



UNITED STATES DEPARTMENT OF COMMERCE
The Inspector General
Washington, DC 20230

April 4, 2011

Michael W. Cotter
United States Attorney
District of Montana
901 Front St., Suite 1100
Helena, MT 59626

Dear Mr. Cotter:

Thank you for the recent opportunity to brief you and other members of the Attorney General's Advisory Council, Environmental Issues Working Group, on our oversight of NOAA's fisheries enforcement programs and operations. As we discussed, we have a strong appreciation for the enforcement of environmental crimes, namely those posing a threat to the viability of our nation's fisheries. We share your recognition of the importance of NOAA administering an effective, well-managed enforcement program that holds violators accountable through appropriate civil and criminal sanctions, but which treats members of the fishing industry fairly.

I believe that NOAA is working diligently to implement the many recommendations we have made. NOAA has put in place stronger internal controls for the use of seized assets consistent with its statutory authority. Additional reforms concerning the "Asset Forfeiture Fund" are being put into place and our audit staff is tracking NOAA's progress. NOAA is also continuing its efforts to address our recommendation to examine whether it has the right balance of regulatory inspectors and criminal investigators. We appreciate the views expressed by you and the Working Group about the importance of NOAA's criminal enforcement program and concur that criminal enforcement can have a significant deterrent effect against criminal violations.

As we discussed, the aim of our recommendation concerning NOAA's enforcement workforce was to examine whether a better balance of inspectors and criminal investigators would benefit NOAA's overall enforcement program. It was not aimed at detracting from NOAA's criminal investigations. It has always been our view that NOAA maintain a criminal investigative capability as part of its overall enforcement program. I will continue to provide recommendations to NOAA along those lines as they finalize their workforce assessment.

Thank you again for sparing time to meet with us. We hope our briefing was helpful, and we look forward to working with you in the future. If I can answer any questions or be of further assistance, please contact me or my Deputy, Scott S. Dahl, at 202-482-4661.

Sincerely,

Todd J. Zinser