

August 27, 1999

Paul J. Howard
Executive Director
New England Fishery Management Council
5 Broadway
Saugus, MA 01906-1036

Re: New England Fishery Management Council's Request for Proposals for the Annual Framework Adjustment for the Atlantic Sea Scallop

Dear Mr. Howard:

By way of introduction, the Office of Advocacy of the U.S. Small Business Administration (SBA) was established by Congress under Pub. L. No. 94-305 to represent the views of small business before federal agencies and Congress. Advocacy is also required by §612 of the Regulatory Flexibility Act (RFA) (5 U.S.C. 601-612) to monitor agency compliance with the RFA. Since 95% of commercial fishing operations are small,¹ the Office of Advocacy is particularly concerned about the impact of NMFS's activities on the fishing industry and surrounding small communities that may be economically dependent on the fishing industry.

Members of the fishing industry recently contacted the Office of Advocacy about the progress that is being made in the scallop fishery. It is my understanding that there has been a cooperative effort between NMFS, the scallop industry, the New England Fishing Council, and academia to reopen the George's Bank area and to gain the additional scientific information to demonstrate the scallop stock's strong current rebuilding trend. I would like to commend you for the cooperative efforts that the Council has made.

On July 23, 1999, you issued a memorandum to scallop advisors and other interested parties requesting proposals for the fishery management plan (FMP) for the Atlantic Sea Scallop. I hope that you will use this opportunity to consider fully the science and alternatives in the proposals submitted by the industry in response to your request.

If I can be of any assistance, please feel free to contact me at (202) 205-6533 or Jennifer Smith at (202) 205-6943. Once again, thank you for the efforts that your office has made in working with the scallop fishing industry.

Sincerely

¹ Source: Office of Advocacy, U.S. Small Business Administration, based upon data prepared by the U.S. Department of Commerce, Bureau of Census, under contract. Data is available for the number and percent of firms, establishments, employment, annual payroll, and estimate receipts by industry and employment size. For more data, please see the Office of Advocacy's website at www.sba.gov/advo/stats.

Jere W. Glover
Chief Counsel
Office of Advocacy