

# *Gloucester Times*

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EDITORIAL

The slaps in the faces to fishermen, their advocates and even to members of Congress just keep on coming from the federal agencies that oversee the industry.

Indeed, the actions of Commerce Secretary Gary Locke last week confirm they will keep coming indefinitely unless the region's congressional delegation finally steps up and demands some accountability from an entire federal department that, under the Obama administration, has hopelessly lost its way.

While there has been plenty of heated rhetoric during the past year from members of Congress regarding those agencies' punitive regulations, vindictive enforcement and blatant misconduct, U.S. Sen. Scott Brown is the first on the federal level to openly call for what is long overdue — an independent investigation into agents and enforcers of the National Oceanic and Atmospheric Administration.

That, Brown said, may be the only way, "to right the many wrongs our fishermen have suffered."

His colleague, Sen. John Kerry, along with Congressmen John Tierney and Barney Frank should join in that demand. For, it should be clear to them by now, that talking isn't going to accomplish anything.

The misdeeds of NOAA enforcement were documented more than a year ago, in an audit by U.S. Department of Commerce Inspector General Todd Zinser.

For a while, it seemed that Secretary Locke would pursue justice for fishermen, both in promising to consider relaxing some of the most draconian federal limits on fishing, and in opening the door to revisiting unjust prosecutions of fishermen.

But now, Locke has been backing off. Two weeks ago, he refused to relax the limits, even after the recently retired chief scientist at NOAA, Steve Murawski, said in an interview that this year will be a "milestone" because it will mark the end of overfishing by the U.S. commercial fleet.

And last week, Locke backed off even more. Last fall, he had said he would be willing to explore past cases of government wrongdoing. But now, he has put new limits on an investigation into the prosecutions by Special Master Charles Swartwood III.

In essence, Locke rejected requests from members of Congress and from Gov. Deval Patrick to allow fishermen 45 more days to file new complaints and to freeze pending sanctions against fishermen until Swartwood completes his work.

The condemnation from the governor and Congress was swift and unanimous — as it deserved to be.

But Brown was the only one who called for the kind of definitive action that's needed. And his fellow Republican, Senate Minority Leader Bruce Tarr, of Gloucester, stated what should have been obvious to all of them when he said it is "past time" to push for an independent investigation.

This is not the time to issue press releases, or complain as individuals to the White House. Members of Congress who claim to support fishermen must bring their case together to the White House. They should demand that Locke and top fishing regulators be forced to testify under oath, instead of being allowed to cloak the regulatory process and their oversight of fishermen in secrecy.

NOAA head Jane Lubchenco has been promising for two years to root out corruption and misconduct in her agency, and to restore trust with the fishing community.

Instead, things have gotten worse — much worse. And the efforts to cover up wrongdoing continue, now with the frightening endorsement of the Secretary of Commerce.

It is more than time for Congress to force the issue and take this investigation beyond a Commerce Department that, through Locke's stands, has forfeited any perception of fairness and concept of justice.

It's time to put this entire matter in the hands of an independent prosecutor who can, at last, do it justice — and bring a little justice to the process as well.

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