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United States Senate

WASHINGTON, DC 20510-3205

October 9, 2009

The Honorable Ken Salazar
Secretary of the Interior
U.S. Department of the Interior
1849 C Street, N.W.
Washington, DC 20240

The Honorable Gary Locke
Secretary of Commerce
U.S. Department of Commerce
1401 Constitution Ave., NW
Washington, DC 20230

Dear Secretaries Salazar and Locke,

I am writing to urge you to oppose the listing of spiny dogfish (*Squalus acanthias*) under Appendix II to the Convention on International Trade in Endangered Species ("CITES") at the upcoming meeting of Conference of the Parties. Such listing could have grave consequences for the US-landed fresh dogfish export market, a large component of which comes from New York State.

For nearly a decade, the domestic dogfish industry along the East Coast has been operating under a restrictive catch cap, with the directed fishery closed. As a result of this catch cap, the stocks have dramatically rebounded in this area. Unfortunately, other Countries have not shown the same level of discipline in managing their spiny dogfish stocks. This has led to depleted stocks of the same species in other waters.

As you are aware, the CITES listing is reserved for greatly threatened or endangered species that have been depleted from excessive trade. The United States should not take a position in the upcoming negotiations to restrict the domestic industry simply because other nations have continued to overfish their stocks.

I also note that the Atlantic coastal states, acting through the Atlantic States Marine Fisheries Commission, and the New England and Mid-Atlantic Fishery Management Council have all officially opposed this listing. Likewise, an unusual and broad coalition of recreational and charter groups, commercial fishery organizations, processors, exporters, and buyers have all come together to pass along the same message.

The United States has operated an efficient and profitable industry surrounding spiny dogfish exports. We have done so while still maintaining strict cap systems that have contributed to the rebuilding of the stock.

Such a listing would be harmful for those markets that export the spiny dogfish in New York State. I appreciate your attention to this matter. Should you have any questions, or wish to discuss this matter further, please call Kristen Walsh, in my Long Island office at: (631) 249-2825.

Sincerely,



Kirsten E. Gillibrand
United States Senator