

July 10, 2018

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

The Honorable Nancy Pelosi  
Democratic Leader  
United States House of Representatives  
H-204 The Capitol  
Washington, DC 20515

Dear Speaker Ryan and Democratic Leader Pelosi,

On behalf of the below signatories, please accept this letter in opposition to H.R.200, the *"Strengthening Fishing Communities and increasing Flexibility in Fisheries Management Act."* H.R.200 poses serious threat to the successful record of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act). As representatives of the industries and organizations that depend on healthy fish stocks and profitable fishing businesses, we are greatly concerned that H.R.200 would harm us and our way of life.

H.R.200 threatens to set back the science-based management process that has established America's fisheries as the global gold standard. It would:

- delay vital fishery management improvements and annual fishery season management work on dozens of stocks and stock complexes by the Gulf of Mexico and South Atlantic Fishery Management Councils, which would hurt all fishermen, by forcing them to spend most of their time on reallocation reviews;
- ban the creation of new Limited Access Privilege Programs (LAPPs) in the Gulf of Mexico and South Atlantic for a year or more, even if a majority of fishermen support them, and require future LAPPs to comply with the recommendations of a study that hasn't yet been conducted or reviewed;
- ban the use of exempted fishing permits to develop and test LAPP pilot programs, which is another terrible example of Washington blocking locally-developed solutions;
- exempt numerous species from annual catch limits, which are essential to ensuring that commercial, charter-for-hire, and recreational fishermen do not overfish; and
- define a new term (catch shares) that overlaps with two existing Magnuson-Stevens Act terms (individual fishing quotas and LAPPs), which only serves to confuse regional fishery management councils instead of assisting them.

This is the wrong approach to reauthorizing the Magnuson-Stevens Act, as evidenced by the fact that this harmful bill failed to be enacted in two previous Congresses.

Additionally, Rep. Graves' Amendment 6 to H.R.200 makes it clear that this bill is being used to punitively harm commercial snapper and grouper fishermen in the Gulf of Mexico. This amendment would open the door for additional taxation of commercial fishermen (who already contribute the maximum management fee as allowed by the Magnuson-Stevens Act) and

eliminating their representation on the Gulf of Mexico and South Atlantic Fishery Management Councils:

- First, we question why these restrictions are being targeted at only two of the eight fishery management regions in the United States when they are not based on any region-specific criteria. What qualifies the other six fishery management councils from being exempt from these requirements and restrictions? Why is Congress picking winners and losers within the regional fishery management council system?
- Second, the form of taxation (resource rents) proposed in Amendment 6 was already considered by the Gulf Council in 2014 and ultimately rejected.<sup>1</sup>
- Third, Amendment 6 appears to be an attempt to eliminate commercial and charter-for-hire voices from the Gulf of Mexico Fishery Management Council and the South Atlantic Fishery Management Council by unfairly implying that they have a “fiduciary conflict of interest”. Following this logic, why therefore wouldn’t this restriction also apply to recreational marine suppliers or scientists who have received funding from lobbying groups for research? This provision of the amendment is also unnecessary, as all fishery management councils, including those in the Gulf Council and the South Atlantic, require financial disclosures when a member is appointed.<sup>2,3,4</sup>

Even without Amendment 6, H.R. 200 in its current form would be a major setback in the sustainable management of America’s marine fisheries. It would tie the hands of, and restrict the management tools available to, the Gulf of Mexico and South Atlantic Fishery Management Councils.

The Congress does not need to punish Gulf of Mexico and South Atlantic commercial and charter-for-hire fishermen in order to improve recreational fishing. Unfortunately, that is what H.R.200 and Amendment 6 would do.

We ask that you vote “no” on H.R.200 and Rep. Graves’ Amendment 6.

Thank you for the opportunity to comment on this legislation.

Sincerely,  
The Undersigned

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<sup>1</sup> Gulf of Mexico Fishery Management Council. 2018. Modifications to Commercial Individual Fishing Quota Programs. <http://gulfcouncil.org/wp-content/uploads/B-9e-RF-36B-Options-Paper-4-2-2018.pdf>

<sup>2</sup> Ethics Law and Programs Division of the Office of the General Counsel. United States Department of Commerce, 2018. Rules of Conduct for Members of the Regional Fishery Management Councils 2018. [http://gulfcouncil.org/wp-content/uploads/fmc\\_members\\_conduct\\_rules-2018.pdf](http://gulfcouncil.org/wp-content/uploads/fmc_members_conduct_rules-2018.pdf)

<sup>3</sup> South Atlantic Fishery Management Council. 2011. Statement of Organization, Practices, and Procedures. [http://cdn1.safmc.net/wp-content/uploads/2016/11/28110532/SAFMCSOPPFinal\\_062711.pdf](http://cdn1.safmc.net/wp-content/uploads/2016/11/28110532/SAFMCSOPPFinal_062711.pdf)

<sup>4</sup> Gulf of Mexico Fishery Management Council. 2018. Statement of Organization Practices and Procedures. <http://gulfcouncil.org/wp-content/uploads/Gulf-Council-SOPPS-January-2018-1.pdf>

## FLORIDA

**Captain Brad Gorst** (*Palm Harbor, Florida*)  
**Captain Brad Kenyon** (*Tarpon Springs, Florida*)  
**Fishing Vessel Bruno** (*Ft. Myers Beach, Florida*)  
**Fishing Vessel Commander** (*Ft. Myers Beach, Florida*)  
**Captain DJ Wood** (*Melbourne Beach, Florida*)  
**Fishing Vessel Denise Marie II** (*Ft. Myers Beach, Florida*)  
**Destin Charter Boat Association** (*Destin, Florida*)  
**Captain Ed Maccini** (*Seminole, Florida*)  
**Eric Brazer Jr.** (*Key West, Florida*)  
**Fish For America USA Inc.** (*Steinhatchee, Florida*)  
**Fish Monger LLC** (*Ft. Myers Beach, Florida*)  
**Fish Monger Restaurant** (*Ft. Myers Beach, Florida*)  
**Florida Family Fisheries Inc.** (*Tarpon Springs, Florida*)  
**Frank Chivas** (*Indian Shores, Florida*)  
**G&S Fishing LLC** (*New Port Richey, Florida*)  
**Captain Glen Brooks** (*Crystal River, Florida*)  
**The Gulf Fishermen's Association** (*Crystal River, Florida*)  
**Gulf Wild Inc.** (*Largo, Florida*)  
**Gulfstream II Fishing Charters Inc.** (*Clearwater Beach, Florida*)  
**Captain Jerry Anderson** (*Bonifay, Florida*)  
**Captain Jason DeLaCruz** (*John's Pass, Florida*)  
**John Shields** (*Ocala, Florida*)  
**Jolly Rogers II Fisheries LLC** (*Steinhatchee, Florida*)  
**Kenyon Power Boats** (*Tarpon Springs, Florida*)  
**Landry Fish Company LLC** (*Steinhatchee, Florida*)  
**Lisa Schmidt** (*Palm Harbor, Florida*)  
**Maisel Marine Inc.** (*Palm Harbor, Florida*)  
**Mary Ruland** (*Ft. Myers Beach, Florida*)  
**Matanzas Pass Seafood** (*Ft. Myers Beach, Florida*)  
**Captain Michael S. Nichols** (*Ozona, Florida*)  
**Captain Paul Loughridge** (*Crystal River, Florida*)  
**Ragged Ass Saloon** (*Pine Island, Florida*)  
**Captain Ralph Andrew Jr** (*Ft. Myers Beach, Florida*)  
**Captain Roger Lemke** (*Ft. Myers Beach, Florida*)  
**Seminole Wind** (*Panama City, Florida*)  
**Captain Steve Maisel** (*Palm Harbor, Florida*)  
**Captain Wayne Werner** (*Alachua, Florida*)  
**Wild Seafood Co** (*John's Pass, Florida*)

## ALABAMA

**Captain Bobby Kelly** (*Elberta, Alabama*)

**Captain Brian Swindle** (*Wilmer, Alabama*)  
**Captain David Walker** (*Andalusia, Alabama*)  
**Captain Gary Bryant** (*Gulf Shores, Alabama*)

MISSISSIPPI

**Captain Clarence Seymour** (*Biloxi, Mississippi*)  
**Captain James Bruce** (*Magnolia, Mississippi*)  
**Mississippi Commercial Fisheries United** (*Long Beach, Mississippi*)  
**Ryan Bradley** (*Long Beach, Mississippi*)  
**Captain Steve Tomeny** (*Pass Christian, Mississippi*)

LOUISIANA

**Anna Marie Seafood LLC** (*Montegut, Louisiana*)  
**Ashford Rosenberg** (*New Orleans, Louisiana*)  
**Kindra Arneson** (*Buras, Louisiana*)  
**Marisa Jolie LLC** (*Montegut, Louisiana*)  
**Captain Lance Nacio** (*Montegut, Louisiana*)

TEXAS

**A&B Seafood** (*Galveston, Texas*)  
**Blue Dolphin Fishing, Inc.** (*Galveston, Texas*)  
**Captain Bubba Cochran** (*Galveston, Texas*)  
**Captain Buddy Guindon** (*Galveston, Texas*)  
**Carlos Alegria** (*Corpus Christi, Texas*)  
**Charter Fisherman's Association** (*Galveston, Texas*)  
**Dan Buckley** (*League City, Texas*)  
**Costa Kouzounis** (*Houston, Texas*)  
**Galveston Professional Boatman's Association** (*Galveston, Texas*)  
**Galveston Sea Ventures LLC** (*Galveston, Texas*)  
**The Gulf of Mexico Reef Fish Shareholders' Alliance** (*Galveston, Texas*)  
**H.D. Pappas** (*Houston, Texas*)  
**Katie's Seafood Market** (*Galveston, Texas*)  
**K.P. Burnett** (*Santa Fe, Texas*)  
**Morgan Street Seafood** (*Corpus Christi, Texas*)  
**Quality American Seafood** (*Galveston, Texas*)  
**Captain Tom Harris Jr** (*Panama City, Florida*)  
**Tides Up Fisheries LLC** (*Steinhatchee, Florida*)  
**Captain William G. Wright** (*Galveston, Texas*)  
**Captain William G. Wright Jr.** (*Galveston, Texas*)