

September 1, 2021

The Honorable Mark Lee Greenblatt
Inspector General
U.S. Department of the Interior
1849 C Street NW—Mail Stop 4428
Washington, DC 20240

Dear Mr. Greenblatt:

My name is Robert P. Jones. I retired January 1, 2019 after serving 55 years as executive director of the Southeastern Fisheries Association, a 501 (c) non-profit fisheries trade association headquartered in Tallahassee, Florida.

When I was hired in 1964, the U.S. Department of the Interior was in charge of commercial fishing through its Bureau of Commercial Fisheries. We worked with many of the officials in Interior and looked to them for valid scientific data. During former Governor Wally Hickel's term as Secretary of the Interior, he asked me to meet him at Homestead Air base to discuss proposals to construct an airport in what we considered to be in the middle of the Everglades. The construction never got off the ground. I served on the U.S. State Department Ocean Affairs Advisory Committee under Ambassador Don McKernan. We studied and debated the United Nations Law of the Sea proposals as well as the Magnuson-Stevens proposals extending our fishing boundary 200 miles from shore. I met both Senator Magnuson and Stevens during the course of my service on the committee. I was appointed to the Gulf of Mexico Fishery Management Council in 1976 by Secretary Elliot Richardson and served as chairman of the council in 1981. I mention this background as the predicate for what I request of you.

In my 55 years representing commercial fishermen, dealers and all allied businesses, I have worked with and observed hundreds of the most dedicated government employees in the nation. We salute as 'keepers of the flame,' the men and women who perform their job honestly day after after day. I have also observed a small number of zealots within both the Department of Commerce and the Department of Interior. The zealots that concern me the most are those who carry a badge, a gun and have the sacred power to take a person's freedom away.

I have always respected sworn officers for what they do to protect our freedom. I worked with many law enforcement officers over the years. I attended a NOAA sponsored Law Enforcement Summit in 2010 in Washington hoping to persuade the law enforcement office to stop targeting commercial vessels with excessively high fines and other penalties for violating the Fishery Conservation and Management Act. While the commercial fishermen were being targeted, NOAA let anglers be fined under lenient state regulations. NOAA law enforcement had a different set of rules for anglers violating the law in federal waters. If a commercial fishermen landed 100 pounds of red snapper caught in federal waters he would be fined according to federal law. If an angler landed 100 pounds of red snapper caught in federal waters he would be fined under state law.

My request is for an Inspector General's investigation of the US Fish and Wildlife Service Law Enforcement Division to discern if it has targeted Mark L. Harrison. Selective law enforcement, especially targeting one individual citizen, is anathema in our society. It must never be tolerated.

If you grant this request, you will see that in 2007, Mark L. Harrison reluctantly pled guilty to three misdemeanor charges after originally being charged with nine felonies. That case happened when Dale Jones was head of NOAA law enforcement. Mr. Jones was caught for targeting and extorting huge fines from fish houses and fishermen. The fines the fishermen and fish dealers paid went into a law enforcement fine and forfeiture fund under the control of Mr. Jones. The national news covered this breach of trust by law enforcement for several months. You might recall this abuse of power happened when Dr. Lubchenco was head of NOAA.

Mr. Harrison had to sign an FOIA waiver, a DNA waiver and a statute of limitations waiver as part of his plea agreement. This never happens in our justice system. From an industry point of view these waivers were to hide the evidence of a government cover-up. Plain and simple. If you are able to review the three waivers on that case I believe you will find that it shows Mr. Harrison was targeted. There was also a document shredding scandal about this time. The shredding of documents pertinent to the fine and forfeiture misdeeds was unprecedented as stated by a NOAA employee at the time of the shredding.

I have known Mark Harrison for several decades. He is an honest man who happens to be in a fishery targeted for worldwide closure by some of the wealthiest and politically connected groups in America. Political fights over fishery issues have occurred since the 1500s. Fish management will always be intense because in the final analysis it always ends on 'who gets the fish'.

Would you please launch an investigation to determine if your USFWS agents have colluded and worked surreptitiously with other entities to drive Mark L Harrison out of business and put him in jail because he buys and sells shark fins? Selective law enforcement, resulting with disinformation by the press, could bring the shark fanatics to the point of threatening Mr. Harrison's life.

One national organization supporting Mr. Harrison has this to say about the situation:

- "For those of you who know Mark Harrison, principal of Phoenix Fisheries, LLC, you know he is a man of integrity and of commitment to the commercial shark fishery and the men and women who depend on it.
- Mark was a pioneer of the modern domestic shark fishery, working with the National Marine Fisheries Service, fishermen, fish houses, and academics back in the 1980s to develop markets for shark meat and fins.
- For well over 30 years, Mark has been the primary buyer of shark fins from fish houses on the East and Gulf coasts. He was also one of the driving forces behind the Sustainable Shark Alliance, which has been fighting a federal shark fin ban for the industry since 2017.

Mark's business partner in the shark fin business, and a long list of other individuals he has never heard of, are accused of participating in a marijuana conspiracy, which was never tied in any way to Mark's business or actions. Nonetheless, on August 26, his home and fin drying facility were raided by federal agents.

The Government alleges that Mark's fin buying and export business was tied to this alleged conspiracy, although the indictment does not specify any illegal actions taken by Mark.

- The government does not allege Mark is involved in illegal drug activity.
- The government does not allege that he sold fins from prohibited sharks;
- The government does not allege that Mark lacked any necessary permits (in fact, at an initial hearing, they confirmed he did have all permits)
- The government does not allege that Mark was illegally buying or exporting fins.

The government alleges several counts of unlawful marijuana sales by these other individuals but, importantly, do not charge Mark with any drug-related offense. Rather, the indictment is limited to allegations that Mark committed "mail and wire fraud" and engaged in money laundering. The money laundering charges do not even specify any conduct by Mark. These are very serious charges with hefty penalties, but they are all broadly based charges unsupported by any factual allegations against Mark.

The Government charges imply that Phoenix Fisheries was a "shell" that isn't really in the business of lawfully buying and selling fins. We know, and anyone who has done business with Mark knows, this could not be further from the truth.

We have no idea if the marijuana allegations against the other defendants in the indictment have any merit—it is the government's burden to make that case.

The government – and specifically the U.S. Fish and Wildlife Service, has been hostile to the shark fin trade and, indeed, all trade in wildlife. It says something that the U.S. Fish and Wildlife Service has been investigating Mark since 2015—going so far as to set up a phony fin buying business in Savannah, Georgia—but found not one instance of an unlawful action taken by Mark in his business. This says much about Mark's integrity.

They appear to be using the current widespread empathy toward sharks for publicity and career advancement in what would otherwise be a very routine matter. In the process, they seeking to tarnish Mark's reputation and deal a blow to the American shark fishery.

Both the indictment and the prosecutor, during a press conference, repeatedly mention the incendiary issue of "shark finning" and of the importance of sharks to the marine environment. These issues have nothing to do with this case and Mark has affirmatively opposed this practice and lobbied against its use. The fins Mark buys come from legally harvested sharks, which as we all know are sustainably and conservatively managed.

Mark has a strong defense. The charges set forth have no apparent merit. He has gone out of his way to comply with all laws, including cooperating with NMFS and NMFS law

enforcement when he encountered suspicious activity. But he needs financial help to secure competent legal representation, clear his name, and to preserve his freedom and family home.

This is bigger than a case against one person. Although allegations in the case have nothing to do with shark finning or overfishing whatsoever, the government has highlighted these inflammatory issues both in the indictment and in the press. It will not be long before environmental groups and other opponents of commercial fishing start demagoguing this case for fundraising.”

Please investigate what many of us see as targeted, selective law enforcement using the power of the federal government to destroy a private citizen.

Respectfully,

Robert P. Jones

Cc: Senator Marco Rubio