

United States Senate

WASHINGTON, DC 20510

September 17, 2015

The Hon. David Smith
Acting Inspector General
Department of Commerce
1401 Constitution Avenue N.W.
Washington, DC 20230

Dear Acting Inspector General Smith:

We write to request an investigation of the National Oceanic and Atmospheric Administration's (NOAA's) at-sea monitoring (ASM) program in the Northeast Multispecies Fishery. As you may know, the New England fishing industry has been devastated in recent years by severe cuts to the fishery's catch quotas. In this moment when the fishery can least afford it, NOAA announced on August 4, 2015, that it would end its funding for the ASM program on October 31, 2015.

This decision will cost individual fishermen an estimated \$700 per trip and could force many out of business entirely. We have also heard disturbing reports of fishing sectors being told by NOAA that they are required to sign specific contracts by arbitrary deadlines, or they will lose their access to the fishery.

With New Hampshire's commercial fishing industry already suffering due to onerous federal regulations, we are deeply concerned about the destructive impact that this new and sudden fee will have in our state. Based on concerns raised by our constituents, we are requesting an investigation into the ASM program that answers the following questions:

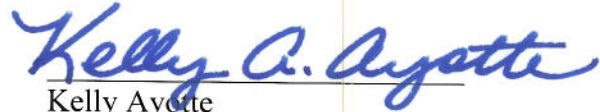
- How does NOAA determine with which companies to contract for fishery observers? Does the agency have to disclose potential conflicts of interest in this process?
- How are the costs of these fees and contracts determined? What percentage of the contract is a profit for observer companies?
- What legal basis enables NOAA to require fishing sectors to sign specific observer contracts and to set specific deadlines by which observer contracts must be signed?
- What options do fishermen have to negotiate the details of contracts they are required to sign?
- How do the ASM costs in the Northeast fishery compare with similar programs in other regions of the country?
- How do observer fees compare to per-trip revenue, particularly for fishermen with smaller vessels? How do these ratios in the Northeast compare with those for similar-sized vessels in other regions of the country?
- What is the estimated state-by-state economic impact of these new fees on the region's fishing industry? How does this impact differ across vessel sizes?

Thank you for your attention to this important matter. The survival of New Hampshire's 400-year-old fishing industry is at stake. We look forward to your timely response.

Sincerely,



Jeanne Shaheen
United States Senate



Kelly Ayotte
United States Senate

CC:

The Hon. Penny Pritzker, Secretary, Department of Commerce

Dr. Kathryn Sullivan, Administrator, National Oceanic and Atmospheric Administration

The Hon. Eugene Dodaro, Comptroller General, Government Accountability Office