

**Congress of the United States**  
**Washington, DC 20515**

April 30, 2012

The Honorable John Bryson  
Secretary  
Department of Commerce  
1401 Constitution Avenue NW  
Washington, DC 20230

Dear Secretary Bryson:

We are writing to urge that you take immediate and decisive action to ensure that the National Marine Fisheries Service (NMFS) in conjunction with the New England Fishery Management Council (Council) addresses the latest crisis within the northeast multispecies fishery that is expected to absorb a 61% cut in its allotment of Georges Bank yellowtail flounder within Framework 47 to the groundfish fishery management plan, which will be implemented May 1. We also urge you to implement an emergency regulation to temporarily allocate a higher allocation for yellowtail in this fishing year. While we applaud the recent action taken by the Acting Assistant Administrator for Fisheries to begin forming a joint agency Working Group similar to that convened to address the recent crisis in the reductions to Gulf of Maine Cod, we now ask that the NMFS explore every option available to maximize the allowable catch of Georges Bank yellowtail flounder stocks.

We were also pleased to learn that you will be providing funds to collaborate with the University of Massachusetts Dartmouth's School for Marine Science and Technology (SMAST) on their yellowtail avoidance program within the Scallop fishery as well as other research institutions on similar avoidance programs within the groundfish fishery. We request that you give this research program additional funding to ensure that reduced yellowtail allowable catch will have as little impact as possible on fishermen targeting other groundfish species as well as scallops.

We understand that unused yellowtail quota by scallopers can be given to groundfishermen under Framework 47. NMFS and Council should be directed to maintain the yellowtail quota given to scallopers to ensure their continued participation in this program and not provide a disincentive by decreasing their quota based on the programs avoidance success.

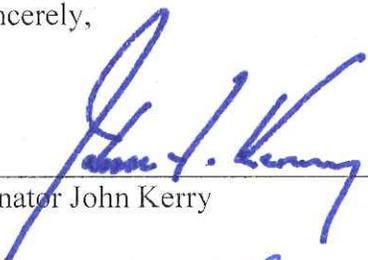
At their September meeting, the Transboundary Management Guidance Committee (TMGC), considered a total allowable catch (TAC) for yellowtail flounder within a range of 600 metric tons to 1,400 metric tons. While the TMGC initially settled on a TAC of only 900 metric tons, the New England Fishery Management Council's Scientific and Statistical Committee recommended a TAC of 1,150 metric tons to which the Canadians ultimately agreed. As you know, this TAC is shared by the two countries with the final U.S. share being 564 metric tons. While the International Fisheries Clarification Act recently passed by Congress has already resulted in added flexibility by extending the rebuilding end date for yellowtail flounder from 2016 to 2032, we ask that you explore any further flexibility this Act might provide as well as look at the possibility of increasing the yellowtail TAC more toward the high end allowable range.

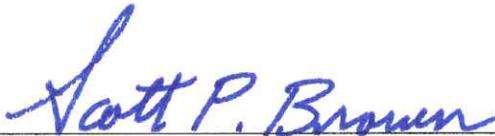
Finally, we have been told by many within the industry that the use of a four seam bottom trawl equipped with a rockhopper sweep is not the most efficient means of catching groundfish for a truly accurate sampling. In fact, the initial use of the NMFS' survey vessel the Bigelow coincides directly with a significant decrease in the U.S. share of Georges Bank yellowtail from 77% in 2009 when the Bigelow data was first used to 49% in 2012. While there may be a biological reason or some other cause for this decrease, it is imperative that fishermen fully embrace and trust the collection methods that determine how a fish stock is managed and allocated, and we urge you to implement side-by-side trawl survey tows using a commercial vessel to compare data and provide a more reliable assessment of this species.

Again, we are appreciative of the initial steps taken to address this difficult situation and hope you will use all methods available, including an emergency action, increased funding for research and yellowtail avoidance programs, to help prevent financial collapse and further consolidation within this fishery.

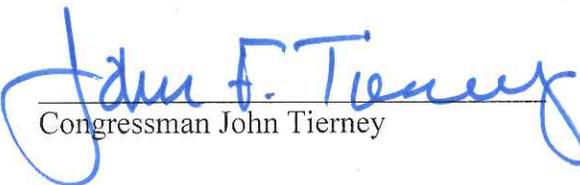
Thank you for your time and attention. We look forward to your reply.

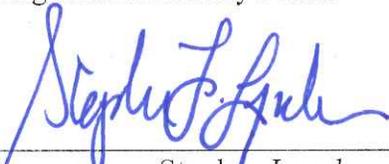
Sincerely,

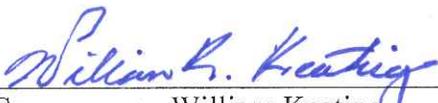
  
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Senator John Kerry

  
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Senator Scott Brown

  
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Congressman Barney Frank

  
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Congressman John Tierney

  
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Congressman Stephen Lynch

  
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Congressman William Keating