



**NOAA** NATIONAL OCEANIC AND  
ATMOSPHERIC ADMINISTRATION  
UNITED STATES DEPARTMENT OF COMMERCE



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### **NOAA Takes Steps to Improve Fisheries Law Enforcement**

NOAA Administrator Jane Lubchenco has directed the agency's enforcement and legal offices to take steps to promote greater transparency in law enforcement, ensure fairness in penalties, and improve lines of communication with commercial and recreational fishermen.

The action comes in response to a Commerce Department Inspector General (NOAA is an agency of the Commerce Department) nationwide review issued today that outlines several recommendations to improve NOAA's enforcement operations. Dr. Lubchenco requested the review in June 2009 after hearing concerns about NOAA enforcement from some members of the fishing community and Congress.

"Rebuilding our fisheries and sustaining the jobs and coastal communities that depend on them is a goal we share with the fishing public," said Dr. Lubchenco. "As fishermen know, having an enforcement program that is transparent and perceived as fair and accountable is central to sustainable fishery management. This nationwide review shows that we can do a better job in this regard. We will take steps to improve the system and to reinforce confidence in the system—in the interest of the fisheries resource and all who are dependent upon its viability."

One of the recommendations of the IG report is for NOAA to develop more uniform policies and procedures where appropriate. To that end, Dr. Lubchenco has asked NOAA's new general counsel, Lois Schiffer, to lead a high level review of existing policies and procedures, and recommend ways to increase coordination and consistency, transparency, accountability, and fairness nationwide in agency law enforcement efforts. Schiffer starts at NOAA on Feb. 1.

Dr. Lubchenco also announced that NOAA will convene a national summit on enforcement policies and practices in order to hear from constituents and experts in the field. The summit will include representatives from the commercial fishing industry, the recreational fishing community, environmental groups, academic institutions, and outside experts from law enforcement, as well as significant participation by NOAA's Office for Law Enforcement and the Office of the General Counsel for Enforcement and Litigation.

"I intend to take proactive steps to implement the recommendations that emerge from the summit," Dr. Lubchenco said, "and I am confident that we will develop innovative and responsive approaches that will improve NOAA's enforcement capabilities while fostering a better immediate and long-term working relationship with our constituents."

Dr. Lubchenco also praised the professionalism and integrity of NOAA's law enforcement agents and attorneys during the Inspector General's review. "Their input and candor allowed the Inspector General to gain a good understanding of our law enforcement efforts," she said.

The IG noted that NOAA's General Counsel for Enforcement and Litigation has already started making improvements to policies and procedures that will lead to increased coordination and consistency in law enforcement efforts, calling them a "good start to building transparency."

These steps include:

- Revising procedural regulations and the penalty schedule
- Developing an internal operations and procedural manual
- Establishing a new case tracking database that links enforcement and legal case management systems
- Increasing communications with the Fishery Management Councils, especially in the Northeast U.S.
- Providing explanatory notes to case files
- Tracking priorities
- Providing public access to information on charges brought and cases concluded

The IG report is available online at <http://www.oig.doc.gov/oig/>.

The more than 200 agents and attorneys in NOAA's Office for Law Enforcement and the Office of the General Counsel for Enforcement and Litigation are responsible for carrying out more than 35 statutes, including the Magnuson-Stevens Fishery Conservation and Management Act and the Endangered Species Act. Their jurisdiction covers more than three million square miles of open ocean, more than 85,000 miles of U.S. coastline, the national's 13 national marine sanctuaries and its marine national monuments. As part of their mission to protect our nation's marine resources by ensuring compliance with fisheries laws and regulations, they help to protect fish stocks and marine mammals, as well as the livelihoods of law-abiding commercial and recreational fishermen.

NOAA understands and predicts changes in the Earth's environment, from the depths of the ocean to the surface of the sun, and conserves and manages our coastal and marine resources. Visit us at <http://www.noaa.gov> and on Facebook at <http://www.facebook.com/noaa.lubchenco>.