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COMMITTEES:  
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RANKING MEMBER, SMALL BUSINESS

October 29, 2010

The Honorable Gary Locke  
Secretary  
Department of Commerce  
1401 Constitution Avenue  
Washington, DC 20230

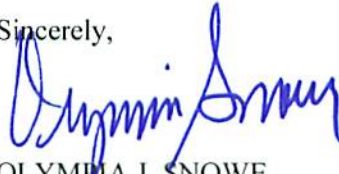
Dear Secretary Locke:

As you are aware, the Department of Commerce Inspector General has released three reports<sup>1</sup> this year exposing stunning mismanagement within the National Oceanic and Atmospheric Administration's (NOAA) Office for Law Enforcement (OLE) and Office of General Counsel for Enforcement and Litigation. These reports have resulted in the reassignment of Mr. Dale Jones, the former head of OLE and Mr. Charles Juliand, formerly an attorney in the Office of General Counsel for Enforcement and Litigation assigned to the Northeast Regional Office, as announced by NOAA on October 18, 2010.

It is my understanding that due to Privacy Act requirements, information beyond what NOAA and the Department of Commerce have already provided on these personnel decisions, cannot be released to the public at this time. However, the Department is authorized under the Privacy Act (at 5 U.S.C. § 522a(b)(9)) to release such information to a Congressional committee or subcommittee. As Ranking Member of the U.S. Senate Committee on Commerce, Science, and Transportation's Subcommittee on Oceans, Atmosphere, Fisheries, and Coast Guard, I hereby seek on behalf of the Subcommittee any and all additional, detailed information you can provide regarding the rationale for the decision to reassign these individuals rather than take alternate disciplinary action up to and including termination. I also request as an explanation for their continued presence on the Federal payroll despite clear, confirmed violations of the public trust as detailed in the above referenced Inspector General reports and in testimony by the Inspector General before various Congressional Committees.

If you have questions about this request, please Michael Conathan on the Commerce Committee's minority staff at (202) 224-3757. Thank you for your prompt attention to this matter.

Sincerely,



OLYMPIA J. SNOWE  
United States Senator

<sup>1</sup> "Review of NOAA Fisheries Enforcement Programs and Operations: OIG-19887," released January 2010; "Review of NOAA Fisheries Enforcement Asset Forfeiture Fund," released July 2010; and "Final Report—Review of NOAA Fisheries Enforcement Programs and Operations" (Report No. OIG-19887-2), released September 2010.

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