

# United States Senate

WASHINGTON, DC 20510

February 19, 2014

The Honorable Penny Pritzker  
Secretary  
U.S. Department of Commerce  
1401 Constitution Avenue, N.W.  
Washington, D.C. 20230

Dear Secretary Pritzker:

Congress appropriated \$75 million for Fisheries Disaster Assistance in the Fiscal Year 2014 Consolidated Appropriations Act. This funding is intended to mitigate the effects of declared commercial fishery failures and resource disasters, including the declared disaster for the Northeast Multispecies Groundfish Fishery. The fishing economies of our states continue to experience tremendous financial strain. We therefore urge you to exercise the waiver authority granted to you under Section 315 of the Magnuson-Stevens Fishery Conservation and Management Act (MSA) (16 U.S.C. 1802) and waive the match requirement for this declared disaster.

On September 13, 2012, a federal fisheries disaster was declared for Maine, New Hampshire, Massachusetts, Rhode Island, Connecticut, and New York pursuant to Section 312(a) of the MSA and Section 308(b) of the Interjurisdictional Fisheries Act (IJF). Despite strict adherence to new rigorous regulations by fishermen, key fish stocks have not rebounded, according to NOAA's calculations. The resulting reductions in total allowable catch for certain critical groundfish stocks are having a significant and on-going impact on coastal communities, fishing families, and local economies. The Fisheries Disaster Assistance is critical to helping the industry recover from these dramatic losses. Our state governments continue to stretch very limited resources, and waiving the state match requirement is crucial to assisting our state and local economies in their efforts to support the fishing industry.

The Secretary's waiver authority is clearly expressed in the MSA. Section 315(b)(4) of the Act grants the Secretary the authority to waive the matching requirements for disasters declared under Section 312 of the MSA and Section 308 of the IJF, as well as "any other provision of law under which the Federal share of the cost of any activity is limited to less than 100 percent." Moreover, Section 315(c) allows the Secretary to determine any MSA Section 312 and IJF Section 308 commercial fishery failure to be a "catastrophic regional fishery disaster," and further eligible for the state match waiver. Since the Northeast Groundfish Fishery Disaster was declared under MSA Section 312 and IJF Section 308, we urge you to waive the matching requirement for Maine, New Hampshire, Massachusetts, Rhode Island, Connecticut, and New York.

Fishing is an integral part of our states' economy and heritage. While we are pleased that the fiscal year 2014 Federal Disaster Assistance will provide some relief to the fishing communities in the northeast, we are concerned that requiring a 25 percent match could severely limit the effectiveness of the program. We again ask that you exercise the waiver authority granted to you in the law, and look forward to your prompt reply.

Sincerely,



Susan M. Collins  
United States Senator



Angus S. King, Jr.  
United States Senator



Jack Reed  
United States Senator



Sheldon Whitehouse  
United States Senator



Jeanne Shaheen  
United States Senator



Kelly Ayotte  
United States Senator



Elizabeth Warren  
United States Senator



Edward J. Markey  
United States Senator



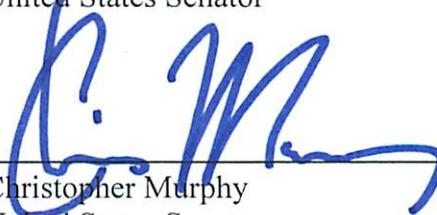
Charles E. Schumer  
United States Senator



Kirsten E. Gillibrand  
United States Senator



Richard Blumenthal  
United States Senator



Christopher Murphy  
United States Senator

cc: Dr. Kathryn Sullivan, Acting Secretary for Oceans and Atmospheres  
Samuel Rauch, Deputy Director, NOAA Fisheries