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U.S. House of Representatives
Committee on Natural Resources
Washington, DC 20515

Opening Statement of
Chairman Doc Hastings

Committee on Natural Resources

On Tuesday, February 4, 2014

1324 Longworth House Office Building

Committee on Natural Resources Legislative Hearing on the Discussion Draft

H.R. ___ - The "Strengthening Fishing Communities and Increasing Flexibility in Fisheries Management Act"

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I would like to welcome our witnesses for today's hearing on the Discussion Draft for the reauthorization of the Magnuson-Stevens Fishery Conservation and Management Act.

Since 2011, eight Full Committee or Subcommittee hearings related to the reauthorization and Federal fisheries management have been held. This hearing will be the ninth.

In addition to our hearings, the eight regional fishery management councils held a national conference specifically on reauthorization issues. Each of the eight Councils submitted recommendations to that conference and the result of the conference was yet another set of recommendations. The National Academy of Sciences also released a report detailing additional recommendations on the rebuilding provisions of the Act.

With all of that activity focused on the reauthorization, it certainly should not be a surprise that all of those recommendations were reviewed, and then many were assembled into a bill. That bill is the discussion draft that was released and circulated in mid-December. It is titled H.R. ___ - The "Strengthening Fishing Communities and Increasing Flexibility in Fisheries Management Act".

It has been released as a draft rather than as an introduced bill with text locked in stone to allow for public discussion, review and comment. The intent is to seek feedback and listen to input. I would note that many of the provisions in the draft also came from or were influenced by legislation introduced in the last Congress by Congressmen Wittman, Pallone, Runyan, Jones, and our former colleague, Barney Frank.

In the hearings we've held, there was general agreement that the Act is working. I have said all along that I believe the Act is fundamentally sound. But success does not mean the Act works perfectly or should not be modified or improved. We have heard at almost every hearing that the balance between preventing overfishing and optimizing the yield from our fisheries has become unbalanced and that additional flexibility for fisheries managers should be added.

The revisions in the Discussion Draft uphold the underpinnings of the Act. Let me be clear about what this discussion draft does not do - it does not eliminate the requirements that Councils and the Secretary stop overfishing. It does not eliminate the requirement that Councils and the Secretary rebuild overfished fisheries. It does not eliminate the requirement that Councils and the Secretary develop and implement Annual Catch Limits. It does not eliminate the requirement for accountability measures. It does not eliminate the requirement that management decisions be based on science. This draft addresses the requests of fishermen, fishing communities, fishery management Councils, and the recommendations of the National Academy of Sciences that the Act be modified to provide fishery managers with more flexibility. That's the key word: flexibility.

The draft provides the Councils with more flexibility in how they rebuild fisheries, and it provides Councils with flexibility in how the Councils set the Annual Catch Limits. But it does not eliminate those requirements. This discussion draft maintains the requirement to stop overfishing, the requirement to rebuild overfished fisheries, and the requirement to set annual catch limits - but it provides more flexibility for better, local decisions to achieve these goals.

In testimony through the last three years, we have heard that the 2006/2007 amendments, while well intentioned, may have gone too far in restricting the ability of fishery managers - and the Councils in particular - from making management decisions that include a calculation of the economic impact on coastal and fishery dependent communities.

I've noticed that some people oppose providing more flexibility to allow fishery managers to take the economic impact of fishing restrictions and environmental conditions into account when implementing those restrictions. That may be because those people are not directly affected by the - sometimes draconian - economic impacts. But the fishermen who are directly impacted have requested flexibility. The fishery managers who have to implement the restrictions have requested flexibility. And the National Academy of Sciences has recommended flexibility.

I invite further comments on the discussion draft with the understanding that the intent is move forward on legislation with the goal of reauthorizing the Act by the end of this year.

I look forward to today's testimony.

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