



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
1315 East-West Highway
Silver Spring, Maryland 20910
THE DIRECTOR

MEMORANDUM FOR: Ann Eilers
Principal Assistant Inspector General
Office of Audit and Evaluation
Office of Inspector General, U.S. Department of Commerce

JAN 27 2012

FROM: *for* Samuel D. Rauch *SDR*
Acting Assistant Administrator
National Marine Fisheries Service

SUBJECT: Comments on the Draft Report Entitled, *“More Action Needed to Improve Controls in Asset Forfeiture Fund”*

This memorandum responds to the Draft report from the Office of Inspector General (OIG), entitled “More Action Needed to Improve Controls in Asset Forfeiture Fund” (the “report”) issued on December 20, 2011. In a letter accompanying that report, the OIG asked the National Oceanic and Atmospheric Administration (NOAA) to “submit any comments to the draft report by January 27, 2012,” and that these comments would be considered by the OIG and attached as an appendix to the final report. To complement the record offered by the OIG’s Draft report, NOAA provides the following comments on the report’s recommendations.

At the outset, NOAA appreciates the OIG’s recognition that NOAA has formally defined the Asset Forfeiture Fund (the “Fund”) and improved internal controls over disbursements from the Fund. NOAA has made significant efforts to improve the management and oversight of the Fund since February 2010.

NOAA concurs with recommendations 1 through 9 of the report. These recommendations identify areas that we can and continue to work to improve through greater management oversight of the Fund. As a result of the 2011 audit of the Fund, NOAA has corrective actions already underway that will address many of these recommendations, such as efforts to improve the monitoring of deposits associated with the Fund and to pursue and record fines and penalties owed to the government. In addition, NOAA has referred all debts to Treasury in accordance with the Debt Collection Improvement Act of 1996, as appropriate, and the National Marine Fisheries Service Office of Law Enforcement is implementing procedures to track and reconcile how Enforcement Action Reports are used and issued. To the extent that the report provides recommendations for actions not already underway, NOAA will modify its corrective action plan and begin implementing these further improvements.

We value the contribution that the OIG has made in identifying opportunities to further improve the management and oversight of the Fund, and remain committed to improving our Enforcement Program.

