

**Dickey, Veronica**

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**From:** Michele Kuruc [Michele.Kuruc@noaa.gov]  
**Sent:** Tuesday, June 28, 2005 4:48 PM  
**To:** Dickey, Veronica  
**Subject:** Re: NOAA Fisheries Conference - Malaysia

Ronnie,

While NOAA is sponsoring the travel of the Judge and George, the conference is not sponsored by NOAA. It is a global conference hosted by the gov't of Malaysia, co-sponsored by the FAO FISHCODE Programme (a UN agency) and the MCS Network. Funding has been provided by the European Commission and the US State Dep't.

That said, no one is authorized to travel business class. This applies to foreign and domestic participants. We had one judge from the International Tribunal for the Law of Sea and a Cabinet minister ask for business class travel. They were denied also. While we respect rank and desire for comfort, the conference budget cannot sustain this. Many participants are traveling a great distance.

NOAA will not approve business class travel. In my many foreign trips for official business, I never travel business class, regardless of distance. It would not be approved.

I know this question has been asked at various levels at CG for this trip, so I hope this answers it.

Call me if you need any information,

Michele

"Dickey, Veronica" wrote:

Hi Michele:

While I'm not directly involved with Mr. Jordan and Judge McKenna on their travel plans to Malaysia for the Fisheries Conference, but both have inquired as to whether or not we can authorize them to travel business class on the legs of the travel that amount to 12 hours or more. We understand that there are provisions within agencies that authority can be given on official travel legs in amounts of 12 hours or more for business class.

I do not want to have CALJ authorize that type of travel without prior approval of your agency. Any insightful information will be greatly appreciated.

THANKS!!!!

**RONNIE**

*[Veronica A. Dickey]*

Sr. Paralegal Specialist for the

6/30/2005

Honorable Joseph N. Ingolia, Chief ALJ  
Office of Administrative Law Judges  
(Phone: 202-267-1290)  
(E-Mail: [VDickey@comdt.uscg.mil](mailto:VDickey@comdt.uscg.mil))

Office of the Assistant General Counsel  
for Enforcement and Litigation  
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Silver Spring, Maryland 20910  
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ALJ-BALTIMORE, MD

2005 MAY -9 A 11:36

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Pages (inc. cover): 11

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UNITED STATES DEPARTMENT OF COMMERCE  
National Oceanic and Atmospheric Administration  
Washington, D.C. 20230

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May 5, 2005

2005 MAY -9 P 4: 06

CHIEF ADMIN LAW JUDGE  
WASHINGTON, D.C.

Honorable Joseph N. Ingolia  
Chief Administrative Law Judge  
Commandant (G-CJ)  
U.S. Coast Guard  
2100 2<sup>nd</sup> Street SW, Room 6302  
Washington, D.C. 20593-0001

Dear Judge Ingolia:

It was very nice speaking with you last week. As promised, I have enclosed a copy of the provisional agenda and the prospectus for the Global Fisheries Enforcement Training Workshop that will take place 18-22 July in Kuala Lumpur Malaysia. This training conference will be co-sponsored by the government of Malaysia, the MCS Network, FAO FishCode Programme and the European Commission.

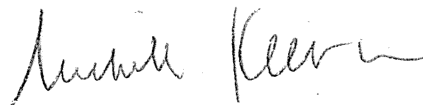
As discussed, I would like to have one Coast Guard Administrative Law Judge speak on the panel entitled *A View From the Bench: A Judge's Perspective*, during the Thursday afternoon session at the workshop. The participants, who will be primarily operational level enforcement professionals, rarely have an opportunity to hear from judges and their general impressions of these sorts of cases. It provides an extraordinary chance for them to see how their work is seen from the bench. I hope that your schedule will allow you to be the presenter. If you have scheduling conflicts, please select a judge who would be an appropriate presenter to an international audience. No formal paper is required. Total allocation for the topic is one hour; this will include time for questions from the floor. The conference organizers have also approached several other judges from other nations who have yet to confirm. Once I have a final count on the number of panelists for this topic, I'll let you know. I would be happy to provide you with additional guidance on the development of a presentation once you have an idea who will be presenting.



Thank you for promptly resolving the other issues I raised with you. I look forward to keeping in touch with you regarding this workshop and other issues in the coming months.

We will be sending you a formal invitation shortly. If you have any questions please do not hesitate to contact me.

Best Regards,

A handwritten signature in black ink, appearing to read "Michele Kuruc". The signature is fluid and cursive, with a long horizontal stroke at the end.

Michele Kuruc  
Assistant General Counsel for  
Enforcement and Litigation/NOAA

Enclosures

## **Objectives**

The Global Fisheries Enforcement Training Conference will be a gathering of operational-level MCS professionals from the global community who are dedicated to resolving IUU fishing issues. Participants will receive training on a broad cross section of MCS topics, and will share information and experiences, latest developments and new ways forward to improve fisheries enforcement. The conference will be an opportunity for participants to build contacts and partnerships.

## **Focus**

The five-day conference will review enforcement techniques and MCS operations, by means of individual presentations, case studies and panel discussions. Participants will discuss a range of tools available to assist countries in dealing more efficiently with IUU fishing (e.g. fishery observers, vessel monitoring systems, utilizing customs information, specialized investigations and financial analysis), as well as the methods of applying these tools through legal systems.

An important component of the conference will be a series of “how-to” sessions dedicated to explaining the steps to be taken in building a successful case, including incident investigation, evaluation as an infraction, and the ultimate charging and resolution.

## **Conference Format**

Technical experts from many countries and organizations will present information on enforcement topics. There will be plenary training sessions, discussions and ample opportunities for questions and answers on each topic to encourage information sharing. Activities outside the conference setting will facilitate the informal sharing of experiences among participants.

## **Expected Outcomes**

A summary report will be prepared on the conference proceedings. The report, along with all conference reference material, will be provided to conference participants.

## **Participation**

Invitations to participate in the conference will be sent to specific government personnel who are involved with MCS and to governmental officials asking them to identify appropriate individuals where no particular MCS contact is known. Limited financial resources for travel may be available for developing country participants upon request. A very small number of invitations will be sent to non-governmental personnel involved with MCS, who will be asked to present on relevant topics. In addition, participation will also be encouraged through open registration (via a website, no invite required) for those governmental MCS personnel who do not require their travel to be sponsored.

Participants will represent a broad cross section of operational-level enforcement professionals, including prosecutors, attorneys and judges, domestic and RFMO compliance staff, fisheries observers and inspectors, and fisheries administrators.

## **Languages**

The conference will be conducted in English, Spanish and French.

## **Conference Fees**

There will be no registration fees for participants.



## GLOBAL FISHERIES ENFORCEMENT TRAINING WORKSHOP

18-22 July 2005

Crown Plaza Hotel and Conference Centre  
Kuala Lumpur, Malaysia

hosted by  
Government of Malaysia

in cooperation with  
International MCS Network, FAO FishCode Programme and the European Commission

### PROVISIONAL AGENDA

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#### *Sunday Evening (17 July): Registration*

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1700-1900 Registration

1700-1800 Facilitators' Meeting (session chairs, rapporteurs, and conference organizers)

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#### *Monday Morning (18 July): Opening, Conference Chair TBA*

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0800-0930 Registration

0935-0945 Welcoming Remarks by the Director General of Fisheries Malaysia

0945-1000 International Monitoring, Control and Surveillance Network and FAO Representative Opening Comments

1000-1020 Opening Address:

1020-1030 Multimedia Presentation on IUU Fishing

1030-1100 Tea/Coffee Break

1100-1200 Malaysia's Fisheries Enforcement Programmes

- 1200-1230 International Framework for MCS Cooperation: Summary of primary international instruments
- 1230-1400 Lunch-buffet

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***Monday Afternoon (18 July): Session 1, Facilitator: TBA***

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\* Each presentation includes time for Question and Answer session.

- 1400-1530 Enforcement in Marine Reserves, Marine Parks, and Sanctuaries:
- 1530-1545 Tea/Coffee Break
- 1545-1715 MCS Initiatives:
- 1715-1745 Specially Protected Species
- 1900 Dinner hosted by the Malaysian Department of Fisheries

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***Tuesday Morning (19 July): Session 2, Facilitator: TBA***

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\* Each presentation includes time for Question and Answer session.

\*\* All Session 2 presentations focus on aspects of building a case.

- 0830-0900 At-Sea Enforcement Tactics:
- 0900-0930 Seizure and Confiscation:
- 0930-1000 Integrating Information from Customs and Port Authorities:
- 1000-1015 Tea/Coffee Break
- 1015-1045 Forensic Analysis, Fisheries Profiling and Computer Forensics:
- 1045-1115 Port Measures:
- 1115-1145 Investigating Crime Syndicates:
- 1145-1215 Risk Assessment to Facilitate Enforcement:
- 1230-1400 Lunch-buffet



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***Tuesday Afternoon (19 July): Session 3, Facilitator: TBA***

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- 1400-1430 Using Financial Analysis in a Case:  
1430-1500 Interviews and Confessions:  
1500-1530 Evidence Handling and Documentation:  
1530-1545 Tea/Coffee Break  
1545-1630 Case Study: Giant Squid Cocaine Case in Peru  
1630-1715 Case Study: South Africa/US, Bengis Toothfish Case  
1715-1730 Question and Answer session  
1900 Dinner (Host TBA)

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***Wednesday Morning (20 July): Session 4, Facilitator: TBA***

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\* Each presentation includes time for Question and Answer session.

- 0830-0930 VMS problems and limitations: Outages, failures and tampering  
0930-1030 Using VMS information in Court  
1030-1045 Tea/Coffee Break  
1045-1145 Remote Sensing of Fishing Vessels: Progress to Date  
1215-? Field Trip/Lunch: Destination TBA

Free for Dinner.

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***Thursday Morning (21 July): Session 5, Facilitator: TBA***

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\* Each presentation includes time for Question and Answer session.

- 0830-1000    Legislation: Powers of Enforcement Officers, Seizure Authority, Penalty Levels:  
                  US Experiences under the Lacey Act: Model Lacey Act Consultancy  
                  International Experiences with Lacey type Legislation:  
                  PNG - Prosecution under Lacey type legislation
- 1000-1015-    Tea/Coffee Break
- 1015-1145    Sanction Structures:  
                  Criminal  
                  Civil/Administrative
- 1145-1230    Case Studies for Prosecutors (Cross section of attorneys utilizing different  
                  systems and experience)
- 1230-1400    Lunch-buffet

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***Thursday Afternoon (21 July): Session 6, Facilitator: TBA***

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\* Each presentation includes time for Question and Answer session.

- 1400-1500    View from the Bench: A Judges Perspective (Panel)
- 1500-1530    Interacting with the Media:
- 1530-1545    Tea/Coffee Break
- 1545-1615    Use of Government Observers to Monitor Compliance:
- 1615-1645    Coastal and Small Scale Fisheries and MCS:
- 1645-1715    Development of MCS Plans/Institutional Frameworks in Developing Nations
- 1900            Dinner, Host TBA