

Congress of the United States

Washington, DC 20515

December 15, 2010

The Honorable Harry Reid
Majority Leader
U.S. Senate
Washington, D.C. 20510

The Honorable Nancy Pelosi
Speaker of the House
U.S. House of Representatives
Washington, D.C. 20515

Dear Majority Leader Reid and Speaker Pelosi:

Noting efforts to complete action on Fiscal Year (FY) 2011 appropriations legislation this week, we write to bring your attention to a serious matter impacting the livelihood of fishing communities in Massachusetts and throughout the East Coast.

As you may be aware, on November 5, 2010, Massachusetts Governor Deval Patrick sent a letter^[1] with a corresponding report entitled, "A Report on Economic and Scientific Conditions in the Massachusetts Multispecies Groundfishery"^[2] to the Department of Commerce Secretary Gary Locke. This report, which was prepared in consultation with the Massachusetts Division of Marine Fisheries, Massachusetts School of Marine Science and Technology, Massachusetts Marine Fisheries Institute, the Massachusetts Congressional delegation and the mayors of Gloucester and New Bedford, demonstrated the existence of an economic disaster and provided the necessary criteria to warrant that the Secretary of the Department of Commerce take emergency action and raise catch limits.

Specifically, the report found that:

- The transition to catch shares (sector management) under Amendment 16 to the Northeast Multispecies Fishery Management Plan (FMP) caused unforeseen major shifts in the distribution of quota (and income) resulting in \$21 million in direct economic losses and forgone yield of \$19 million for the Massachusetts groundfish fishery
- The distribution of income among the vessels has changed significantly in 2010 with revenues concentrated among a relatively small number of vessels

^[1] Letter to Secretary Locke from Governor Deval Patrick dated November 5, 2010

^[2] Report on Economic and Scientific Conditions in the Massachusetts Multispecies Groundfisheries. November 5, 2010

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- During the first five months of the 2010 fishing year, two-thirds of the Massachusetts groundfish fleet were inactive in the groundfishery, while more than half of the fleet (253 vessels) had not fished at all, collecting zero fishing revenue from landings of any finfish.
- The number of inactive vessels in 2010 increased by 17 vessels over the average number of inactive vessels for the first five months of the fishing year from 2005 through 2009.
- In addition to an increase in the number of inactive vessels, the number of vessels that earned more than \$300,000 for this period in 2010 increased from 21 vessels to 41 vessels. These forty-one vessels account for roughly 55% of the total revenues. The remaining revenues are distributed among 206 vessels, the majority of which made less than \$100,000.
- The FMP has implemented unnecessarily low and precautionary Allowable Catch Limits (ACLs) for the multispecies fishery without sufficient and adequate analyses or consideration of those ACLs on sustaining Northeast fishing communities, especially in the Commonwealth of Massachusetts.

On November 18, 2010, we sent a letter^[3] to Secretary Locke supporting the request for him to use his authority to act swiftly to issue emergency regulations revising catch limits to higher levels that remain consistent with conservation requirements.

Although the report referenced in this letter is specific to Massachusetts, it is clear that these conditions are effecting fishing communities in other coastal states across the country. On numerous occasions, we have responsibly requested reasonable action by the National Oceanic and Atmospheric Administration (NOAA) and the Department of Commerce. Repeatedly, these discussions appear to have led to little more than speeches and broken promises. Because we feel serious consideration of all available options has not occurred, it is imperative that Congress assert itself in order to protect the livelihood of fishing communities across the country.

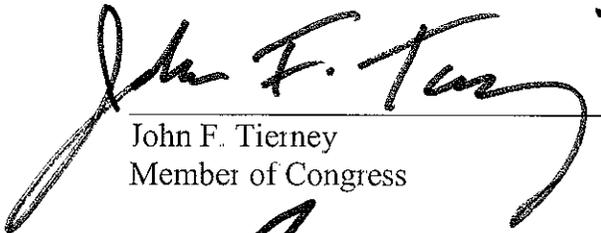
^[3] Letter to Secretary Locke from Sens. Kerry and Brown and Reps. Frank, Tierney and Delahunt dated November 18, 2010

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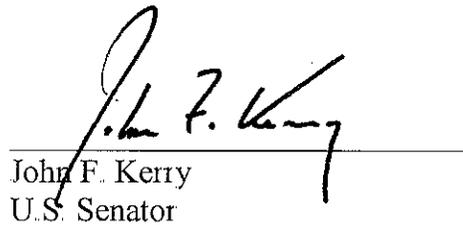
We respectfully request that, as work continues on FY 2011 appropriations legislation, you consider including a provision that conditions the release of all or a portion of funds appropriated to the National Marine Fisheries Service (NMFS) for implementing the catch share program on the Secretary of Commerce issuing the emergency regulations described above.

We thank you for your timely consideration of this request.

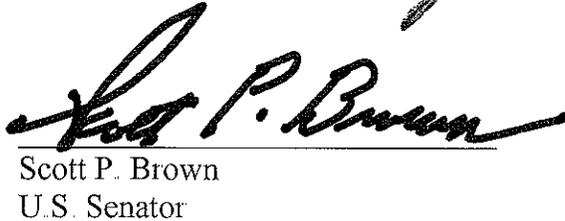
Sincerely,



John F. Tierney
Member of Congress



John F. Kerry
U.S. Senator



Scott P. Brown
U.S. Senator



Barney Frank
Member of Congress



William Delahunt
Member of Congress

Attachments:

1. Letter to Secretary Locke from Governor Deval Patrick dated November 5, 2010.
2. Report on Economic and Scientific Conditions in the Massachusetts Multispecies Groundfisheries. November 5, 2010.
3. Letter to Secretary Locke from Sens. Kerry and Brown and Reps. Frank, Tierney and Delahunt dated November 18, 2010.