

The fishing quota controlled and leased by Mr. Rafael accounts for as much as 30 percent of groundfish landings, including cod, haddock and flounder, in New England waters and 10 percent of scallop landings. A plea agreement in U.S. District Court in Boston requires Rafael to forfeit to the U.S. government 13 groundfish boats, about a third of his fleet, and their associated permits. A disposition is expected June 27. That's a start, but it is not enough.

To prevent future abuses, the National Marine Fisheries Service must use its authority under the Magnuson-Stevens Act to impose stiff civil penalties and strip all of Rafael's fishing permits, including his scallop permits worth millions of dollars. The Fisheries Service must revoke these permits and use them to support law-abiding, conservation-minded fishermen – of which there are many throughout New England – who are critical to the future of the region's fisheries.

We have an opportunity to chart a new course for the beleaguered New England groundfish fleet, from Maine to Rhode Island, but only if the agency responsible for managing the fishery - the fleet working the waters of Georges Bank and the Gulf of Maine, among others - takes strong and decisive enforcement action. To this point, though, the Fisheries Service has done nothing, even allowing the boats Rafael agreed to forfeit to continue fishing. Allowing Rafael's family or another owner to keep his business running will only perpetuate the unacceptable status quo and continue rewarding criminal behavior.

The Fisheries Service needs to deploy innovative solutions, such as permit banks, to allow people who want to fish responsibly to expand and diversify their holdings. This model has worked well in other fisheries and has the backing of industry experts like National Fisherman's Jessica Hathaway. The Fisheries Service must also enact structural reforms to limit consolidation, improve data collection, and ensure accountability and compliance. Never again should one man control so much quota and be allowed to fish with such blatant disregard for the law.

Measures to promote fairness and make enforcement easier – like enhanced electronic monitoring, full retention requirements, and area-based management that keeps larger vessels off the grounds that day-boat fishermen can access – deserve equally strong consideration.

The Fisheries Service must also start saying 'no' to the New England Fishery Management Council, a regional regulatory body that includes many industry representatives. At the area industry's behest, the Council has fought nearly every responsible conservation measure proposed for the groundfish fishery, mortgaging the fishery's future for short-term gains that have diminished over time. It has even lobbied Congress to eliminate requirements to establish

sustainable catch limits, end overfishing, and set timelines for rebuilding overfished stocks.

The Council's unwillingness to face reality helped destroy this fishery. Its refusal to institute meaningful caps on quota consolidation allowed Rafael to push players weakened by fish stock declines off the waterfront.

Instead of requiring stronger conservation measures, the Fisheries Service has signed off on inadequate fishery management plans and reductions to observer coverage, while doing little to prevent rampant cheating. At the same time, the Fisheries Service has failed to use more than \$140 million in taxpayer-funded disaster relief to the region to improve conditions in the fishery itself. At least some of these payments could have gone to habitat restoration, for instance, or retraining of fishermen for other lines of work. Ironically, this latest round of payments netted Rafael himself more than \$350,000.

As another sad chapter in the saga of New England groundfish comes to an end, we cannot simply turn the page. We need to be honest about the impacts of legacy overfishing, the depleted state of the resource and the challenges and uncertainty presented by climate change. It's time to end the convenient and false narratives that blame science-based fisheries regulations and ocean conservation initiatives, such as the Northeast Canyons and Seamounts Marine National Monument on the edge of the continental shelf off Cape Cod, for problems they did not create.

The happy ending that everyone wants for this fishery – the most iconic on the planet – will only come with real change, not excuses. Everyone from the Council to the agency to Congress must summon the courage to make that a reality.

- Congressman Raúl M. Grijalva, a Democrat of Tucson who represents southern Arizona, is the ranking member of the House Natural Resources Committee, whose purview includes public lands and waters, and the Endangered Species Act.