transparency elements, this assessment considers only one as being 'Not applicable' to the US marine fisheries sector, whereas two elements are considered as 'Not produced' (meaning the government has not collected or compiled the information requested under this element).

¹³ Or it has been found that the published information is incomplete.

¹⁴ Regional and inter-state fisheries authorities provide substantial information through their own websites. These were not subject to review in this assessment. However, there is considerable sharing of data between these regional and State level authorities with NOAA Fisheries, and the website of NOAA Fisheries also has multiple links to information on these other websites. The federal website therefore includes information from smaller units of government.



NOAA Fisheries also collates and publishes in-depth assessments of **discards** for a large number of fisheries, which reflects the priority given by US government in tackling this challenge in fisheries management. Additionally, the information NOAA Fisheries provides on the extensive US recreational fisheries sector is impressive.

One important aspect that proved difficult for our assessment was finding separate information for both **commercial large-scale (or industrial) and small-scale (or artisanal) fisheries**. The US does not use this distinction in laws or policies, and therefore fisheries data is not differentiated in this way. This approach is unusual and could be viewed as inconsistent with international agreements that establish the need for small-scale fisheries to be recognised and prioritised in management decisions, including FAO's *Voluntary Guidelines for Securing Sustainable Small-Scale Fisheries in the Context of Food Security and Poverty Eradication* and the United Nations Sustainable Development Goals (SDG 14b). However, it is possible for members of the public to access data from NOAA Fisheries for different segments of the fishing sector, e.g. data that is provided according to the characteristics of vessels. A lack of differentiated data was therefore not assessed negatively in this assessment, although this may be seen differently by other stakeholders.

Nevertheless, there are some important areas where our assessment found limited or no information.

- While national data is strong on the environmental performance of fisheries management, government information is less strong on the **social and economic performance of fisheries management**. The pages of information published by NOAA Fisheries for Alaska has the most detailed information on this, but other regions have far less.¹⁵ Consequently, information on employment and incomes is less abundant from several regions, and there is a surprising **shortage of information on women's role in the fisheries sector**, including in the post-harvest sector.
- The US does not have a **comprehensive central registry of commercial fishing vessels**. A database of vessels exists, but this contains limited information and falls short of the range of information required by the FAO's Global Record of fishing vessels, for example. More complete vessel registries can be found for specific regions of the US (such as for Alaska and the Pacific region), but not in others. As such, there is a wide discrepancy in the transparency practices of different regions. Part of the problem may derive from inadequate sharing of data between State and federal authorities. However, it should be appreciated that a large number of commercial fishing vessels in the US are relatively small-scale. As such, whether having a comprehensive central public vessel registry is a national priority is uncertain, yet this is now established as a recommendation in efforts to improve fisheries management, particularly in the context of combatting IUU fishing.
- NOAA Fisheries provides inconsistent information on the **ownership of fishing rights**, including for those fisheries managed through catch share programmes. Assessments of catch share programmes published by NOAA Fisheries includes analysis of quota consolidation, but information does not exist in the public domain on what shares are owned by individual companies/persons for all fisheries. It is unclear whether such information is considered commercially sensitive or not, although it might be considered in the public interest to disclose it.

¹⁵ An example for an innovative research programme in Alaska is a map of fishing communities with socio-economic data. Unfortunately, this resource does not seem to be active anymore, with the last year of data entry being 2015: <https://www.fisheries.noaa.gov/resource/map/alaska-commercial-fishing-communities-interactive-map>.

- The US has a long-standing **tuna fisheries agreement with countries of the Pacific Ocean**, more commonly known as the South Pacific Tuna Treaty. The text of this agreement is not proactively published by NOAA Fisheries (but can be found through the website of the US Congress), while a related agreement on economic assistance for Pacific Islands, entered into in 2013, also does not appear to be in the public domain.
- Despite commitments for **aid transparency** in federal laws, most notably the Foreign Aid Transparency and Accountability Act, online information on what overseas fisheries projects are supported by US public funds is limited, including the purpose of the project and its value. There is also no information on the central USAID portal regarding impact assessments and evaluations for fisheries-related projects. The omission is significant as the US is an important source of development aid for fisheries management in other countries.
- The US has established itself as a global leader in the fight against IUU fishing. However, there is a lack of information in the public domain on **the outcomes of specific activities used to combat IUU fishing in the US, particularly the results of law enforcement activities by the US Coast Guard**. A database on criminal violations of US laws on the import and export of fish species, held by the Fish and Wildlife Service, is also treated as confidential.



UP TO DATE?

UP TO DATE?

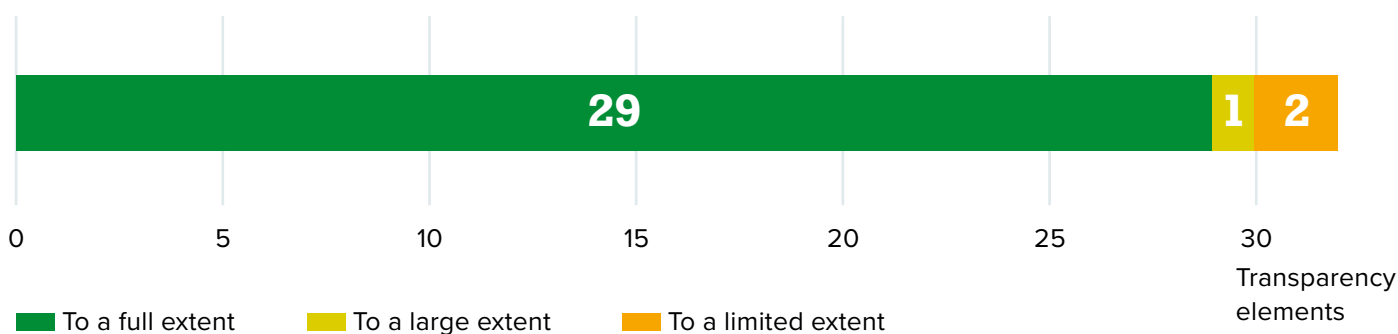


Information published online by US national authorities is considered to be fully up to date for 29 of the 32 transparency elements (or 91%).



Fish is a renewable resource that can, if sustainably managed, remain accessible and beneficial for generations. Those making decisions affecting fisheries must be able to have quick and easy access to the latest available data. The importance of up-to-date information takes on an even greater dimension when it comes to time-sensitive issues such as the production of catch data or scientific stock assessments.

Is the published information provided in a timely, up-to-date manner?



An impressive feature of government information published on marine fisheries in the US is that it is updated at regular intervals. Despite some gaps in information, the NOAA Fisheries website provides a highly relevant resource for people to understand what is happening in marine fisheries management. Furthermore, there are many types of information where updates are provided on a quarterly, monthly or even weekly basis. This includes, for instances, quarterly updates of information on **fish stock status**, notifications on **regulatory changes**, and the weekly reports on **'Enforcement Actions'** by the Office of Law Enforcement in NOAA Fisheries.

EASY TO FIND?

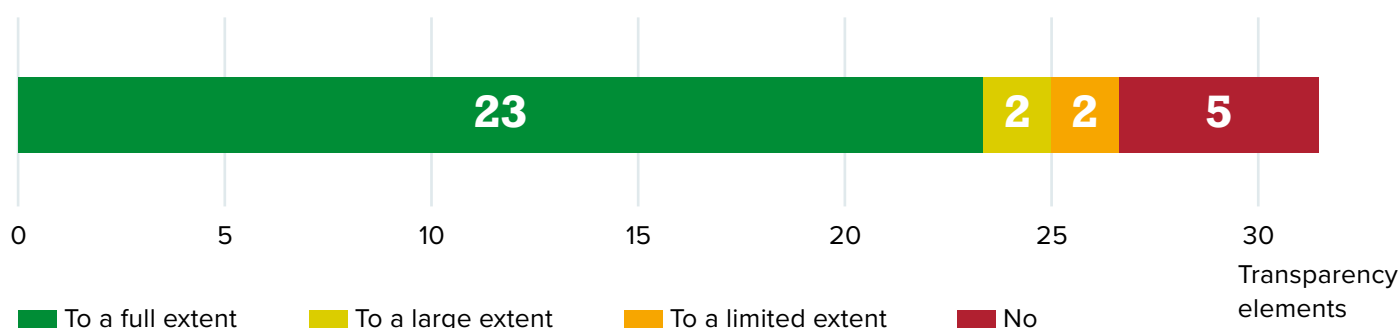
EASY TO FIND?



Information published online by US national authorities is generally easy to located, as information for 23 out of 32 transparency elements (or 72%) can be easily found by a layperson.¹⁶

Governments have the responsibility to manage fisheries on behalf of their citizens – and inform them about the current status, opportunities and challenges facing the sector. In the digital age, websites remain one of the most popular mediums to convey such information. However, websites are passive communications channels, and stakeholders have to purposely visit the site, search for the desired content and navigate to find information. If this is difficult or time consuming, stakeholders may lose interest, leaving potentially important information unread and underutilised.

Is the published information easy to find on a government website from a non-expert point of view?



The complexity of fisheries management in the US, coupled with the extensive data compiled and published by national authorities, poses **significant challenges in terms of its presentation and accessibility**. NOAA Fisheries, as the primary national authority for fisheries, faces a difficult task in organising this information so that members of the public can easily locate it and are not overwhelmed or disorientated by ‘information overload’.

In general, our assessment found that the **NOAA Fisheries website provides a well organised and intuitive public resource of information**. There is a well thought through hierarchy to the presentation of sub-pages, making the location of specific information an easy task. Also, most sub-pages for specific topics provide a summary introduction that tells users where to find more detailed information. Furthermore, the search function used on this website works effectively and returns primarily only the most relevant pages. Our assessment found also only very few instances where links were not working.

¹⁶ This assessment analysed how easy or difficult it is for a layperson to find information about the US marine fisheries sector, instead of stakeholders with a background in fisheries and therefore holding a unique advantage in their capacity to locate the information.



The US also provides three **flagship annual reports** on the fisheries sector that are detailed and well presented: *The Status of Stocks, Fisheries of the United States* and *Fisheries Economics of the United States*. These reports, which necessarily summarise key information and present data with some time lag, also direct the reader to online resources where more detailed and up to date information can be found.

While in general published information was assessed to be easy to find, some information was considered difficult to locate and hence, could inhibit public access to information. For example:

- Comprehensive information on **subsistence fishing** in the US is difficult to find and understand. While subsistence fishing is recognised as a type of fishing in the Magnuson–Stevens Fishery Conservation and Management Act, and in the Code of Federal Regulations, there is no clear definition of what it exactly means. NOAA Fisheries has a dedicated website on this topic, with links to pages of information on Alaska, the Pacific Islands and the West Coast. However, it was not clear whether subsistence fishing is recognised to exist elsewhere. Furthermore, there is no government information provided for the Pacific Islands or the West Coast that confirms subsistence fishing is recognised as a specific right in tenure arrangements.
- Information on **authorised fishing vessels in the US** is published online (see also previous section on ‘Deep Dive – Available online’) in the central ‘Landings database’, providing vessel information from the US Coast Guard. If a person was looking for a list of authorised vessels in the US, it is uncertain they would consult this database to find such information. Other lists of licensed vessels are provided through the websites of RFMCs, but these are also not clearly labelled, which means that vessel data is often included under information on the rules and procedures for obtaining permits.
- There is no consolidated report on **government revenues from commercial fisheries**. Instead, such information is only presented in technical reports, for which there is no complete coverage for all fisheries. It is acknowledged that such information may not be identified as a priority in the US, as payments for fishing vessels represent administrative charges and cost recovery fees, with no direct corresponding public dividend. However, consolidated information on revenues from a public good is internationally seen as an important tool for fiscal transparency, and given the US leadership in good governance and open government, such information should also be easily accessible for the public.
- Our assessment found limited information on **national strategies for the implementation of labour standards in the fisheries sector**. Online information was found on the commercial fisheries programme led by the National Institute for Occupational Health and Safety. However, this topic is not included in the otherwise comprehensive information provided through the website of NOAA Fisheries. The subject of how labour laws are enforced in the fisheries sector (and what these are) does not seem to receive strong publicity by any federal government authority and information on this is therefore difficult to find.
- Finally, it is evident in reviewing information on fisheries provided at the regional or State level, that there are inconsistencies. **For some regions data is far more detailed and comprehensive than others**. For example, the level of detail provided on Alaska’s fisheries is generally far more extensive than found for other regions. States and regions therefore have different approaches to collating and sharing fisheries data.



‘GOOD TRANSPARENCY PRACTICES’



In addition to providing complete, timely and easy-to-find information, US national authorities also publish information on the country's fisheries sector that go beyond minimum standards and that the FiTI considers as 'good transparency practices'.

These practices are important to recognise and could provide inspirations for other countries.



Comprehensibility:

There are many examples where US national authorities, in particular NOAA Fisheries, ensure that complicated information is made understandable to the layperson. For instance:

- There are multiple **laws and policies** in the US at the federal level that are relevant to fisheries management, and these are amended at regular intervals. Understanding what the most important documents are, how they relate to each other and what have been recent changes could be extremely difficult for the public to understand. NOAA Fisheries addresses this by providing succinct summaries of information on the main laws and regulations, including a description of amendments and the reasons these were made. It also provides pages with frequently asked questions. For example, the sub-page 'Understanding fisheries management in the United States'¹⁷ provides a succinct overview of national policy objectives and an introduction for understanding more detailed issues.
- Recognising that the **national policy of catch shares** is both complex and controversial, NOAA Fisheries provides a description of this policy in an easy-to-understand language¹⁸, which is complemented by an FAQs page¹⁹ that addresses the main criticisms and how they are responded to. NOAA Fisheries also provides well organised pages for each of the 17 catch share programmes in the US, with historical overview links to multiple reports and evaluations.
- NOAA Fisheries provides easy to navigate, highly detailed and accessible information on the **rules and regulations of recreational saltwater fishing**²⁰, including FAQs and several explanatory videos and links to laws and policy documents.
- The Fishwatch resource²¹, produced by NOAA Fisheries, is an innovative database that provides comprehensive information on **fisheries management and sustainability issues** for over 100 species of marine fish.

17 <https://www.fisheries.noaa.gov/insight/understanding-fisheries-management-united-states>

18 <https://www.fisheries.noaa.gov/insight/catch-shares>

19 <https://www.fisheries.noaa.gov/sustainable-fisheries/frequent-questions-catch-shares>

20 <https://www.fisheries.noaa.gov/topic/resources-fishing#recreational-fishing>

21 https://www.fishwatch.gov/?_ga=2.111657220.1622338008.1662650314-1409459932.1662650314



Granularity:

On multiple aspects of fisheries management, NOAA Fisheries provides a level of detail that surpasses what is considered a minimum requirement for meeting the transparency threshold. For example:

- Data compiled by fisheries scientists on **stock assessments**, fisheries management evaluations and reviews of fisheries management plans, is often presented in a highly detailed way, including highly disaggregated quantitative data.
- NOAA Fisheries publishes every proposal and final permit for **scientific and research fishing**²², which also includes a description of government decisions on a per permit basis.
- For several types of **policy forums**, such as the development and implementation of fisheries management plans, NOAA Fisheries provides access to extensive meeting minutes as well as video recordings.



Stakeholder participation:

Several good practice examples demonstrate how NOAA Fisheries promotes public participation in decision making forums, which is a critical step to linking transparency with government accountability. For example:

- A website provides an explanation of how **laws and regulations** are created at different levels of governments, which also gives guidance on how citizens can engage in the process²³.
- NOAA offers a central database called **Fisheries Management Info**²⁴, which provides a list of news bulletins and proposed regulations for public comment. Members of the public can also subscribe to email alerts and news bulletins to stay informed regarding developments at the national or federal level, which are also available for different types of fishing.
- NOAA Fisheries is providing interactive digital systems for **collating data from fishers and observers**, led by the Fisheries Information System Programme²⁵. For example, through the Fish Online Portal²⁶ fishers can directly contribute and access government databases.
- The Regional Fisheries Management Councils generally provide **excellent levels of public participation**, including streaming meetings online. There is also an extensive record of decisions taken by these councils published by NOAA Fisheries.

22 <https://www.fisheries.noaa.gov/tags/exempted-fishing-permit>

23 <https://www.fisheries.noaa.gov/insight/understanding-how-federal-fishing-regulations-are-made>

24 <https://www.fisheries.noaa.gov/rules-and-announcements/bulletins>

25 <https://www.fisheries.noaa.gov/national/commercial-fishing/fisheries-information-system-program>

26 https://apps-garfo.fisheries.noaa.gov/fishtank/login/Nero_forward



Finally, this assessment demonstrates that US national authorities offer several features to ensure that published information can be freely used (e.g. via search and filter functions), re-used and redistributed by anyone.

For example, several datasets used in quantitative assessments published by NOAA Fisheries are available to download in raw form, so they can be used for independent research. This includes the considerable data sets compiled in the Stock SMART database²⁷, or the data on recreational fishing²⁸ that is available for download and further analysis.

This underscores the endeavours of the US government to make technology, data, and transparency a strategic priority of the federal government. For example, in 2013 the Open Data Policy was launched and was followed by the passing of the Open, Public, Electronic, and Necessary Government Data Act in 2017, mandating that government publish its data assets as **machine-readable data** and in an open format, under open licenses.

Furthermore, according to title 17 of the US Code, federal websites and most of the US government 'creative' works – referring to writings, images, or videos – are automatically considered to be **information that is part of the public domain**, unless indicated otherwise, to promote free and open dissemination of government information.



²⁷ <https://www.st.nmfs.noaa.gov/stocksmart>

²⁸ <https://www.fisheries.noaa.gov/recreational-fishing-data/recreational-fishing-data-downloads>



RECOMMENDATIONS FOR NATIONAL AUTHORITIES OF THE US

The US national authorities, in particular NOAA Fisheries, provide a vast amount of information on fisheries management, which is well organised and presented. This information is also updated on a regular basis. In many ways fisheries information in the US represents international good practice, and NOAA Fisheries demonstrates numerous instances of innovation in the way it collates and publishes information.

Nethertheless, some key observations can be made for further improving transparency for marine fisheries in the US:

1. Make currently unpublished information publicly available

There are several aspects of fisheries management where government information is currently not being published. Some of the information gaps can be rectified easily. The lack of information and access to original documents on the **South Pacific Tuna Treaty** are straightforward to remedy (there is even a sub-page on the NOAA Fisheries website).

Other information gaps will require more resources to address. This includes, for example, collating **gendered information on employment in the fisheries sector**, as well as information on **informal employment**. Employees of NOAA Fisheries have already identified a lack of gendered information as a weakness in public information²⁹. The Department of Labor (DOL) has a dedicated Woman's Bureau, publishing considerable information for different sectors, but not for the seafood industry. Collaboration between NOAA and the DOL could therefore improve this situation.

Addressing other information gaps would seem justifiable, given the position of the US in international policy fora. For example, the lack of a consolidated report on **fisheries subsidies** in the US could be seen as undermining the country's position in advocating for greater transparency on fisheries subsidies by other nations.

Additionally, while the US supports international efforts on transparency for **licensed fishing vessels**, and contributes data to the FAO's Global Record of Fishing Vessels, Refrigerated Transport Vessels and Supply Vessels, the limited scope of its own central database on fishing vessels in the US is open to criticism. The US is also currently failing to provide complete records of its vessels to the FAO. It is uncertain whether a detailed vessel list is a high priority for fisheries management in the US, but more consistency could be encouraged among regional authorities in the US for producing and publishing this data.

Finally, the information on **fisheries-related projects** contained in the database on overseas aid projects managed by USAID³⁰ does not seem to fully comply with the Foreign Aid Transparency and Accountability Act of 2016.

29 <https://www.fisheries.noaa.gov/feature-story/womens-global-fisheries-participation>

30 <http://www.foreignassistance.gov>



2. Enhance standardisation of data requirements and reporting across regions and States

There appears to be an inconsistent approach by sub-national authorities in collating and sharing data. This includes aspects such as on catch data, the vessel registries, information on management decisions, on quota ownership and on social and economic information. Citizens in some regions of the US will have access to more detailed information on their fisheries than others, while there seems to be challenges facing NOAA Fisheries in calibrating data across different regions. NOAA could therefore strengthen a more standardised and consistent approach to gathering and publishing fisheries information from regions and States.

3. Strengthen the US position as a global leader for transparency in fisheries management

It is evident from our assessment that the US is likely to be among the top nations in the world for achieving transparency in fisheries management. In addition to its efforts to increase ocean-based transparency to identify illicit vessel behaviour, the US prioritises transparency and public participation in fisheries management and considers this a fundamental component for sustainable and responsibly managed fisheries.

However, it is uncertain that this is sufficiently communicated by US public authorities in their influential role in global policy fora and regional fisheries management organisations. Transparency is highlighted as a tool in international initiatives to combat Illegal, Unreported and Unregulated (IUU) fishing - which are strongly supported by the US - but this is a limited interpretation of the objectives and benefits of transparency, mainly to support law enforcement efforts. Instead, the US should also **adopt a leading and vocal position on transparency in fisheries management as a key component to strengthen participatory governance** worldwide. In doing so, the US can draw on impressive examples of how transparency in fisheries management is achieved 'at home'.

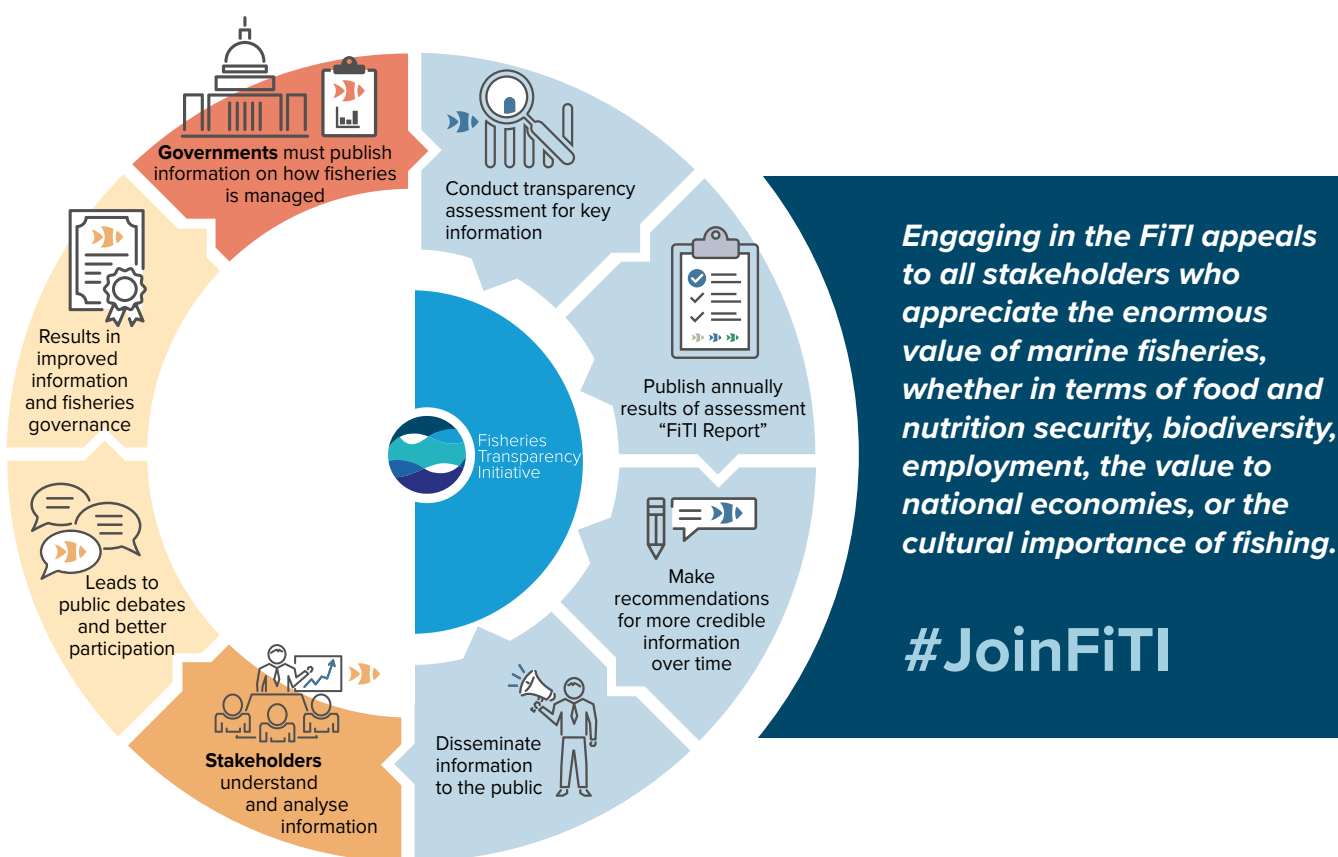
TRANSPARENCY NEEDS TRUST

Public access to information on how the US marine fisheries sector is being exploited is fundamental for good governance. This TAKING STOCK assessment provides a sound starting point for national authorities in the US to maintain its high levels of transparency in marine fisheries management. But it does not tell the whole story: challenges still exist that are unlikely to be overcome by a single actor working alone. Such challenges involve determining whether information that is not published online simply does not exist, or whether information that is disclosed is perceived as credible by stakeholders. Addressing such challenges requires a comprehensive and inclusive approach.

Therefore, a collective effort is needed from all relevant stakeholders to incorporate a variety of perspectives and enhance transparency and trust over time.

The Fisheries Transparency Initiative (FiTI) provides such a unique combination of transparency and participation. The FiTI is implemented in countries through National Multi-Stakeholder Groups, consisting of representatives from government, business and organised civil society. These groups work collectively to:

- » assess the information in the public domain against the FiTI Standard;
- » make recommendations on how to prioritise the closure of information gaps; and
- » provide suggestions on how information published by national authorities can be strengthened to further raise levels of openness and public access to information.



ANNEX: ASSESSMENT PROCEDURES

This TAKING STOCK assessment evaluates the disclosure practices of US national authorities across 12 thematic areas of **marine fisheries management**,³¹ as defined by the FiTI Standard.

In order to avoid ambiguities during the assessment, these 12 thematic areas have been further broken down into **39 transparency elements**. For example, thematic area #1 'Fisheries Laws, Regulations and Official Policy Documents' is broken down into three transparency elements.

The assessment is focused entirely on the availability of information³² provided by US national authorities through their own websites and online publications.

This report, the first for the United States, does not only seek to provide an overview of what the government publishes regarding a number of key areas of its marine fisheries sector. It also intends to provide a sound basis of information to spark interest among various governmental and non-governmental stakeholders.

The assessment does **not** try to capture and display the actual underlying information behind each transparency element (e.g. number of vessels), nor does it undertake an independent verification of whether information disclosed online by national authorities is complete or correct. Nevertheless, if compelling evidence of unreliable or contradicting information has been found, it is noted in the Detailed Assessment Report.

Within the scope of this assessment, several different entry points have been utilised to evaluate whether information on the US marine fisheries sector is published online by national authorities, such as:³³

- Through the US government's central portal for information and services (www.usa.gov);
- Through the US government's central portal for open data (www.data.gov);
- By directly accessing websites of national authorities, such as NOAA Fisheries³⁴;
- By utilising external search engines, such as Google or Microsoft.

The assessment was conducted as a **desktop study** without relying on initial input or contributions from national authorities.

The assessment was conducted over a period of 5 months (May – September 2022). The process was officially launched on 18 May 2022 when the Under Secretary of Commerce for Oceans and Atmosphere & Administrator of the National Oceanic and Atmospheric Administration (NOAA) was informed about the upcoming assessment, its key parameters and benefits.

The National Oceanic and Atmospheric Administration (NOAA) was invited to comment on the initial research findings prior to the publication of this report. The timeframe for this review was between 20 January and 14 February 2023.

No comments were received prior to the deadline. Therefore, the report was finalised without government input.

The overall assessment process was conducted under the supervision and responsibility of the FiTI International Secretariat, with significant input from researchers and reviewers.

31 Information on inland fisheries and aquaculture does not form part of this assessment.

32 Kindly note that in the context of this research, the terms '**data**' and '**information**' are used interchangeably. It is acknowledged that while closely intertwined, they differ in meaning and usage (e.g. data is the raw fact, which should be processed to gain information). However, this difference is not of major relevance for this assessment.

33 Information is only considered available online if it is proactively published on a government website and is available without access restrictions (e.g. the need to register online, request the data from a civil servant via email or pay a fee).

34 Either embedded within the central government portal, or as a 'standalone' website.

As part of this TAKING STOCK assessment, only one transparency element is considered as not applicable for US marine fisheries:

—	Assistance for national fisheries development	<p>The US does not receive financial assistance from bilateral or multilateral donors for the management of its own fisheries, which includes public sector programmes implemented in US overseas territories.</p> <p>NOAA Fisheries actively encourages public-private partnerships, including in fisheries, but these have not been assessed for this report.</p> <p>While further research is needed on whether federal, regional or State public authorities receive financial support from non-state organisations (e.g. philanthropic donors and charities), our assessment considered this information requirement as not applicable to US marine fisheries.</p>
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Fisheries
Transparency
Initiative

TAKING STOCK

Online Transparency of Fisheries
Management Information



2022

Summary Assessment Report
UNITED STATES OF AMERICA

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