



## **H.R. 1646: A Costly Mistake for America's Fish and Fishermen**

### **Congress should reject H.R. 1646 and hold the line for America's fishermen and healthy fish populations.**

Thanks to the Magnuson-Stevens Fishery Conservation and Management Act (MSA), the law that governs management of our valuable ocean fish populations, we are now turning a corner on our decades-long effort to end overfishing (taking fish faster than they can reproduce) and rebuild depleted fish populations. According to the National Marine Fisheries Service (NMFS), fully rebuilding our commercially and recreationally-valuable fish populations would generate \$216 billion in annual sales impacts and support 2.5 million full and part-time U.S. jobs.<sup>i</sup> Yet just as we are nearing the goal line, H.R. 1646 would turn back the clock by adding loopholes and bureaucratic, expensive and unnecessary requirements to the MSA.

### **H.R. 1646 would mire key fishery management decisions in red tape and delay.**

With mandates for redundant and costly reviews and studies, *H.R. 1646 would undermine the ability of managers to quickly incorporate new science into decision-making*. For example, thanks to the current system, in July 2010 managers were able to incorporate new data within six weeks and increase catch limits for New England pollock by almost 500%; under H.R. 1646, this process would have taken months and delayed the revenues fishermen enjoyed from this increase.<sup>ii</sup>

The bill would also add cumbersome hurdles to the use of seasonal and other area closures, commonly-used management tools to protect spawning grounds and keep catch limits from being exceeded. Such measures are critical for ensuring healthy fish populations and productive fisheries. For example, bottom closures instituted in New England in the 1990s to rebuild groundfish also helped the depleted Atlantic sea scallop population rebound and become fully rebuilt in 2001.<sup>iii</sup> The U.S. Atlantic sea scallop fishery is now not only one of America's most valuable fisheries, but also the most valuable wild scallop fishery in the world.<sup>iv</sup>

### **H.R. 1646 would create unfunded mandates.**

The bill mandates time and cost intensive scientific and economic analyses, as well as reviews of previous management decisions made by the regional fishery management councils. These new mandates are not only redundant with existing processes at the regional fishery management councils, but also very expensive. In this lean fiscal environment, *additional funding is unlikely. Therefore, this bill would siphon money away from the data collection and analysis that are critical to sound fisheries management.*

## The bill would add loopholes to the law.

H.R. 1646 would undermine the bipartisan conservation provisions of the MSA by creating unnecessary loopholes in the law that could extend targets for rebuilding depleted fish populations indefinitely. The bill would allow fishery managers to put short-term economic gains for a few ahead of the nation's investment in healthy fish populations that provide income and jobs for many.

In addition, the ***MSA is already flexible***: it currently allows rebuilding plans to exceed the law's 10 year target (which is twice the time scientists calculate that a majority of fish populations require for rebuilding) to accommodate the biology of the fish stock, other environmental conditions, or management measures under an international agreement. ***In fact, over half of existing rebuilding plans throughout the nation already exceed ten years.***<sup>v</sup> The bill would therefore have little to no impact on rebuilding plans in many regions.

Bills like H.R. 1646 would harm, not help, fishermen by delaying the recovery of the very fish populations upon which their livelihoods and recreation depend. Let's keep the MSA working for our fishermen and fish. ***Congress should reject H.R. 1646*** and instead help fishermen by investing in research, monitoring, data collection and analysis to improve fisheries management and by supporting targeted efforts to help U.S. fishermen make the transition to long-term sustainability.

## Endnotes

<sup>i</sup> These numbers are a summation of the value of fully rebuilt U.S. fisheries from two sources: Testimony of Eric Schwaab, National Oceanic and Atmospheric Administration (NOAA) Assistant Administrator for Fisheries at the U.S. Senate Committee on Commerce, Science, and Transportation held an Oceans, Atmosphere, Fisheries, and Coast Guard Subcommittee hearing on implementation of the Magnuson-Stevens Fishery Conservation and Management Act, Mar. 8, 2011, Page 3, <[www.legislative.noaa.gov/Testimony/Schwaab030811.pdf](http://www.legislative.noaa.gov/Testimony/Schwaab030811.pdf)> on the value of rebuilding; and the comparable commercial and recreational estimates from National Marine Fisheries Service (NMFS), 2008, "Fisheries Economics of the United States, 2006," <[www.st.nmfs.noaa.gov/st5/publication/fisheries\\_economics\\_2006.html](http://www.st.nmfs.noaa.gov/st5/publication/fisheries_economics_2006.html)>.

<sup>ii</sup> NOAA Rule, "Fisheries of the Northeastern United States; Northeast Multispecies Fishery; Pollock Catch Limit Revisions," 75 Federal Register 138 (20 July 2010), pp. 41996-41998, <<http://www.federalregister.gov/articles/2010/07/20/2010-17693/fisheries-of-the-northeastern-united-states-northeast-multispecies-fishery-pollock-catch-limit>>.

<sup>iii</sup> NMFS "Fish Watch—U.S. Seafood Facts: 'Atlantic Sea Scallop,'" <[http://www.nmfs.noaa.gov/fishwatch/species/atl\\_sea\\_scallop.htm](http://www.nmfs.noaa.gov/fishwatch/species/atl_sea_scallop.htm)>.

<sup>iv</sup> Eric Schwaab, NMFS, "The Road to End Overfishing: 35 Years of the Magnuson Act," <<http://www.nmfs.noaa.gov/stories/2011/20110411roadendoverfishing.htm/>>.

<sup>v</sup> National Marine Fisheries Service (NMFS). (September 2011). 2011 Status of U.S. fisheries: Third Quarter Update. <<http://www.nmfs.noaa.gov/sfa/statusoffisheries/SQSmain.htm>>.

For more information, please contact:

Lee Crockett | Director of Federal Fisheries Policy | Pew Environment Group | 202-552-2065 | [lcrockett@pewtrusts.org](mailto:lcrockett@pewtrusts.org)  
For additional resources, visit us at [www.EndOverfishing.org](http://www.EndOverfishing.org).