

July 27, 2023

Rep. Cliff Bentz, Chairman
Subcommittee on Water, Wildlife and Fisheries
Committee on Natural Resources
U.S. House of Representatives
1324 Longworth HOB
Washington, DC 20515

Rep. Jared Huffman, Ranking Member
Subcommittee on Water, Wildlife and Fisheries
Committee on Natural Resources
U.S. House of Representatives
1332 Longworth HOB
Washington, DC 20515

Chairman Bentz and Ranking Member Huffman,

We are writing to express our strong support for H.R. 1792, legislation introduced by Representatives Radewagen and Case that would amend the South Pacific Tuna Treaty Act of 1988. This legislation is critical to the survival of the U.S. distant water tuna purse seine fleet, so we ask that your Subcommittee expeditiously approve the bill and recommend its' passage to the full Natural Resources Committee. Since we have found no opposition to the Treaty or the implementing legislation, we are hopeful H.R. 1792 can be approved by the House and sent to the Senate this legislative session.

By way of background, our families have been part of the U.S. South Pacific tuna fleet for many generations. Our four independent purse seine fishing vessels are homeported in Pago Pago, where we supply fish to American Samoa and support many of the local business by purchasing fuel, supplies and other goods. We are also members of the American Tunaboat Association (ATA) who also strongly support the legislation. Our vessels fish in the US EEZ, the high seas and in the EEZ's of Pacific Islands party to the Treaty. Because we fish under a Treaty license issued pursuant to the South Pacific Tuna Treaty, we are able to access and fish in the EEZ's of other Pacific Island nations. Since our vessels were fishing under a Treaty license prior to November 3, 1995, our vessels are also "grandfathered" under the South Pacific Tuna Act Treaty Amendments of 1995 (included in the Fisheries Act of 1995), meaning that our vessels are eligible to fish in all of the Treaty areas, including the U.S. EEZ. The U.S. Coast Guard has verified our vessels as "grandfathered" and issued letter rulings to each one. Access to the US EEZ is becoming increasingly important with increased competition from foreign fleets. The US EEZ in the Pacific represents important historical fishing areas that our vessels have relied on for decades.

After years of negotiations with the 16 Pacific Island Parties, all parties formally agreed to the "renegotiated" Treaty text and Annexes on December 3, 2016, in Nadi, Fiji. Soon thereafter all parties signed a Memorandum of Understanding committing to provisionally implementing the new Treaty amendments, allowing U.S. vessels to continue to operate without interruption. While the renegotiated Treaty was finalized at the end of the Obama Administration, it was the first treaty that President Trump submitted to Congress on August 28, 2018. Finally, in June 2022 the Senate Foreign Relations Committee recommended that the Senate give its advice and consent to ratification and on July 19, 2022, the Senate did just that! While the full Senate

has given its advice and consent for ratification of the renegotiated Treaty, we are told the White House is waiting for Congress to approve Treaty implementing legislation prior to depositing the instrument of ratification. We've provided this background to illustrate the importance of action on H.R. 1792 by your Subcommittee and the full Committee.

The amendments made by H.R. 1792 to Sec. 9 (16 U.S.C. 973g Licenses of the South Pacific Tuna Treaty Act of 1988) clarify and maintain the grandfather for our vessels. These changes were necessary because the renegotiated Treaty text eliminates the term "Treaty area" and instead uses the term "licensing area". We strongly support the changes made to Sec. 9 by H.R. 1792 as it will preserve the original intent of Congress in 1995.

We want to thank you for scheduling the hearing on H.R. 1792 and ask for your support in moving the bill. Please contact our Washington representative Mr. Jeffrey Pike (202 731-9148) should you require any additional information.

Sincerely,

F/V Western Pacific
Stuart Chikami

F/V Evelina Da Rosa
Larry Da Rosa

F/V Pacific Princess
Ricardo da Rosa

F/V Sea Encounter
Randall De Silva