

Congress of the United States
Washington, DC 20510

February 23, 2010

The Honorable Jane Lubchenco
Administrator
National Oceanic and Atmospheric Administration
Herbert Clark Hoover Building, Room 5128
14th Street and Constitution Avenue, NW
Washington, DC 20230

Dear Administrator Lubchenco:

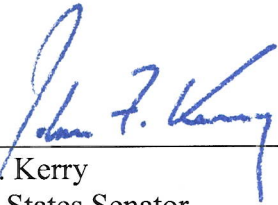
We write to respectfully appeal for a delay in active prosecutions, stemming from the National Oceanic and Atmospheric Administration (NOAA) enforcement actions, against fishermen in the Northeast, as they may be tainted by the actual or perceived problems with the Office for Law Enforcement (OLE) and the Office of General Counsel for Enforcement and Litigation (GCEL).

Given the disquieting findings of the January 2010 Department of Commerce Office of the Inspector General's (OIG) review of the practices of the OLE within the National Marine Fisheries Service (NMFS), along with the NOAA's GCEL, a hold on these cases seems warranted.

As you are aware, the OIG report found troubling discrepancies in enforcement, fines, and penalties by OLE and GCEL. We are grateful that your office has taken a leadership role on this issue with your follow-up directives of February 3, 2010, but hope immediate action may be taken on the pending enforcement cases.

In the interest of fairness and transparency, we respectfully request that you immediately place all pending enforcement cases on hold until further investigation by your office and the OIG.

Sincerely,



John F. Kerry
United States Senator




Scott Brown
United States Senator



Barney Frank
United States Representative



William D. Delahunt
United States Representative



John F. Tierney
United States Representative