

NOAA Circular 82-34

July 21, 1982

Please file with NOAA Directive 05-60

SUBJECT: Delegation of Authority Under the Lacey Act Amendments of 1981
(Reference: GCEL, 254-8350)

TO: Financial Management Centers

1. Legislation. The Lacey Act Amendments of 1981, Public Law 97-79, repealed and replaced the Lacey Act (16 U.S.C. 667e and 18 U.S.C. 43, 44, 3045 and 3112), and the Black Bass Act (16 U.S.C. 851-856) and authorized the Secretary of Commerce to implement its provisions. The Amendments also amended the Endangered Species Act (16 U.S.C. 1531-1543) to authorize the Secretary to pay rewards from penalties, fines, or forfeitures. 16 U.S.C. 3371-3378.

2. Delegation to the NOAA Administrator. By Department Organization Order 25-5A, Section 3.01, the Secretary delegated to the NOAA Administrator the functions assigned to the Secretary by Public Law 97-79, without reservation.

3. Redelegation to the Assistant Administrators for Fisheries and Ocean Services and Coastal Zone Management. Except as specified in paragraph 4 of this Circular, all authority vested in the Secretary of Commerce as specified in paragraph 1 of this Circular and delegated to the NOAA Administrator as specified in paragraph 2 of this Circular is hereby delegated to the Assistant Administrator for Fisheries, and with respect to matters arising in connection with the Marine Protection, Research, and Sanctuaries Act of 1972 (Public Law 96-532), as amended, to the Assistant Administrator *for Ocean Services and* ~~for~~ Coastal Zone Management. This authority may be redelegated to any employee of NOAA by publication of a NOAA Circular or as specified in the NOAA Enforcement Operations Manual (reference copy at Office of the Assistant General Counsel for Enforcement and Litigation, Page One Building).

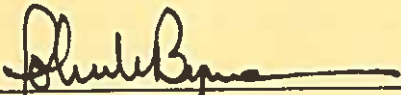
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Ask changes per Cir 83-38 NDM 05-50 9/21/83

4. Reservation of Authority by the NOAA Administrator.

The Administrator reserves the authority to assess and otherwise act on civil money penalties for violations of the Act. The authority reserved will be redelegated to the NOAA General Counsel consistent with NOAA Directives Manual 05-85.

5. Effective Date. The provisions of this Circular are effective today.



John V. Byrne
Administrator