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John Kerry

U.S. Senator for Massachusetts

Kerry Provision to Protect Massachusetts Fishermen Included in Senate Bill

FOR IMMEDIATE RELEASE: Tuesday, April 24, 2012

WASHINGTON, D.C. – Senator John Kerry (D-Mass.) today announced that his provision to help restore key federal funding to Massachusetts fishermen has been included in a [Senate Appropriations bill](#).

In March, Kerry and Senator Olympia Snowe (R-Maine) introduced the [Kerry-Snowe Fisheries Investment and Regulatory Relief Act of 2012 \(S.2184\)](#), legislation to restore funding from the Department of Commerce's Saltonstall-Kennedy fund back to Massachusetts fishermen and communities for whom it was originally intended. Following a series of meetings in April, Kerry wrote to Senator Barbara Mikulski (D-Md.), Chairman of the Appropriations Subcommittee on Commerce, Justice, and Science, requesting his language to redirect these funds to assist fishermen be included in the FY2013 Appropriations bill.

"I'm deeply grateful to Sen. Mikulski for making this happen, because I wasn't willing to wait for passage of my Saltonstall-Kennedy bill to achieve its intended results," said Sen. Kerry. "Using the Saltonstall-Kennedy funds for their intended purpose is a down payment on trust. Now we can start rebuilding trust by investing in fishing science that's credible and comprehensive and comes from the fishing community itself. This will help preserve our fishermen's livelihoods, their families' economic security, and help ensure our fishing industry can survive for future generations."

"I applaud Senator Kerry for his leadership on this issue and for making sure that this funding is used for its intended purpose – to help the fishing industry, not to cover NOAA's administrative overhead," said Congressman Barney Frank (D-Mass.), who introduced companion legislation in the House of Representatives. "We are at a critical juncture at which we absolutely must provide more funding for cooperative fisheries science so we can base management policies on sound data, and we should make good use of the world-class institutions in the Bay State, like SMAST, which have special expertise in this area."

Kerry's provision was included on Page 26 of the Committee Report for the Senate FY 2013 Commerce, Justice, Science Appropriations bill (S. Rept. 112-158):

"Provided further, That in addition, \$119,064,000 shall be derived by transfer from the fund entitled 'Promote and Develop Fishery Products and Research Pertaining to American Fisheries', which shall only be used for fishery activities related to Cooperative Research, Annual Stock Assessments, Survey and Monitoring Projects, Interjurisdictional Fisheries Grants, and Fish Information Networks."

The full text of Senator Kerry's letter is below:

April 12, 2012

The Honorable Barbara A. Mikulski

Chairman

Senate Appropriations Committee

Subcommittee on Commerce, Justice, and Science

Washington, D.C. 20510

Dear Chairman Mikulski,

I am writing to follow up on the issue of redirecting Saltonstall-Kennedy funds to their original purpose, which as you know was to assist fishermen and fishing communities across the nation by improving data collection for stock assessments and other critical programs. I believe the Fiscal Year 2013 appropriations process is an opportunity to redirect these funds to the fishing community, rather than to continue to allow National Oceanographic and Atmospheric Administration (NOAA) from using these funds for their internal operations.

As you know, Senators John F. Kennedy and Leverett Saltonstall established a funding mechanism using a transfer of duties on imported seafood. The money was intended to be used for a grant program for research and development projects to benefit the U.S. fishing industry. The estimated transfer amount for FY2013 is \$119,064,000.

Today, our regional fisheries are facing difficult issues such as the recent Gulf of Maine cod crisis in New England and pirate fishing on the West Coast. With federal funds scarce, each region is in need of a reliable source of federal funding to assist them in responding to the many challenges of managing a fishery. That is why I introduced the Fisheries Investment and Regulatory Relief Act of 2012 along with Senator Olympia Snowe earlier this year.

Under current law, NOAA can use the transferred Saltonstall-Kennedy funds as they see fit. I believe the Congress should impose restrictions on the use of these funds in a way that meets the intended purpose of the Saltonstall-Kennedy Act, the promotion of research and development programs for fisheries.

Therefore, I am requesting that the FY2013 funds from the Saltonstall-Kennedy Act not be used for internal NOAA management, but rather for external purposes and in ways that directly help our fisheries across the nation. Specifically, I request that 100 percent of the funds be used for cooperative research, more frequent stock assessments, efforts to improve data collection, including catch monitoring and reporting for commercial, charter and recreational fisheries, programs to improve the quality and value of fish landed, Inter-jurisdictional Fisheries Grants, and Fisheries Information Networks.

Today, tensions between federal regulators and the fishing community have reached a boiling point. The emerging cod situation elevates the urgency of collaboration beyond any measure. If there is going to be a well-managed outcome to this situation, it hinges on a level of trust and partnership that has been so elusive in recent years. I believe the only appropriate option is to rapidly develop a response that is fair and sound and that our fishermen can trust.

Accordingly, I request that you provide \$2 million within the Saltonstall-Kennedy Act funding, to develop a new Gulf of Maine Cod Assessment that fully includes fishermen in the process. As you are aware, the 2008 Gulf of Maine Cod Assessment showed a stock level of 34,000 metric tons of cod which allowed for fishing limits of 12,000 metric tons of cod. The new report shows a stock level of only 11,400 metric tons of GOM cod. While the fishing levels for 2012 are 6,700 metric tons, I am concerned that without a new assessment that includes our fishermen, NOAA could be forced to establish a fishing limit for 2013 as low as 1,000 metric tons of cod. I am extremely concerned that this action would effectively shut down the fishery.

I would also ask your assistance in two other areas that are particularly important to my constituents. First, after the enforcement abuses suffered by New England fishermen at the hands of NOAA's Office of Law Enforcement, several fishermen, who received apologies and returned fines, are still seeking to have their legal fees reimbursed. I introduced legislation, the Fisheries Fee Fairness Act of 2011, which would authorize the Secretary of Commerce to use such sums necessary to reimburse those legal fees. I request that \$1 million of the FY2013 Saltonstall-Kennedy funds be used to provide reimbursements for those who suffered enforcement abuses by NOAA. I believe these funds should also be available to assist those who were hurt by the difficult transition to catch shares in New England. I have heard from a number of constituents that were affected by numerous mistaken allocations that negatively affected fishermen's livelihoods. I believe

that the Secretary should be authorized to use FY2013 Saltonstall-Kennedy funds to address those errors in an appropriate manner.

As you work to develop the FY2013 Commerce, Justice, Science Appropriations bill, I thank you for your consideration of these requests, which I believe are of great importance to Massachusetts and the Nation. I look forward to working together with you on these issues.

Sincerely,

John Kerry

United States Senator

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