

## **NOAA paid for judges' services from forfeited assets**

### **Administrative Law Judges were unaware that the fines and forfeitures they levied were providing 60% of the funds used to pay them**

In response to a Congressional inquiry last week, NOAA has confirmed that until the current fiscal year, 60% of the funds used to pay for the services of the United States Coast Guard Office of Administrative Law Judges (ALJ) who adjudicated cases brought under marine conservation laws were obtained from assets forfeited and liquidated as a result of fines levied in these cases.

Megan H. Allison, Director of Judicial Administration and Supervisory Attorney at the Office of Administrative Law Judges told Saving Seafood, that the ALJ Office was not aware that NOAA was using funds from forfeited assets to compensate their office for its services.

NOAA has a memorandum of agreement (MOA) with the United States Coast Guard to use the services of the Coast Guard Administrative Law Judges.

According to an email from the NOAA Office of Legislative Affairs obtained by Saving Seafood the "Coast Guard Administrative Law Judges have performed these functions for NOAA for over a decade under this MOA and its predecessors."

The Legislative Affairs office continued: "Over the last five fiscal years, the cost of these services averaged approximately \$150,000 per year. In Fiscal Year 2010, appropriated funds will be used to reimburse the U.S. Coast Guard Office of Administrative Law Judges until clear criteria for use of the Asset Forfeiture Fund are established. In prior fiscal years, the costs were paid in part from from appropriated funds and in part from the Asset Forfeiture Fund. Costs were allocated approximately 40/60 between appropriated funds and the Asset Forfeiture Fund."