



Department of Justice

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Fisherman Admits to False Filing with NOAA Special Master

BOSTON - A Connecticut man was convicted today in federal court of providing false information to the United States Department of Commerce, specifically the National Oceanic and Atmospheric Administration (NOAA) Special Master in order to obtain reimbursement for fines he had previously paid.

Bruce Fitzsimmons, 54, of Canterbury, Conn., waived indictment and entered a plea today before U.S. District Judge Nathaniel M. Gorton to knowingly and willfully making a materially false, fictitious, and fraudulent statement and representation in a matter before the U.S. Department of Commerce.

Fitzsimmons was previously employed as a commercial fisherman in Massachusetts. Between 2005 and 2006, he received two separate notices of violations based upon, among other things, fishing in closed areas. Initially, Fitzsimmons agreed to a fine of \$60,000 and a suspension of his fishing permit. After receiving a second violation notice for a separate violation, Fitzsimmons advised the NOAA General Counsel that he was no longer in the fishing business. Fitzsimmons negotiated a settlement for both violations and agreed to pay a total fine of \$50,000 for both violations. Fitzsimmons sold his fishing permit to a third party for \$80,000 and used a portion of the monies to pay off his fine.

In June of 2009, in response to complaints from the fishing industry, the Department of Commerce appointed a Special Master for the District of Massachusetts to review decisions and outcomes of cases handled by NOAA's Office of General Counsel for Enforcement and Litigation.

In April of 2011, Fitzsimmons sent an Application for Review of the NOAA Notice of Violation and Assessment to the Special Master. Fitzsimmons falsely claimed that he only settled the case because he had received a letter from a NOAA attorney threatening a penalty of \$350,000 plus a permit revocation. By this application and attaching what he said was the letter, Fitzsimmons was seeking to receive reimbursement for the \$50,000 he paid to settle both prior violations. It was later determined that there was no such letter or threat and that Fitzsimmons made false claims and submitted a fabrication in order to obtain monies to which he was not entitled from the Department of Commerce.

Fitzsimmons is scheduled to be sentenced on Sept. 6 at 11 a.m. He faces up to five years

in prison to be followed by three years of supervised release and a fine of up to \$250,000.

United States Attorney Carmen M. Ortiz and Richard DesLauriers, Special Agent in Charge of the Federal Bureau of Investigation, Boston Field Division, made the announcement today. Special acknowledgment goes to the Northeast Enforcement Division of NOAA's Office for Law Enforcement for their cooperation during the investigation. The case is being handled by Assistant U.S. Attorney Nadine Pellegrini, Chief of Ortiz's Major Crimes Unit.

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