

United States Senate

WASHINGTON, DC 20510

March 8, 2011

The Honorable John D. Rockefeller
Chairman,
Senate Committee on Commerce
508 Dirksen Senate Office Building
Washington, DC 20510

The Honorable Mark Begich
Chairman,
Senate Subcommittee on Oceans,
Atmosphere, Fish and Coast Guard
Senate Committee on Commerce
420A Hart Senate office Building
Washington, DC 20510

Dear Chairmen Rockefeller and Begich:

Last year, fishermen from our home state of New York came to the Washington, DC by the busload to appeal for help from Congress. Commercial and recreational fishermen joined together with a bipartisan Congressional coalition calling for relief from fisheries regulations which are harming fishing communities. In particular, our constituents are concerned about the lack of flexibility and scientific data used in determining fishing quotas, and the National Oceanic and Atmospheric Administration's (NOAA) push for implementation of catch shares programs.

Since that rally, things have not gotten much better for these fishermen and their families. Our constituents in New York, for example, are now facing onerous regulations on black sea bass and scup harvest, fish stocks which are nearly or completely rebuilt, simply because the Magnuson-Stevens Fishery Conservation and Management Act (MSA) does not permit regulators to manage these fisheries in a way that allows the fish stocks to rebuild without driving hard-working fishermen out of business. Fisheries like black sea bass, scup and summer flounder are crucial economic resources for the coastal communities in our state and others. We fully support the goals of the MSA and so do our constituents and we believe that we must rebuild stocks and conserve resources for the long-term vitality of the environment. However, the fishing tradition is a way of life in New York that is under real threat due to the arbitrary timelines mandated by MSA for rebuilding fisheries. From Montauk, LI to the Hunts Point market in New York City, fishing represents hundreds of millions of dollars in economic output. But in recent years, the pressure of inflexible regulation has threatened this industry. And it's not just the fishermen who are hurt - tackle shops and marinas are closing their doors and, across Long Island, seafood restaurants are unable to serve fresh locally harvested fish.

We will soon reintroduce the Flexibility in Rebuilding American Fisheries Act, legislation which would allow consideration of the impact on coastal communities when determining fishery management plans. This modest change would allow for fish stocks to be rebuilt at a more gradual pace if the Secretary of Commerce finds this is necessary to minimize economic impacts to coastal communities. We believe this legislation offers a responsible solution, and we respectfully request that your committee examine this bill. We are confident that such reforms will be supported by New York State's Department of Environmental Conservation, as they have supported this legislation in the past.

In addition to the need for greater flexibility in implementing the MSA, there is a tremendous need for more fisheries research to insure that regulators have the best data available to make management decisions. As you know, when there isn't enough good data for regulators, they must implement overly conservative quotas, which in turn hurts employment and industry in coastal communities. Last month, we joined Senators Hagan, Burr and Brown to express concern that NOAA has committed \$36.6 million to encourage the adoption of catch share programs when it had not committed sufficient funds to adequately assess the stocks of our nation's fisheries. The MSA expressly directs NOAA to assess the health of fishing stocks, but NOAA has not committed significant funding to fulfill this requirement in its budget. NOAA should first commit funding to carry out this important duty before providing funding for a new fishery-management tool that requires - and currently does not have - broad-based support from the fishing industry.

The recreational and commercial fishing industries generate billions of dollars each year and are central to America's history and culture. Honest fishermen work very hard to make a living in our state every day. For them and for our economy, we must institute fishery management programs that enhance the industry's vitality while protecting our natural resources. We urge you to carefully consider these concerns and we look forward to working with you to ensure the long-term health and vitality of American fisheries.

Sincerely,



Charles E. Schumer
United States Senator



Kirsten E. Gillibrand
United States Senator