



UNITED STATES DEPARTMENT OF COMMERCE
Office of Inspector General
Washington, D.C. 20230

MEMORANDUM FOR: Jane Lubchenco, Ph.D.
Under Secretary of Commerce
for Oceans and Atmosphere
Todd J. Zinser
FROM: Todd J. Zinser
Inspector General

SUBJECT: Review of
NOAA Enforcement Activities

JUN 19 2009

In response to your June 2, 2009 request for a nationwide review of the policies and practices of NOAA's Office of Law Enforcement (OLE) and General Counsel Office for Enforcement and Litigation (GCEL), OIG has established a team to analyze and address the issues raised.

The team is headed by Assistant Special Agent in Charge (ASAC) Greg Sebben, who will report directly to Assistant Inspector General for Investigations (AIGI) Scott Berenberg. The overall team consists of OIG staff from across disciplines and with varied areas of expertise, including; criminal investigation, forensic audit, risk analysis, and program evaluation.

OIG's review will focus on the following areas: 1) Evaluate how OLE and GCEL conduct enforcement operations in a regulatory environment; 2) Evaluate the process used by NOAA's OLE and GCEL offices to establish priorities with respect to enforcement actions and penalty assessments, and whether enforcement actions and penalties are carried out and/or are levied within parameters established by guideline, regulation, and penalty schedules; and 3) Evaluate the resources applied by NOAA to the enforcement function, including; the overall accounting, management, and use of funds it obtains through penalties assessed and received.

At this time, we anticipate the review will be conducted in phases and that we will report our findings incrementally, as appropriate. As we work our way through the process, parameters of the review may be adjusted from what is outlined above. We will keep you informed of any significant shifts from our initial plan. As part of our review we will meet with industry officials and representatives to discuss concerns they have raised, as well as other stakeholders. Additionally, we have established an email address at, NOAAFisheriesReview@oig.doc.gov, where interested parties can forward information they believe is relevant to our review.

If you have any questions, or need additional information, please contact me or AIGI Berenberg at x2-4661.