



July 10, 2018

The Honorable Paul Ryan
Speaker, United States House of Representatives
H-232 The Capitol
Washington, DC 20515

The Honorable Kevin McCarthy
Majority Leader, United States House of Representatives
H-107 The Capitol
Washington, DC 20515

Speaker Ryan and Majority Leader McCarthy:

H.R. 200 (formerly H.R. 1335), the “Strengthening Fishing Communities and Increasing Flexibility in Fisheries Management Act” is the product of three *Managing our Nations Fisheries* (“MONF”) conferences, and numerous hearings with well over a hundred witnesses (from 2009 through 2017). These many efforts were held in large part to address unintended consequences in the implementation of the 2006 reauthorization.

The Magnuson–Stevens Fishery Conservation and Management Act (MSA) has largely been a success, but no law is perfect, and H.R. 200 contains a number of important updates and refinements. But as a result of a barrage of last-minute amendments, proposed outside of the committee process, years of hard work to create honest reform of the MSA is now in jeopardy.

One such amendment, sponsored by Congressman Jared Huffman (D-California) and Alcee Hastings (D-Florida) purports to “ensure that rebuilding plans are successful in rebuilding overfished fish stocks.” However, we believe it would actually undermine the MSA, impede reforms that are desperately needed, and attack jobs in coastal communities around the country, including in California and Florida, the home states of Mr. Huffman and Mr. Hastings.

In a letter delivered to their offices on last week, we asked Mr. Huffman and Mr. Hastings to please explain to us how they foresee that this amendment could be enacted without having the effect of reducing commercial, charter and recreational fishing quotas significantly. We also asked that since they represent California and Florida, and since our membership includes members who represent fishing interests in California and Florida, that they explain how they see this amendment improving conditions for seafood harvesters and processors in your respective home states. Unfortunately we did not receive a response to those questions.

If the provisions contained in this amendment were implemented, the required theoretical probability of management measures rebuilding a stock in the shortest time period as possible would increase from 50% to 75% for many species. The “Huffman-Hastings Amendment” would impose a burden on many U.S.-managed fisheries.

While this sounds like an innocuous effort to strengthen and improve the law, the fact is, the only way to meet the requirements of the amendment would be to significantly reduce many commercial, charter and recreational fishing quotas significantly. Considering the status of U.S. fish stocks recently described in NOAA’s 2018 Report to Congress as *“Overfishing remains near all time lows and we reached a new milestone with the number of overfished stocks at the lowest level ever”*, the validity and intent of the “Huffman Amendment” should be seriously questioned.

Why, if the current Act’s requirements are having success in rebuilding stocks, is there a reason to require the law to be substantially more conservative?

In addition, the amendment removes a subtle but important update to the MSA.

Section 304 of MSA states that “For a fishery that is overfished, any fishery management plan, amendment, or proposed regulations ... shall ... specify a time period for rebuilding the fishery that shall... be as short as possible, taking into account the status and biology of any overfished stocks of fish, the needs of fishing communities, recommendations by international organizations in which the United States participates, and the interaction of the overfished stock of fish within the marine ecosystem.”

There is widespread support to change **the term “possible” to “practicable”** in this section. The intent of this change is **not** to compromise or weaken the effectiveness of the MSA, but rather to help better fulfill one of the fundamental and original goals of the Act, emphasized in National Standard 1 – *to prevent overfishing while achieving, on a continuing basis the optimum yield from each fishery*. Changing the terminology from “possible” to “practicable” would provide Regional Fishery Management Councils with much-needed flexibility and the option to choose between several rebuilding scenarios to achieve specified conservation and management objectives, not just the shortest and, quite often, most harmful to fishing communities.

We must remain committed to restoring common sense to MSA. We must not undermine our Nation’s fisheries law in the name of improving it, and cause harm to commercial charter and recreational fishermen from Alaska to Maine.

Coastal communities and fishing families are relying on the passage of clean legislation, as developed in committee.

We urge Members to vote NO on the Huffman Amendment to H.R. 200!

Sincerely,

American Scallop Association
John Whiteside, General Counsel
Members in MA, NJ, NC

Ariel Seafoods
David Krebs, Owner
FL

Atlantic Capes Fisheries
Dan Cohen, Owner
MA, NJ

Atlantic Red Crab Co.
Jon Williams, Owner
MA

California Wetfish Producers Association
Diane Pleschner-Steele
CA

Fishermen's Dock Co-Op
Jim Lovgren, Board Member
NJ

Fishing Partnership Support Services
J.J. Bartlett, Executive Director
MA

Florida Keys Commercial Fishermen's Association
Bill Kelly, Executive Director
FL

Garden State Seafood Association
Greg DiDomenico, Executive Director
NJ

Gulf Coast Seafood Association
David Krebs, Founding Member
FL, AL

Hawaii Longline Association
Sean Martin, Owner
HI

Inlet Seafood
William Grimm, Secretary and Treasurer
NY

Long Island Commercial Fishermen's Association
Bonnie Brady, Executive Director
NY

Lunds Fisheries, Inc.
Jeff Reichle, Chairman
CA, NJ

North Carolina Fisheries Association
Glen Skinner, Executive Director
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Pacific Seafood
Jon Gonzales, Fisheries Policy Analyst
OR, WA

Rhode Island Commercial Fishermen's Association
Rich Fuka, Executive Director
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Seafreeze, Ltd.
Meghan Lapp, Fisheries Liaison
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Southeastern Fisheries Association
Bob Jones, Executive Director
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Viking Village
Jim Gutowski, Owner
NJ

West Coast Seafood Processors Association
Lori Steele, Executive Director
CA, WA, OR

Western Fishboat Owners Association
Wayne Heikkila, Executive Director
AK, CA, OR, WA

Cc:

The Honorable Nancy Pelosi, Minority Leader, United States House of Representatives
The Honorable Rob Bishop, Chairman, House Committee on Natural Resources
The Honorable Raul Grijalva, Ranking Member, House Committee on Natural Resources
The Honorable Don Young, Chairman Emeritus, House Committee on Natural Resources
The Honorable Doug Lamborn, Chairman, House Committee on Natural Resources
Subcommittee on Water, Power, and Oceans
The Honorable Jared Huffman, Ranking Member, House Committee on Natural Resources
Subcommittee on Water, Power, and Oceans