

Barney Frank to Obama Administration on Fishing - "This is Unacceptable"

WASHINGTON (Saving Seafood) -- Jan. 12, 2010 -- Below is the text of [an op-ed column submitted by U.S. Rep Barney Frank to the New Bedford Standard-Times](#). It will run in tomorrow's newspaper, and is available today on the newspaper's website.

Calling the U.S. Commerce Department's attitude toward the fishing industry "unacceptable," U.S. Rep. Barney Frank, D-Mass., said "I have worked with the Obama administration on a number of important issues ... and I will continue to be supportive of our common public policy goals. But the president must understand that if the administration persists in such a serious assault on the livelihood of the working men and women of the fishing industry, it will make it difficult for me and others to maintain this degree of cooperation."

Last week, the Obama administration violated assurances that it was prepared to work constructively with the fishing industry in New England. The administration had begun to follow through on some of what it promised last fall, but the wholly negative tone both of its decisions last week and of the language it used to justify them undermine my confidence that we can count on these commitments going forward.

Commerce Secretary Gary Locke's adamant refusal to consider the scientific evidence regarding fish stocks, and the callous and dismissive tone of NOAA Assistant Administrator Eric Schwaab's refusal to acknowledge the economic crisis facing fishermen, were unworthy of their responsibilities as federal officials. There is a sad contrast between what they told us they were prepared to do last October and what they blatantly refused to do in January.

I had hoped that bringing our concerns to the level of the secretary of commerce would mean a fairer result for the fishing industry. It is now clear that the secretary is unwilling to exercise independent judgment and that an anti-fishing attitude prevails in the National Marine Fisheries Service.

This is unacceptable. I have worked with the Obama administration on a number of important issues since the president came to office, and I will continue to be supportive of our common public policy goals. But the president must understand that if the administration persists in such a serious assault on the livelihood of the working men and women of the fishing industry, it will make it difficult for me and others to maintain this degree of cooperation.

I am encouraged by one fact - that the new White House chief of staff is himself a former secretary of commerce, who 15 years ago showed significant courage by accepting scientific evidence that allowed an increase in the quota for scallops.

Many of those who have opposed our recent efforts were at that time harsh critics of then-Secretary William Daley. Daley was sued for his position, but he not only won the lawsuit, he won the argument. He based his decision on data presented by the seafood industry in New Bedford which turned out to have been accurate, and we benefited from an increase in scallop quotas without any negative effect on the stocks.

I strongly urge the president to take special note of Daley's previous experience with catch limits and to allow him to bring to bear his previous experience on our present situation.

The president signed the legislation I sponsored with Sen. Olympia Snowe which amends the Magnuson Act to allow us to take far better advantage of the availability of fish in the Canadian border area. Secretary Locke has informed me that Schwaab, National Oceanic and Atmospheric Administration assistant administrator for fisheries, has begun conversations with Canada that should lead to higher quotas. But Schwaab has also refused to acknowledge that the situation in the fishing industry has reached a crisis.

Therefore, I will ask Chief of Staff Daley to ensure that the administration will fully use the statutory authority granted to it by Congress to raise limits in this time of economic crisis.

In signing the legislation regarding the Canadian boundary area, the administration agreed that a rigid 10-year timetable is arbitrary. Indeed, when I have asked NOAA Administrator Jane Lubchenco to justify this rigid 10-year period, she has replied consistently that it is simply the number that was put into the statute. Unfortunately, when asked if that means she would help us provide some flexibility, she has refused to do so - further evidence that she lacks sympathy with the industry.

It is ironic that the administration is now boasting that they have brought fish stocks back to an appropriate level, even while refusing to act on that with regard to New England fisheries.

Since Locke justified his refusal to use his own statutory authority to act in emergencies by hiding behind the New England Fishery Management Council, we will make sure that the council cannot again be used in this fashion. I will work with other officials to make sure that new members appointed to the council have an appropriate understanding of the balance that must be struck in this area, and will not ignore the economic factors that the Magnuson Act requires them to consider.

Moving forward, we will demand cooperation from the Obama administration through a three-point action plan. First, we will make sure that the statutory authority given to the Commerce Department to negotiate with Canada results in increased catch allowances. Second, we will introduce amendments to the Magnuson Act so that we can continue rebuilding fish stocks without causing undue economic harm. Finally, we will make sure that people appointed to the fisheries council have no hostility to establishing catch levels that are sound, both economically and environmentally.

Barney Frank
Member of Congress