

Congress of the United States
Washington, DC 20515

August 17, 2011

Todd J. Zinser, Inspector General
U.S. Department of Commerce
Office of Inspector General
1401 Constitution Avenue
Washington, DC 20230

Dear Inspector General Zinser:

We are writing to express concern over the fisheries regulatory process in the Northeast, and respectfully request that you investigate the rule making at the National Oceanic Atmosphere Administration (NOAA), the National Marine Fisheries Service (NMFS) and the New England Fisheries Management Council (NEFMC).

There has been a high degree of mistrust between NOAA, NMFS, NEFMC and the New England fishing industry. Your recent investigation into NOAA's Office of Law Enforcement (OLE) has brought renewed confidence that industry concerns will be given proper and fair consideration. Your assistance, however, is also needed to ensure that areas outside of the OLE are also appropriately carrying out the law in a fair and transparent manner.

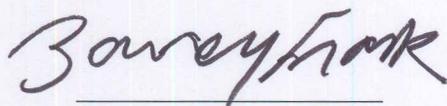
As you are aware, the Preston Pate and SRA-Touchstone Consulting Group issued a report titled "A Review of the New England Fishing Management Process." This report identified a number of very serious rulemaking issues. Specifically, the report identified scientific shortcomings within the agency's new fishery management systems. This is very troubling because any agency management system will only be as effective as the science it is based upon. Furthermore, the report stated that the agency had abandoned its core missions of "development of the commercial fishing industry" and "increasing industry participation."

The Commercial Fishing Industry is a cultural way of life and a principal component of the economy in Massachusetts. The Federal government's ability to successfully manage fisheries requires the active involvement and cooperation of the industry. The requested investigation is vital for our fishing industry and a culture that requires the trust of those empowered to manage and enforce their way of life. It is absolutely essential that rules and regulations be implemented in a fair and transparent manner.

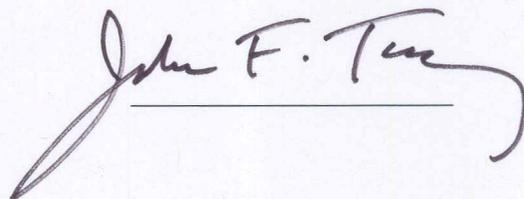
Therefore, we request that you open an inquiry to investigate the fisheries' rule making process. Additionally, we understand that your office expended significant resources during the investigation of the OLE and that fisheries' issues are only a small component of your office's overall oversight responsibilities. However, given the results of the investigation of the OLE, and the extreme importance of the rule making process on the economy, we request that you thoroughly investigate these issues.

We will work to secure additional funding for your office through the Congressional Appropriations process to compensate for the extensive work that was done during the OLE investigation. Thank you for your attention to this critical matter, and we look forward to your reply.

REP. BARNEY FRANK

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REP. JOHN F. TIERNEY

Handwritten signature of John F. Tierney in black ink, written over a horizontal line.