



# Atlantic States Marine Fisheries Commission

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*A.G. "Spud" Woodward (GA), Chair      Joseph Cimino (NJ), Vice-Chair      Robert E. Beal, Executive Director*

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*Sustainable and Cooperative Management of Atlantic Coastal Fisheries*

8/3/2023

The Honorable Frank Lucas  
2405 Rayburn House Office Building  
Washington, DC 20515

The Honorable Zoe Lofgren  
1401 Longworth House Office Building  
Washington, DC 20515

Dear Chair Lucas and Ranking Member Lofgren,

The Atlantic States Marine Fisheries Commission (Commission) is writing in opposition to H.R. 3980, the National Oceanic and Atmospheric Administration Act of 2023.

The Commission is a Compact of the 15 Atlantic coastal states that manages nearshore marine fisheries which occupy multiple states' waters. Congress approved the Compact in 1942, and granted the Commission management authority in 1984 and 1993 through the Atlantic Striped Bass Conservation Act and the Atlantic Coastal Fisheries Cooperative Management Act, respectively. Today, the Commission manages 27 of the coast's most productive and iconic fisheries, nine of which are cooperatively managed with our federal partners.

NOAA Fisheries plays an essential role, not just in the sustainable management of those nine fisheries, but many other species managed by the Commission by providing the states with dependable data. The Commission has partnered with NOAA for decades on surveys, data collection, and stock assessments. If NOAA was removed from the Department of Commerce, the Commission is concerned that these critical data collection programs may not continue to be funded. Failure to continue to collect this data will likely cause significant economic harm to the commercial and recreational fishing industries.

The Department of Commerce itself also plays a role in our management process. The Atlantic Coastal Fisheries Cooperative Management Act (16 USC Ch. 71) gave the Secretary of Commerce some regulatory responsibilities over our fisheries management process. If any one state is not following the requirements of an approved fishery management plan, the Secretary can declare a moratorium on the fishery in that state's waters until they have proper conservation measures in place. The law specifically calls upon the Secretary of Commerce to act as this backstop. Removing NOAA from under Commerce jeopardizes this process and could have drastic impacts on the sustainability of U.S. fisheries.

Oversight by the Department of Commerce also provides member states a pathway to appeal decisions made by the Commission and NOAA. NOAA having access to a cabinet-level position can provide the opportunity to elevate fisheries issues to a level that would otherwise be unattainable.

We understand there are frustrations with other departments within NOAA, however maintaining NOAA Fisheries within the Department of Commerce has many benefits to fisheries management along the Atlantic Coast and, by extension, benefits the states, coastal communities, commercial and recreational fishermen, and consumers of seafood nationwide. Because of the unique needs of the Commission in maintaining sustainable fisheries, we cannot support this bill.

Please let me or my staff know if you have any questions or if the Commission can provide any additional information.

Sincerely,



Robert E. Beal

cc: ASMFC Commissioners

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