

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

October 26, 2007

The Honorable Carlos M. Gutierrez  
Secretary of Commerce  
U.S. Department of Commerce  
1401 Constitution Ave, NW  
Washington, D.C. 20230

Dear Secretary Gutierrez:

We are writing to express our concern and outrage at the recent determination by the National Marine Fisheries Service (NMFS) that the New England groundfishery is not a failure under the Magnuson-Stevens Fishery Conservation and Management Act. In our estimation, the 25 percent revenue loss experienced in Maine for groundfish between 2005 and 2006 does constitute a disaster, and we question the rationale used by NMFS to make the determination.

Groundfish stocks in New England crashed in 1994, and since that time groundfishermen in New England have been suffering under increasingly strict limits on fishing effort. Maine's groundfish fleet has decreased by half in the years since 1994. Although some stocks are showing slow recovery, this has not been reflected in fishing regulations. In fact, Maine's groundfish fleet can expect further restrictions under the newly reauthorized Magnuson-Stevens Act. We believe that the 25 percent revenue loss experienced in 2005-2006, compounded with overall fishery revenue declines in Maine and with the expected new groundfish restrictions, constitutes an economic disaster for Maine's industry. We believe that now is a critical time to act, before the last of our independent owner-operators are forced out of the industry and the face of fishing in Maine changes forever.

We ask that NMFS provide a clear rationale for the recent decision not to declare a disaster, including an explanation of what specific economic criteria are required to constitute a disaster. We ask that NMFS explain the decision in the context of fishing disasters declared in the past, including the economic criteria used in those previous decisions. We also ask that NMFS provide general information on fishing disasters declared in the past including the criteria (biological and economic) used to make the decision, the deciding factors, and relevant biological and economic numbers including stock assessments and revenue losses.

If NMFS cannot provide a convincing rationale, we demand that NMFS reconsider its recent decision and declare a commercial fishing disaster in New England, releasing critical aid to New England's hard-working fishermen to help them through these difficult times as stocks rebuild. We believe that small, owner-operated groundfish vessels, so much a part of the character and

history of coastal New England, are in serious danger of disappearing without immediate federal intervention.

Sincerely,

Handwritten signature of Tom Allen in blue ink.

Tom Allen  
Member of Congress

Handwritten signature of Mike Michaud in blue ink.

Mike Michaud  
Member of Congress

cc: Vice Admiral Conrad C. Lautenbacher  
cc: Dr. Bill Hogarth  
cc: Governor John E. Baldacci  
cc: Commissioner George LaPointe