

**Congress of the United States**  
**Washington, DC 20515**

**ADDITIONAL VIEWS**

**H.R.4528: To make technical amendments to certain marine fish conservation statutes, and for other purposes.**

H.R.4528 would amend the Billfish Conservation Act of 2012 to require billfish landed in Hawaii or the Pacific Insular Areas (American Samoa, Baker Island, Guam, Howland Island, Jarvis Island, Johnston Atoll, Kingman Reef, Midway Island, the Northern Mariana Islands, Palmyra Atoll, and Wake Island) to be retained for sale in those areas. While this bill's title characterizes this change as a technical amendment, we believe this bill represents a substantive change in the law (Billfish Conservation Act of 2012; Public Law 112-183). While we appreciate the conservation intent of H.R.4528, we feel that billfish fisheries off the coasts of Hawaii and the Pacific Insular Areas are already well-managed and sustainable.

Such a change in the law principally targets fishers in Hawaii, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands and prevents them from selling their sustainably-caught billfish to markets in the mainland United States, removing an exemption in the Billfish Conservation Act of 2012 for these Pacific fisheries. Many local fishermen's groups from Hawaii, Guam, and other Pacific Insular Areas oppose this change in the law, as does the Western Pacific Regional Fishery Management Council.

Under Section 4(c) of the Billfish Conservation Act of 2012, billfish caught by U.S. fishing vessels and landed in Hawaii or the Pacific Insular Areas are currently exempt from the general prohibitions on sale and custody with the intent to sale, reflecting careful management of domestic billfish fisheries in the Pacific under the Magnuson-Stevens Fishery Conservation and Management Act. Unfortunately, in the Atlantic region, recreational fishers prize billfish such as swordfish and marlin, which has led to overfishing and stock depletion of several Atlantic billfish species.<sup>1</sup> Note the Billfish Conservation Act of 2012 does restrict commercial fishing for swordfish, and that H.R.4528 would not close this exemption.

Alan Risenhoover, Director of the Office of Sustainable Fisheries at NOAA, emphasized in his written testimony submitted to the House Natural Resources Subcommittee on Water, Power and Oceans at an April 17, 2018, hearing on H.R.4528, "...in the Pacific and Western Pacific, with the exception of striped marlin, billfish populations are not overfished or subject to overfishing and are being sustainably managed under the Magnuson Stevens Act. The U.S. catch of billfish has been below established limits set by international bodies for Pacific striped marlin stocks."<sup>2</sup>

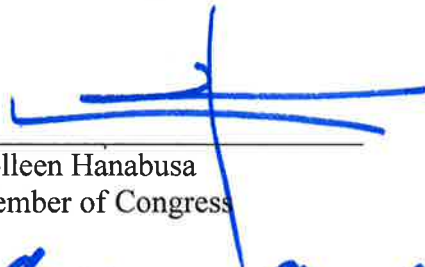
---

<sup>1</sup> 2017 Stock Assessment and Fishery Evaluation (SAFE) Report for Atlantic Highly Migratory Species, National Oceanic and Atmospheric Administration (NOAA), Atlantic Highly Migratory Species Management Division, January 2018

<sup>2</sup> Alan Risenhoover, Testimony by to the Committee on Natural Resources, Subcommittee on Water, Power and Oceans, April 17, 2018

U.S.-caught billfish account for only a small percentage of the total landings in the Pacific region. Approximately 15 percent of the total catch in Hawaii in 2016 consisted of billfish.<sup>3</sup> Local fishermen's groups from Hawaii, Guam and other Pacific Insular Areas have expressed strong objections to closing a potential future market for their Pacific-caught billfish in the mainland United States. H.R.4528 will negatively impact the livelihoods of fishermen in Hawaii, Guam and the Pacific Insular Areas by closing off the only off-island market for U.S.-caught billfish.


In closing, H.R.4528 will do little to improve billfish conservation in U.S. territorial waters in the Pacific, where fishermen have been sustainably landing these species for generations. We support needed-conservation efforts in the Atlantic, but do not believe that Pacific fisheries need to be targeted in order to achieve those goals. Such unwarranted restrictions on commercial fishing activities are seen by many Pacific Islander fishermen as infringing upon generations of traditional fishing practices, their rights as indigenous peoples, and consensus-based local fisheries management.



Colleen Hanabusa  
Member of Congress



Madeleine Z. Bordallo  
Member of Congress



Aumua Amata Coleman Radewagen  
Member of Congress



---

<sup>3</sup> *Stock Assessment and Fishery Evaluation Report: Pacific Island Pelagic Fisheries 2016*, Western Pacific Regional Fishery Management Council, September 13, 2017