

August 31, 2017

Mr. Chris Oliver  
Assistant Administrator for Fisheries  
National Oceanic and Atmospheric Administration  
1315 East-West Highway  
Silver Spring, MD 20910

Dear Mr. Oliver:

I write in regard to the fishing permits for vessels in New Bedford, Massachusetts belonging to Carlos Rafael, who pled guilty to several federal charges. It has been reported that his fishing permits may be cancelled or seized by the federal government,<sup>1</sup> and I am urging you to do everything possible to ensure that those permits stay in the Port of New Bedford. Not doing so has the potential to devastate the local economy and effectively punish numerous innocent workers and businesses in New Bedford for Mr. Rafael's crimes.

Earlier this year, Mr. Rafael—the owner of Carlos Seafood, Inc. and one of the most significant fishing businesspeople in New England—pled guilty to 28 federal charges related to the management of his company, including falsifying fish quotas, mislabeling fish, conspiracy, and tax evasion.<sup>2</sup> I understand that the federal government is expected to seize at least thirteen fishing vessels used in Mr. Rafael's crimes, as well as their associated permits, which would allow the National Marine Fisheries Service (NMFS) to redistribute those permits to other vessels.<sup>3</sup>

As you may know, those permits cover a substantial proportion of several important fishing allocations in the area, including of Georges Bank yellowtail flounder, Georges Bank cod, Georges Bank winter flounder, Georges Bank haddock, and southern New England Winter Flounder.<sup>4</sup> Mr. Rafael's business accounts directly for three quarters of the value of New Bedford's groundfish, which are necessary to diversify the Port's fishing industry—as well as tens of millions of dollars in investments in the city of New Bedford and the livelihoods of

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<sup>1</sup> Valencia, M. J. "Loss of 'Cofather' permits could hurt New Bedford." *The Boston Globe* (Apr. 21, 2017). Online at: <https://www.bostonglobe.com/metro/2017/04/21/loss-codfather-permits-could-hurt-new-bedford/PpvcUf5L1Ak7MXCizuGsZO/story.html>.

<sup>2</sup> Bonner, M. "Fishing mogul Carlos Rafael pleads guilty to conspiracy, other charges." *South Coast Today* (March 30, 2017). Online at: <http://www.southcoasttoday.com/news/20170330/fishing-mogul-carlos-rafael-pleads-guilty-to-conspiracy-other-charges>.

<sup>3</sup> Valencia, M. J. "Loss of 'Cofather' permits could hurt New Bedford." *The Boston Globe* (Apr. 21, 2017). Online at: <https://www.bostonglobe.com/metro/2017/04/21/loss-codfather-permits-could-hurt-new-bedford/PpvcUf5L1Ak7MXCizuGsZO/story.html>.

hundreds of New Bedford fisherman.<sup>5</sup> It accounts indirectly for many times more economic activity in New Bedford, affecting workers and businesses ranging from fuel suppliers to equipment retail to the local restaurant industry.<sup>6</sup>

Removing Mr. Rafael's permits from New Bedford would do needless, immense damage not only to hundreds of responsible, law-abiding New Bedford fisherman, but also to the economy of New Bedford at large. That is why New Bedford Mayor Jon Mitchell and the New Bedford City Council, as well as the Greater Southeastern Massachusetts Labor Council, have urged federal officials to, if possible, reissue Mr. Rafael's permits in a manner that retains these **important jobs in the community**.<sup>7</sup> I strongly agree with them that NMFS should weigh heavily the enormous impact that distributing the permits elsewhere would have on the responsible fishermen and other members of the New Bedford community and respectfully request that you take any and all available steps to ensure that they remain in New Bedford.

Thank you for your attention to this important matter.

Sincerely,



Elizabeth Warren  
United States Senator

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<sup>5</sup> *Id.*; Rios, S. "New Bedford Worries About What Happens to 'The Codfather's' Fishing Permits." *Bostonomix*. *WBUR* (Apr. 11, 2017). Online at: <http://www.wbur.org/bostonomix/2017/04/11/new-bedford-codfather-permits>.

<sup>6</sup> *Id.*

<sup>7</sup> Bonner, M. "Mitchell sends NOAA letter requesting Rafael permits stay in New Bedford." *South Coast Today* (June 21, 2017). Online at: <http://www.southcoasttoday.com/news/20170621/mitchell-sends-noaa-letter-requesting-rafael-permits-stay-in-new-bedford>; Bonner, M. "Labor Council latest to make plea for Carlos Rafael permits to remain in New Bedford." *South Coast Today* (May 5, 2017). Online at: <http://www.southcoasttoday.com/news/20170505/labor-council-latest-to-make-plea-for-carlos-rafael-permits-to-remain-in-new-bedford>.