

**WRITTEN STATEMENT OF  
THE HONORABLE ROBERT J. WITTMAN**

**BEFORE THE  
SUBCOMMITTEE ON INSULAR AFFAIRS, OCEANS AND WILDLIFE  
COMMITTEE ON NATURAL RESOURCES  
U.S. HOUSE OF REPRESENTATIVES**

**WASHINGTON, D.C.**

**DECEMBER 1, 2011**

Mr. Chairman,

Thank you for scheduling this important hearing on amendments to the Magnuson-Stevens Fishery Conservation and Management Act.

Conserving our natural resources for generations to come is a priority for me and many of the folks here with us today. I grew up around the Chesapeake Bay, a national treasure, and one that depends upon the health of our ecosystem and the resources in it. Critical to local jobs and communities, the Bay is also an economic engine, as so many of our natural resources are.

Preserving these resources requires attention to detail – to science, resource allocation, and management.

Today I am here to address the need for the House to pass H.R. 2304, the Fishery Science Improvement Act. I am proud to author this legislation which seeks to ensure that the management of saltwater fisheries is based on sound science.

H.R. 2304 addresses a timely issue that must be addressed before the end of this year, to prevent uninformed fishery management decisions that would impose undue catch limits to the detriment of recreational and commercial fisherman.

My thanks to the 34 bipartisan cosponsors of H.R. 2304, many of whom are members of the Natural Resources Committee. This legislation is supported by the Congressional Sportsmen's Caucus, along with a broad coalition of industry and conservation organizations. Additionally, this week Senator Bill Nelson and Senator Marco Rubio introduced companion legislation.

When the Magnuson-Stevens Act was reauthorized in 2006, Congress assumed that ending overfishing and requiring strict Annual Catch Limits – known as ACLs – would result in better long-term health and vitality for the nation's marine resources.

Congress assumed that improvements in data collection and scientific assessments would result in healthier resources and even more recreational fishing to help fuel the nation's economy.

However, since 2006 the collection of fisheries data has not kept pace with the requirements of Magnuson. The lack of adequate data has caused problems with several major fisheries around the country including black sea bass, amberjack and south Atlantic red snapper fisheries.

For the past five years or so, it appears the National Oceanic and Atmospheric Administration (NOAA) has not collected adequate data to implement the requirements in Magnuson. Because of the lack of data and a rapidly approaching deadline they are being forced to move ahead without the necessary science.

The agency faces a December 31, 2011 deadline to put annual catch limits in place for all 528 fish stocks and stock complexes under federal management – most of which have never been scientifically assessed.

Despite the significant lack of scientific data, NOAA is likely to impose strict limits on fish about which they have little to no information. These limits will also be applied to fish that are, very clearly, highly abundant.

Because of the lack of data NOAA Fisheries is forced to guess and make assumptions about the status of many fish stocks. This is not the intent of Magnuson-Stevens.

The Fishery Science Improvement Act has three key provisions:

1. First, if the agency hasn't done a stock assessment in the last five years and there is no indication that overfishing is occurring, there is no requirement to set an Annual Catch Limit.
2. Second, to avoid removing the fish species from management and leave them in the jurisdiction of the agency, our bill allows the agency to put certain fish into an "ecosystem" category. This classification is already informally in use by the agency but without specific parameters. This bill statutorily authorizes the category and broadens the eligibility for stocks of fish that can be placed in the category.
3. Finally, the Fishery Science Improvement Act gives NOAA Fisheries three years to go back and work with the regional councils to figure out how to implement science-based overfishing measures that are appropriate for each region and its fish.

This bill is very concise, simple and targeted.

We have a very significant and specific problem with how NOAA is implementing the Magnuson Stevens Act. Congress must act accordingly.

Without Congressional action, arbitrary decisions affecting millions of anglers and thousands of businesses will continue to be made.

I urge my colleagues to support sound science and resource management, by supporting H.R. 2304, the Fishery Science Improvement Act.