

**JONES CALLS FOR CONGRESSIONAL
HEARING ON**

**“SYSTEMIC” PROBLEMS WITH U.S.
FISHERIES LAW ENFORCEMENT EXPOSED
BY IG REPORT**

These issues “cry out for congressional oversight.”

Washington, D.C. – Today U.S. Representative Walter B. Jones (NC-3) called on the House Natural Resources Committee to hold a hearing on the fisheries enforcement programs of the National Oceanic and Atmospheric Administration (NOAA). The urgent need for congressional oversight of these programs was highlighted by a 27-page report released last month by the Inspector General (IG) of the U.S. Department of Commerce entitled “Review of NOAA Fisheries Enforcement Programs and Operations.” The IG report found “systemic nationwide issues” with NOAA’s law enforcement programs, practices and personnel. The report came in response to requests made in mid-2009 by Congressman Jones and the majority of the North Carolina congressional delegation, as well as the Massachusetts congressional delegation, for an investigation into allegations of overzealous commercial fisheries enforcement by NOAA.

The full text of Congressman Jones’ hearing request letter to Natural Resources Committee Chairman Nick J. Rahall (WV-3) and Ranking Member Doc Hastings (WA-4) follows:

“I am writing to respectfully request that you schedule an oversight hearing on the fisheries enforcement programs of the National Oceanic and Atmospheric Administration (NOAA). The urgent need for this hearing was made clear by a 27-page report released last month by the Inspector General (IG) of the U.S. Department of Commerce entitled “Review of NOAA Fisheries Enforcement Programs and Operations.” The report confirmed what I have heard from fishermen for years – namely, that there are “systemic nationwide issues” with NOAA’s law enforcement programs, practices and personnel.

The Inspector General report is the product of months of work by a team of IG investigators who thoroughly examined the NOAA fisheries enforcement operation. As part of that effort, they interviewed over 225 individuals from across the country, including fishermen, conservation officials, Fishery Management Council members and NOAA personnel. Their findings reveal a number of problems that cry out for congressional oversight. Among other things, the report found:

- “. . . systemic nationwide issues adversely affecting NOAA’s ability to effectively carry out its mission of regulating the fishing industry. These issues have contributed significantly to a highly-charged regulatory

climate and dysfunctional relationship between NOAA and the fishing industry”;

- NOAA’s “civil penalty assessment process is arbitrary and unfair”;
- NOAA’s workforce composition is dramatically misaligned to its mission – “only about 2 percent of its caseload has been criminal-investigative, yet over 90 percent of its enforcement personnel are criminal investigators – a clear imbalance”; and,
- NOAA’s Asset Forfeiture Fund – which contains proceeds from civil penalties it collects – has a balance of \$8.4 million as of December 31, 2009, but Department officials “are not aware of the fund’s having ever been audited”, and “the account under which they are maintained has weak internal controls” leading the IG to launch a pending “forensic review of the fund”.

I strongly believe the “systemic” issues outlined in this report require further examination by the committee. I also believe NOAA’s fisheries enforcement programs need significant reform. To that end, I would appreciate your assistance in scheduling a hearing to receive testimony from the Inspector General, from personnel responsible for the NOAA enforcement programs and from fishermen so that Congress can better understand these issues and how to resolve them.”

The full text of the report can be found here:

<http://www.oig.doc.gov/oig/reports/2010/OIG-19887.pdf>.