

MAY 13 2011



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

The Honorable Walter B. Jones
U.S. House of Representatives
Washington, DC 20515

Dear Representative Jones:

Thank you for your cosigned letter regarding the hiring status of our Enforcement Director position. We share your interest in completing the hiring process for a new Director for the Office of Law Enforcement (OLE). Doing so is another important step in our ongoing effort to ensure a fair, effective, and transparent NOAA law enforcement effort.

The Office of Personnel Management (OPM) establishes all educational requirements in the qualification standards for each occupational series, including those Federal Law Enforcement positions in the 1800 series such as the OLE Director's position. OPM's qualification standards for the 1800 series do not include a positive education requirement. The initial Director, Office of Law Enforcement announcement NOAA#11-03, was posted on October 18, 2010, and closed on December 16, 2010, with an erroneous degree requirement. Upon the discovery by OPM of the error, NOAA re-announced the position for 14 days to ensure fair and open competition. Concurrent with that action, the Executive Resources staff contacted each original applicant, explained the error, and directed the applicants to the USAjobs website to reapply.

The corrected vacancy announcement, NOAA#11-03A, opened on April 5, 2011, and closed on April 18, 2011. An Executive Review Board delegated panel, consisting of three SES panel members, completed the review of the application packages on April 22, 2011. Once the Deputy Under Secretary approves the panel outcome, a selection certificate will be given to me. I then make a selection recommendation to the Under Secretary. Once approved, if the selected candidate is not currently an SES, the recommendation is sent to the Department of Commerce for approval and then to OPM. As you can see, the process is involved and we were deep into the process when OPM discovered the error.

In response to your request, provided below are the educational credentials of the previous OLE Directors. While all of these past directors had bachelor degrees, at no time has OPM included an education requirement.

- Morris Pallozzi – SES-LLB/ JD, University of Maryland School of Law; Master's in Administration, American University Graduate School of Government and Public Administration
- Ellsworth Fullerton – BA, University of California, Los Angeles
- Dale Jones – BA, Indiana University; MA, University of Colorado

I appreciate your continued interest in our Enforcement Program and specifically the recruitment of the new Director. If you have any questions, please contact John Gray, Director of NOAA's Office of Legislative Affairs, at (202) 482-4981.

Sincerely,

A handwritten signature in black ink, appearing to read "Eric C. Schwaab", written over a horizontal line.

Eric C. Schwaab

THE ASSISTANT ADMINISTRATOR
FOR FISHERIES



MAY 13 2011



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

The Honorable Barney Frank
U.S. House of Representatives
Washington, DC 20515

Dear Representative Frank:

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Eric C. Schwaab

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FOR FISHERIES



MAY 13 2011



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

The Honorable John Tierney
U.S. House of Representatives
Washington, DC 20515

Dear Representative Tierney:

Thank you for your cosigned letter regarding the hiring status of our Enforcement Director position. We share your interest in completing the hiring process for a new Director for the Office of Law Enforcement (OLE). Doing so is another important step in our ongoing effort to ensure a fair, effective, and transparent NOAA law enforcement effort.

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Eric C. Schwaab

THE ASSISTANT ADMINISTRATOR
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