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Congress of the United States
House of Representatives
Washington, DC 20515-3303

November 8, 2010

The Honorable Jane Lubchenco
Administrator
National Oceanic and Atmospheric Administration
Herbert Clark Hoover Building, Room 5128
14th Street and Constitution Avenue, NW
Washington, DC 20230

Dear Administrator Lubchenco:

On behalf of the North Carolina fishing communities I am privileged to represent, I would like to express my strong opposition to the National Catch Share Policy and the \$2.2 million catch share grant program which the National Oceanic and Atmospheric Administration (NOAA) announced last week. It is astonishing that at a time of near record unemployment and exploding federal deficits, NOAA stubbornly continues its agenda to spend millions of taxpayer dollars to advance a catch share policy that is totally unnecessary for species protection and that all acknowledge will put more Americans out of work.

As you know, the Magnuson-Stevens Act sets the framework for fisheries management in this country. Under the act, fisheries management councils are given the option to use a variety of measures to manage fish stocks, only one of which is catch shares. The act does not establish a preference for catch shares. The act does not authorize the agency to promulgate a policy to encourage fishermen and councils to select catch shares over other management options. The act does not authorize the agency to spend taxpayer money to support the efforts of special interest groups seeking to petition the councils and the agency to establish more catch share programs. But yet with last week's announcement, this is exactly what NOAA is doing.

Furthermore, it appears that NOAA – through the Secretary of Commerce – is selecting fishery management council members based on their allegiance to catch shares. Collectively, these actions leave the impression that NOAA is attempting to hijack the council process in order to impose its catch shares agenda.

Therefore, I would appreciate answers to the following questions:

1. What specific law does NOAA believe gives it the statutory authority to promulgate its National Catch Share policy?

2. Your staff has informed me that \$1 million of the \$2.2 million catch share grant program is being provided by NOAA. Exactly which account is that money coming from? The Asset Forfeiture Fund? Which specific law does NOAA believe gives it the statutory authority to spend money for this purpose? Is it the official policy of the agency to spend millions to put people out of work?
3. Is it NOAA's policy to ignore the will of fishing communities – the vast majority of whom oppose catch shares – and to rig the council process to favor implementation of new catch shares programs?

In closing, to the extent that solid science demonstrates that reductions in catch in any given fishery are necessary, there are far better options than catch shares for achieving those reductions. The last thing the federal government should be doing in these economic times is spending millions of taxpayer dollars to expand a policy that will put even more Americans out of work.

I hope you will take these words to heart, and I look forward to your response.

Sincerely,



Walter B. Jones
Member of Congress