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Something fishy?

April 20, 2010

While the NOAA took a positive step by showing the door to its document-shredding enforcement chief, the matter is not resolved.

The public has a right to see the latest review by the Commerce Department's inspector general of the shredding of documents by Dale Jones, the ousted enforcement chief.

Expected to come as an addendum to the earlier IG's report implicating Jones, the review cannot be released by the National Oceanic and Atmospheric Administration without a congressional request. Members of the Massachusetts delegation have made the request, but so far, NOAA has not cooperated.

The agency certainly has no ethical choice but to release the review of Jones' conduct. The review should delve more deeply into the outrageous finding in the earlier report that, during a federal investigation into his treatment of commercial fishermen in the Northeast, Jones shredded documents.

What were those documents? Were they incriminating? Did they illustrate his intent? Did they prove a cover-up of what was behind the steep fines imposed on some fishermen? We can only hope the IG's review answers some of those questions.

Clearly the public has a right to this information. The review is a public document that evaluates the performance of a public official and his destruction of other public documents. Surely, in the interest of open government, NOAA will see fit to release it.

NOAA should also reveal what disciplinary action was taken against Jones. Though he was removed from his post, he may not have been fired outright, but rather demoted or transferred.

This is not a private personnel matter. Jones violated the public trust, thereby giving up any reasonable expectation of privacy about disciplinary action on this issue. Regardless of any disciplinary action, his title should be public information.

A third item remains unresolved as well: Jones' replacement. As U.S. Rep. Barney Frank said last week, nothing less than a "careful and thorough selection process" will satisfy the need to fully vet candidates to fill the position of top enforcement officer for U.S. fisheries.

NOAA Administrator Jane Lubchenco has named Alan Risenhoover, director of the NOAA Office of Sustainable Fisheries, as a temporary replacement.

On an interim basis, that's fine, and Risenhoover may turn out to be the best person for the job. As with any search for a high-level appointee, however, the easiest route may not be the best. Fishermen and all those concerned with fair enforcement deserve the best candidate a thorough search can find.

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