

FY 2019 Annual Report

NOAA Office of Law Enforcement



NOAA
FISHERIES

TABLE OF CONTENTS

About NOAA Law Enforcement	3
Staffing and Budget	4
Equipment and Training	5
Headquarters: Special Programs	6
Investigative Analysts.....	7
International Program	8
Combating Illegal, Unreported, and Unregulated Fishing	8
International Programs: Operations.....	8
Implementing Port State Measures.....	9
Combating Wildlife Trafficking.....	10
Formal Meetings.....	10
OLE Enforcement Activities at a Glance	12
Alaska Division	15
Working with Regional Partners	15
Significant Investigations.....	16
AKD Enforcement Activities	17
Northeast Division	19
Working with Regional Partners	19
Significant Investigations.....	20
NED Enforcement Activities.....	21
Pacific Islands Division.....	23
Working with Regional Partners	23
Significant Investigations.....	24
PID Enforcement Activities.....	25
Southeast Division	27
Working with Regional Partners	27
Significant Investigations	28
SED Enforcement Activities.....	29
West Coast Division	31
Working with Regional Partners	31
Significant Investigations.....	32
WCD Enforcement Activities	33
Appendix	34

Overview

NOAA's Office of Law Enforcement (OLE) is essential to the effective management of our nation's marine natural resources. In 2019, OLE continued to play an essential role in supporting NOAA Fisheries' core mission to end overfishing and to protect and conserve our nation's marine resources and their natural habitat. Beyond science and regulations, OLE serves as the critical third leg of this mission. Through our efforts to promote and ensure compliance with marine resource protection laws, OLE remains committed to protecting our fishermen from those willing to break the rules, defending U.S. economic and public health interests, and ensuring that these resources are available for future generations to enjoy.

Throughout 2019 we were hard at work across our divisions and around the world. In Alaska, we teamed up with counterparts in New Zealand to conduct a 23-day joint patrol of their exclusive economic zone—fulfilling our goal of building productive relationships at home and abroad. In the Pacific Islands, we utilized social media to successfully investigate the killing of an endangered green sea turtle. On the West Coast, we collaborated with the U.S. Fish and Wildlife Service to investigate and bring to justice a former Border Patrol agent for smuggling hundreds of thousands of dollars' worth of dried sea cucumber into the U.S. from Mexico. In the Northeast, we carried out investigations of containerized seafood imports in support of our Seafood Import Monitoring Program. Lastly, in the Southeast, we patrolled the Florida Keys National Marine Sanctuary to ensure compliance during the spiny lobster "mini-season."

Beyond our borders, OLE continued to work with partners around the world to bolster efforts to combat illegal, unreported, and unregulated (IUU)

fishing in order to protect U.S. consumers and fishermen. As

a signatory of various international conservation and fishery management agreements, the United States is a leader in the global fight to combat IUU fishing. In addition to enforcing our international treaty obligations, OLE provides capacity building and technical assistance to partners worldwide. OLE continues to share our expertise in marine law enforcement with the international community through training, joint operations, and information sharing. In 2019, our efforts focused on partnerships in Southeast Asia, Latin America, and the Caribbean.

The goal of this report is to highlight various ways OLE continues to carry out our enforcement mission. As this report demonstrates, OLE has continued to ensure that domestic laws and regulations, along with our international obligations, are effectively enforced. However, these successes are only made possible by our exceptional team of enforcement, investigative, and mission support professionals. It is through their tireless and dedicated efforts that we are able to foster and grow our mission-essential federal, state, territorial, and international partnerships. As OLE continues to strengthen our staffing organization and these partnerships, I look forward to building on these successes in the year ahead.

JAMES LANDON

Director, Office of Law Enforcement

National Marine Fisheries Service, National Oceanic and Atmospheric Administration
U.S. Department of Commerce





About OLE

Headquarters Staffing Snapshot

19 Full-Time Employees

- 1 Director (Senior Exec. Service)
- 1 Deputy Director
- 6 Special Agents
- 9 Mission Support
- 2 Investigative Support
- 12 Contractors

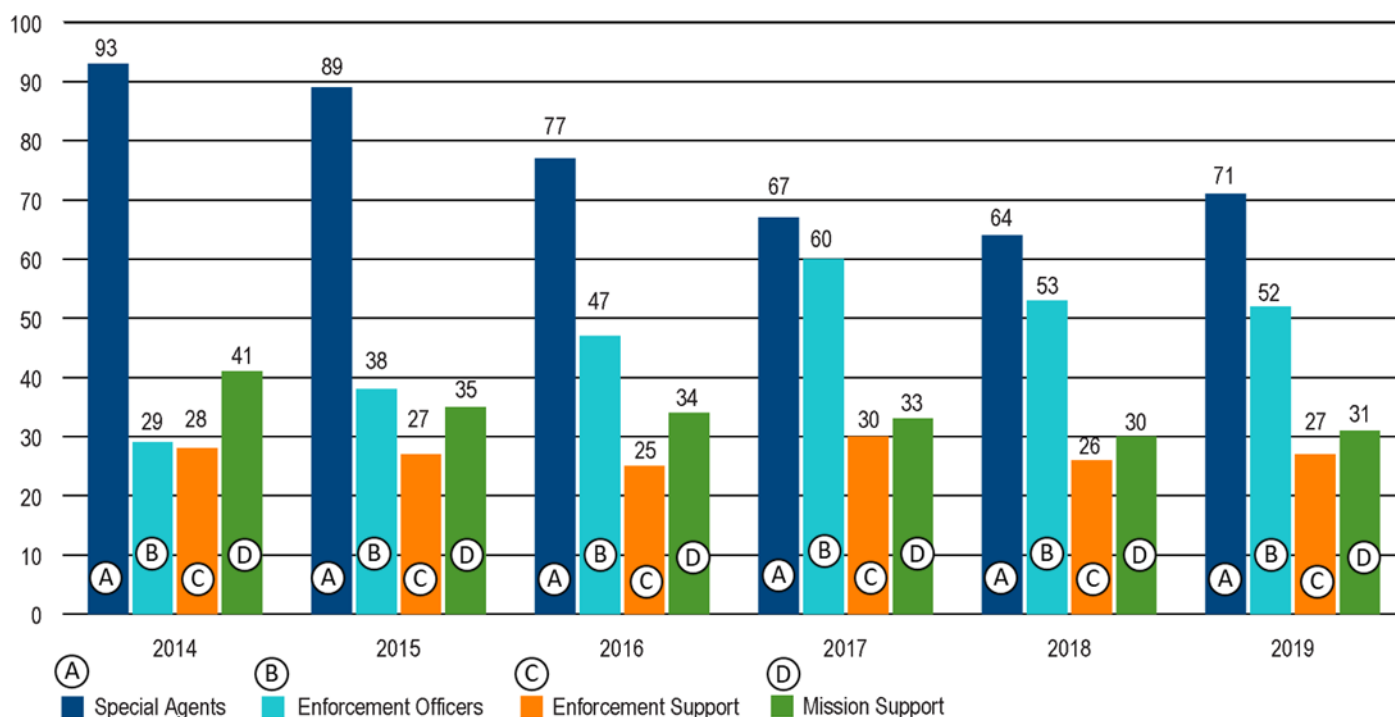


NOAA’s Office of Law Enforcement protects marine wildlife and habitat by enforcing domestic laws and supporting international treaty requirements designed to ensure global resources are available for future generations. OLE Special Agents, Enforcement Officers, and enforcement support staff provide stakeholders with compliance assistance and education about the nation’s marine resource laws.

While OLE enforces marine resource protection laws, the Office of the General Counsel’s Enforcement Section (GCES) is NOAA’s civil prosecutor. Together, the two offices make up NOAA’s enforcement program and work with other NOAA program offices to establish national law enforcement policy.

OLE supports the core mission mandates of NOAA Fisheries—maximizing the productivity of sustainable fisheries and fishing communities, as well as protection, recovery, and conservation of protected species—through its efforts to enforce and promote compliance with the marine resource protection laws and implementing regulations under NOAA’s purview.

Staffing Numbers Per Year



Stats and Facts about OLE

OLE jurisdiction generally covers ocean waters between 3 and 200 miles offshore and adjacent to all U.S. states and territories; this is called the Exclusive Economic Zone (EEZ). Jurisdiction includes:

- 3.36 million square miles of ocean.
- More than 95,000 miles of U.S. shoreline.
- 14 National Marine Sanctuaries and five Marine National Monuments.

Staffing and Budget

To cover this extensive territory, OLE personnel are assigned to five divisional offices and 53 field offices throughout the states and U.S. territories. Additionally, OLE partners with state and territory law enforcement agencies and other federal organizations to maximize efficiency. OLE is staffed by 181 employees—71 Special Agents, 52 Enforcement Officers, and 58 mission and investigative support personnel.¹

Staffing

Protecting the nation’s marine environment and helping to ensure a level playing field for those whose jobs and businesses rely on the fair use of our marine resources requires a significant commitment of personnel.

Guided by the staffing plan, written and approved in FY 2018, OLE hired 37 new employees, including 14 Special Agents and three Enforcement Officers, in FY 2019.

Budget

The FY 2019 appropriation for Fisheries Enforcement was \$69.8 million. OLE distributed these funds among five sub Program, Project, and Activities (PPAs), which are:

- \$41.1 million for Enforcement and Surveillance.
- \$18.3 million for the Cooperative Enforcement Program (CEP), which provides joint enforcement agreements with state and U.S. territory natural resources enforcement agencies.
- \$7.0 million for the Vessel Monitoring System (VMS) program.
- \$1.4 for the High Seas Driftnet Act Implementation.
- \$2.0 million for NOAA Fisheries activities related to Driftnet Act Implementation.



¹Data as of September 30, 2019.

Equipment and Training

Vessels

Location	Size
Alaska Division	
Cape Elizabeth	37 feet
Kingfisher	37 feet
Natoma Bay	30 feet
Sitkoh Bay	30 feet
Aleutian Wind	27 feet
Chinook Wind	27 feet
Taku Wind	26 feet
Williwaw Wind	26 feet
Kenai Guardian	26 feet
Susitna	20 feet
Northeast Division	
F3403	34 feet
F3404	34 feet
Southeast Division	
F3401	34 feet
F3402	34 feet
Seahunter 2	29 feet
Carolina	25 feet
Titusville	24 feet
Galveston	24 feet
Barracuda	24 feet
Harlingen	24 feet
West Coast Division	
F2706	27 feet
F2708	27 feet
Almar	21 feet
Pacific Islands Division	
F3503	35 feet

Vehicles

The OLE mission requires the use of a large fleet of law enforcement vehicles. Our Special Agents and Enforcement Officers need to be out in the field and on the docks to perform their jobs. OLE primarily leases vehicles from the General Services Administration (GSA). In FY 2019, OLE continued to transition from a fleet of owned vehicles to a fleet of GSA leased vehicles.

At the end of FY 2019, over 85 percent of the fleet was leased through GSA.

Location	Vehicle Count
Headquarters	6
Alaska Division	43
Northeast Division	34
Southeast Division	44
West Coast Division	38
Pacific Islands Division	14

Training

All OLE Enforcement Officers and Special Agents attend training at the Federal Law Enforcement Training Center (FLETC) in Glynco, Georgia. The extensive training received for initial entry to the force spans a total of 28 to 30 weeks.

Enforcement Officers and Special Agents must also attend a yearly law enforcement refresher in-service training. During the week-long course mandatory content includes a variety of topics designed to ensure our Special Agents and Enforcement Officers are maintaining required qualifications and have the most up-to-date case law review, legal requirements, and policy information.

Becoming an Enforcement Officer

- 12 Weeks—FLETC Uniformed Police Training Program
- 4 Weeks—FLETC Marine Law Enforcement Training Program
- 12 Weeks—NOAA Field Training and Evaluation Program

Becoming a Special Agent

- 12 Weeks—FLETC Criminal Investigator Training Program
- 4 Weeks—FLETC Marine Law Enforcement Training Program
- 2 Weeks—FLETC Case Organization and Presentation Training Program
- 12 Weeks—NOAA Field Training and Evaluation Program

Port State Measures Training Program

As the primary office responsible for enforcement of the Agreement on Port State Measures to Prevent, Deter, and Eliminate Illegal, Unreported, and Unregulated Fishing (PSMA), OLE developed a domestic training program for implementing the Agreement in 2016. Specific training modules were designed to ensure law enforcement personnel are well versed in the requirements of the U.S. implementing legislation: the PSMA Act of 2015 (16 USC § 7401 et. seq.), the Agreement itself, and relevant regional fisheries management organizations’ (RFMO) conservation and management measures.

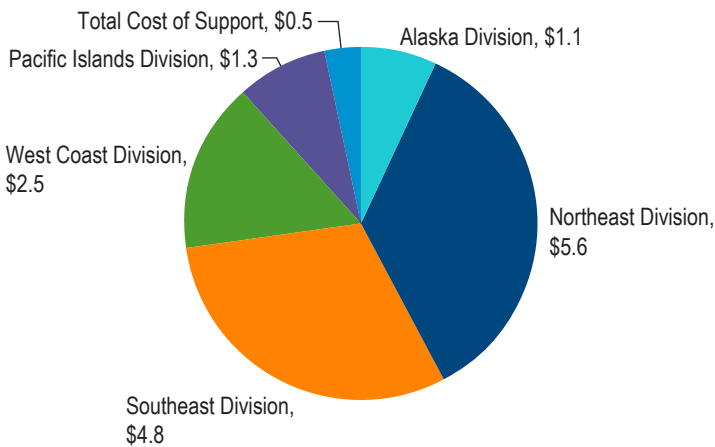
For more information about Port State Measures and international training information, see pages 8-11.

Headquarters: Special Programs

Cooperative Enforcement Program

OLE enhances its active presence, visibility, and interactions with the regulated industry by partnering with state and territorial marine and natural resource enforcement agencies through the Cooperative Enforcement Program (CEP). OLE’s partnerships with these agencies help promote compliance with federal laws and regulations under the purview of NOAA.

Funding By Region



Funding figures represent total planned dollars to state territorial partners by region.

Total cost of support consists of labor and travel costs of OLE staff supporting JEAs, such as JEA enforcement technicians and JEA program manager.

OLE agents and officers leverage Joint Enforcement Agreements (JEAs) to conduct multi-agency operations and to carry out OLE’s mission.

Under the CEP, OLE has signed 28 JEAs, which deputize state and U.S. territorial marine law Enforcement Officers to enforce federal laws and regulations. Below are the states and territories with which we have signed agreements:

- Alabama
- Hawaii
- Northern Mariana Islands
- Alaska
- Louisiana
- Oregon
- American Samoa
- Maine
- Puerto Rico
- California
- Maryland
- Rhode Island
- Connecticut
- Massachusetts
- South Carolina
- Delaware
- Mississippi
- Texas
- Florida
- New Hampshire
- Virginia
- Georgia
- New Jersey
- U.S. Virgin Islands
- Guam
- New York
- Washington

Vessel Monitoring System

The Vessel Monitoring System (VMS) is a satellite surveillance system primarily used to monitor the location and movement of commercial fishing vessels in the U.S. EEZ and treaty areas for compliance purposes. The system uses satellite-based communications from transceiver units on-board vessels that are required to carry them. The transceiver units send data that include vessel identification, time, date, and GPS location. The vessel operators can also use these units to communicate by sending electronic forms, fishing declarations, and even text messages over email. In FY 2019, the OLE VMS program monitored more than 5,900 vessels. The VMS program shares data with authorized partners such as the U.S. Coast Guard for homeland security and fisheries enforcement purposes, NOAA’s science centers for fisheries management purposes, Department of Defense for national security missions, and to the public (in aggregated form) for a variety of uses and studies.

Additional capabilities and uses of VMS include:

- Monitoring sensitive areas such as marine sanctuaries and marine national monuments.
- Supporting catch share programs.
- Monitoring activity and arrivals in ports to plan for sampling.
- Coordinating observer trips.
- Tracking, monitoring, and predicting fishing effort, activity, and location.
- Identifying fishing vessels.

In FY 2019, NOAA issued approximately \$335,664 in reimbursement payments to fishermen to ease the cost burden associated with the purchase of their onboard transceivers.

Investigative Analysts

Background

OLE's Analyst Team provides in-depth research and analytic support for policy development and on a broad range of international fisheries law enforcement issues—including criminal networks, enforcement operations, investigations, suspected import trade violations, and cooperative international fisheries enforcement. The Analyst Team fuses information and data from a variety of official and open sources, evaluates its reliability, and applies analytic techniques to develop judgments or additional context that significantly enhance OLE's operations.

Commercial Targeting and Analysis Center (CTAC)

Through a memorandum of understanding with U.S. Customs and Border Protection (CBP), OLE participates as a member agency of CBP's Commercial Targeting and Analysis Center (CTAC). This multi-agency facility provides OLE analysts with direct access to CBP import processing, targeting, and law enforcement systems, as well as other member agencies' data systems. Leveraging the CTAC resources, the Analyst Team identifies suspicious shipments prior to their U.S. arrival, places "holds" for physical examinations of selected consignments by OLE, and coordinates with other CTAC participating agencies. OLE also supports national-level import enforcement operations through CTAC. In FY 2019, the Analyst Team worked with CBP to halt importations of Patagonian toothfish (Chilean sea

bass) into the United States. The partial government shutdown prevented NOAA's National Seafood Inspection lab from verifying that toothfish products complied with domestic conservation regulations, as well as those laid out in the Commission for the Conservation of Antarctic Marine Living Resources. The team worked with the Department of State to notify international exporting countries of the ban, while the CTAC Analyst coordinated with CBP to notify all importers of the ban. In addition, OLE conducted a joint operation with CBP, Bonito del Norte, targeting high-grade tuna products entering the U.S. misclassified as low-quality tuna species.

Team Support

The analysts provide support that includes sharing of resources and databases, review of products, and general support for requests for information (RFIs) from OLE agents and officers. In FY 2019, the Analyst Team responded to more than 400 RFIs in support of investigations through the use of proprietary databases and intelligence research tools.

PSMA and International Outreach

In support of the Port State Measures Agreement (PSMA), the Analyst Team is responsible for reviewing all foreign-flagged fishing and fishing support vessels scheduled for arrival in U.S. ports. For FY 2019, the Analyst Team reviewed more than 1,900 vessel advance notices of arrival for vessels entering U.S. ports, which represented 450 unique vessels. The Analyst Team also supported OLE's international PSMA efforts by taking part in PSMA trainings and providing technical assistance to help detect evidence of IUU fishing.

The Analyst Team also participates in the North Atlantic Fisheries Intelligence Group (NA-FIG), whose goal is to change illegal behavior in the fisheries sector through improved intelligence sharing. They encourage tax and fishery agencies to operate jointly to identify proceeds from illegal fishery operations and to use suspicious revenue to identify sources of illegal fishery products.

International Programs

Combating Illegal, Unreported, and Unregulated Fishing

The United States is one of the world's leading destinations for globally harvested seafood. Estimates indicate that more than 80 percent of the seafood consumed annually in the United States is imported. OLE's mission includes ensuring that the seafood products being sold in American markets, whether domestically caught or imported, are legally harvested so that honest fishermen have a fair market in which to compete. The OLE International Program plays a key role in this mission by combating IUU fishing, fishing-related activities, and trade in IUU fish and fish products. This requires a multi-faceted approach that includes:

- Monitoring imports into the United States, as well as seafood products in global trade.
- Partnering with other federal and state law enforcement agencies to combat IUU fishing and seafood fraud throughout the United States.
- Engagement in multilateral and bilateral discussions with international partners to create enforceable provisions to combat IUU fishing and develop cooperation and collaboration in detecting, deterring, and interdicting IUU fishing activity and trade.
- Technical assistance to global partners, with emphasis on major exporters of seafood to the United States, to assist in developing the fisheries enforcement capacity to detect and interdict IUU fish and fish products before they enter the global market.
- Education of the public, consumers, and international audiences about the impacts of IUU fishing and fishing-related activities.
- Being an active member of international organizations specifically designed to combat IUU fishing, such as the INTERPOL Fisheries Crime Working Group and the International Monitoring, Control and Surveillance Network.

International Programs: Operations

OLE Special Agents, Enforcement Officers, and enforcement support staff regularly participate in international operations. OLE agents and officers participate in joint patrol efforts with international partners such as New Zealand to conduct boardings and inspections of commercial deep-water vessels within the New Zealand EEZ. This opportunity allows boarding officers to exchange information and share fisheries enforcement best practices. OLE also joined Canadian partners on high-seas driftnet patrols in the North Pacific as well as high-seas patrols in the convention area of the Northwest Atlantic Fisheries Organization.

The scope of OLE's international engagements also includes providing foreign governments, organizations, and communities with the tools, resources, and information sharing avenues to allow them to address complex IUU fishing issues. This is usually accomplished through technical assistance and training workshops. By working with our enforcement partners globally, NOAA assists nations to better detect and interdict IUU fish and fish products before they enter into global commerce. More broadly, these efforts will help to reduce the level of IUU fish products being landed and exported from nations around the world, supporting sustainable fisheries management and leveling the playing field for legitimate fishermen.

Counter-IUU Fishing Capacity Building and Technical Assistance

Indonesia: OLE, with support from USAID, continued to partner with the Government of Indonesia (GOI) to support the development of legislative frameworks and standard operating procedures to implement the Agreement on Port State Measures (PSMA) as well as develop a training curriculum for fisheries inspectors to carry out the provisions of the PSMA. OLE also continued to work with the GOI on counter-IUU fishing



investigations and other complementary activities to combat IUU fishing and crimes associated with IUU fishing.

Latin America and the Caribbean: The United States has funded a multi-year project under the UN Food and Agriculture Organization (FAO) Umbrella Program to support the implementation of the PSMA and other instruments to combat IUU fishing in The Bahamas, Guyana, Jamaica, the Dominican Republic, and Trinidad and Tobago. Through this project, OLE and NOAA's General Counsel Enforcement Section (GCES) provide technical assistance to strengthen national policy and legislative frameworks along with operational capacity for coordinated Monitoring, Control and Surveillance (MCS) operations in these countries. In FY 2019, OLE and GCES supported the development of national strategies and action plans for compliance in The Bahamas and Jamaica. In addition, OLE conducted an MCS assessment in Trinidad and Tobago that helped designate ports under the PSMA and identified further training needs and gaps in MCS to effectively combat IUU fishing.

Southeast Asia (regional): OLE, in partnership with USAID-Regional Development Mission for Asia, facilitated a regional inspector training on the operational implementation of the PSMA in Bangkok, Thailand. This training was hosted by the Southeast Asian Fisheries Development Center, bringing together inspectors and representatives from PSMA Parties and non-Parties. This workshop promoted regional

fisheries enforcement collaboration and enhanced information sharing, and provided the opportunity to share best fisheries law enforcement practices. Participants included fisheries inspectors and related personnel from member states of the Association of Southeast Asian Nations (ASEAN), and also included observers from India and Sri Lanka.

In addition, in FY 2019, OLE presented at several workshops and symposiums including:

- Multilateral Pacific Islands Fisheries Law Enforcement Symposium, hosted by USCG and DOS.
- 6th Global Fisheries Enforcement Training Workshop, hosted by the International Monitoring, Control and Surveillance Network and Thailand Department of Fisheries.
- ASEAN Regional Forum Workshop and Table Top Exercise on Enhancing Law Enforcement, Preventative Measures, and Cooperation to Address Complex Issues in the Fisheries sector, hosted by the Indonesia Ministry of Foreign Affairs and DOS.

Implementing the Port State Measures

Background

On June 5, 2016, the Agreement on Port State Measures to Prevent, Deter and Eliminate IUU Fishing (PSMA) entered into force, after 29 countries, including the United States and the European Union, ratified the agreement. PSMA is the only international treaty dedicated to combating IUU fishing and sets minimum standards for exercising port state measures for foreign-flagged fishing and fishing-support

vessels seeking entry into ports, as well as fisheries enforcement activities conducted while in a country's port. PSMA also places great emphasis on increased information sharing and communications among participating nations, relevant enforcement agencies, and international organizations, such as regional fisheries management organizations.

Ratifications of the PSMA steadily continued throughout FY 2019. The Agreement reached 63 Parties covering 82 countries and roughly half of the coastal countries worldwide.

Global Implementation Updates

In a series of meetings in the spring of 2019, OLE participated in discussions central to the implementation of the PSMA including:

- Establishing the rules of procedure for future meetings.
- Building the mechanism for the information exchange required by the PSMA.
- Planning for the review and assessment of the effectiveness of the PSMA in 2020.
- Advancing the PSMA's capacity building mechanism and other related programs.

Combating Wildlife Trafficking

OLE's work in combating wildlife trafficking largely encompasses the investigation of illegal handling of marine wildlife products protected under the Endangered Species Act, Marine Mammal Protection Act, and Shark Finning Conservation Act. Our law enforcement personnel enforce these statutes by working with enforcement counterparts at ports and borders to identify illegal trade routes and to detect the possession, purchase, and transfer of such products.

Throughout FY 2019, OLE participated in joint enforcement inspections and investigations targeting the illegal trade of protected marine products alongside government partners including the Coast Guard, Customs and Border Protection, Homeland Security Investigations, Food and Drug Administration, and state enforcement partners. OLE also participated in the U.S.-Canada Border Intelligence Working Group hosted by the U.S. Border Patrol in Calais, Maine.

As one of several agencies included in the Presidential Task Force on Wildlife Trafficking, OLE assisted with the development of guiding principles and priorities that inform U.S. strategic plans to combat wildlife trafficking within focus countries and engage in collaboration with non-governmental organizations. In FY 2019, OLE reviewed counter-wildlife trafficking (CWT) strategies prepared by U.S. Missions in 30 focus nations. OLE also provides annual information regarding its CWT operations, adjudicated cases, and technical assistance efforts. This information is required by the Eliminate, Neutralize, and Disrupt (END) Wildlife Trafficking Act of 2016 and informs corresponding reports to Congress as well as the annual strategic assessment of the implementation of the Act.

OLE actively participates in INTERPOL's Global Fisheries Enforcement program, which supports member countries in identifying, deterring, and disrupting trafficking of protected marine products. These efforts have resulted in coherent international law enforcement collaboration and effective investigative responses worldwide. In FY 2019, OLE worked with INTERPOL crime analysts to support their analysis of the legal and illegal or black market trade in shark fins. OLE also participates in the INTERPOL Wildlife Crime Working Group to share information about transnational networks involved in the illegal wildlife trade. This group traditionally focuses on terrestrial wildlife and timber, but OLE brings needed marine resource expertise due to the increased identification and listing of marine species under the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES).

Formal Meetings

11th SE Asia Regional Plan of Action to Combat IUU Fishing (RPOA-IUU): OLE participated as an observer on behalf of the United States at the 11th SE Asia RPOA-IUU Fishing meeting in Yogyakarta, Indonesia. OLE presented on U.S. efforts to combat IUU fishing; provided an update on OLE's counter-IUU fishing and PSMA implementation, capacity building, and technical assistance activities in the region; and provided fisheries law enforcement expertise.



Bilateral meetings: OLE supports U.S. delegations to fisheries bilateral meetings by providing fisheries law enforcement expertise on topics related to combating IUU fishing and trade in IUU-fishing products. These meetings provide an opportunity to discuss issues of direct concern with key partners including the EU, Russia, China, Taiwan, Norway, Canada, and Mexico. Additionally, OLE holds fisheries enforcement-specific bilateral meetings with counterparts from Canada and Mexico and through the US-EU Counter-IUU Fishing Working Group.

RFMO participation: OLE personnel provide fisheries enforcement expertise to U.S. delegations to regional fisheries management organizations (RFMO) to which the U.S. is a Party. OLE participates in pertinent international patrols and investigations, including: supporting the enforcement of RFMO conservation and management measures, advancing strong and effective processes for addressing non-compliance with such measures, and ensuring responsible Flag State responses through RFMO enforcement and compliance committees.

INTERPOL: OLE participated in INTERPOL's First Forum on Ship-born Forensics in Singapore. The goal of the forum was to generate a first responder

guide to vessel forensics, along with a global training package upon completion. OLE also attended the U.N. Fisheries Crime Symposium and INTERPOL Fisheries Crime Working Group in Denmark, serving as a panel moderator and engaging in a number of peripheral events—including forced labor in fisheries.

WECAFC: OLE serves on the Western Central Atlantic Fishery Commission (WECAFC) Regional Working Group on IUU fishing (RWG-IUU). The RWG-IUU developed a Regional Plan of Action to Prevent, Deter and Eliminate IUU fishing that was adopted at the 17th Session of WECAFC in July of 2019. This will help harmonize efforts to combat IUU fishing across the Caribbean.

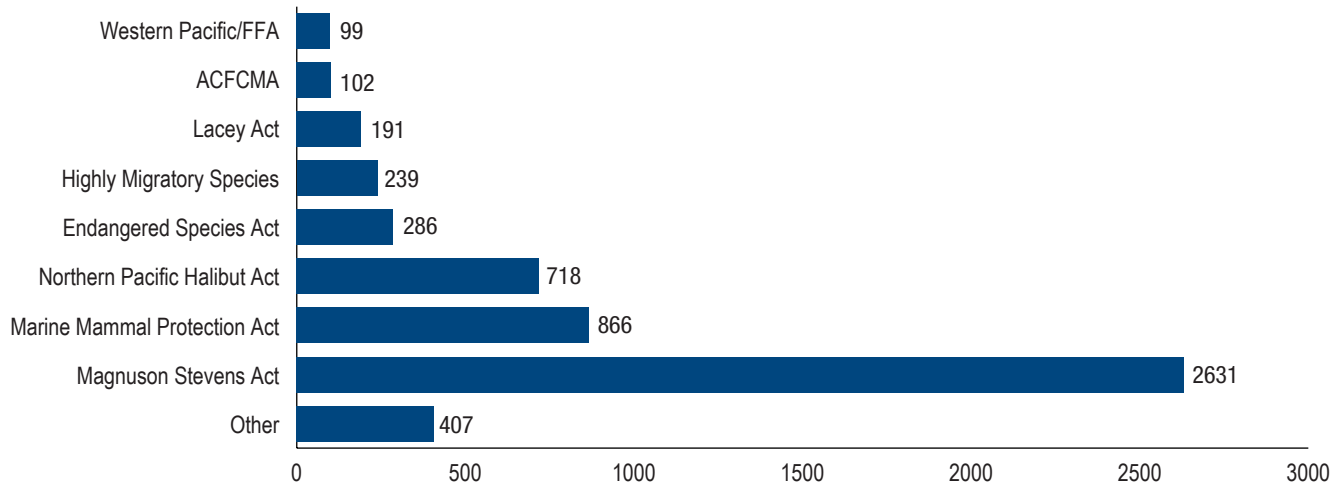
CITES/WEN: OLE participated in the 3rd Global Meeting of Wildlife Enforcement Networks (WEN) held in conjunction with the 18th CITES meeting. The WEN meeting included an interactive workshop supporting the development of guidelines for establishing and strengthening WENs. It also served as a platform for enhancing synergies between existing initiatives and regional enforcement bodies to strengthen cooperation at regional and global levels. OLE also attended a side event discussing the listing of certain sharks under Appendix II of CITES.

OLE Enforcement Activities at a Glance

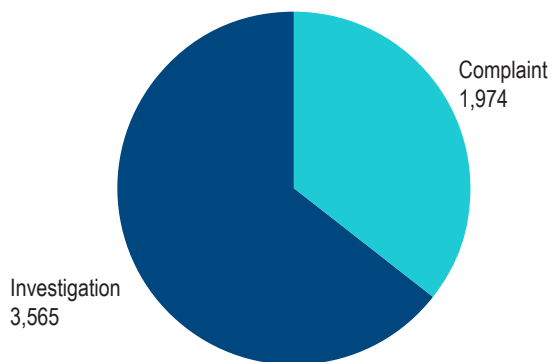


OLE Enforcement Activities at a Glance

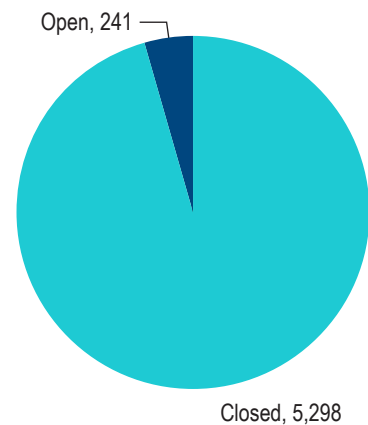
INCIDENT BY LAW



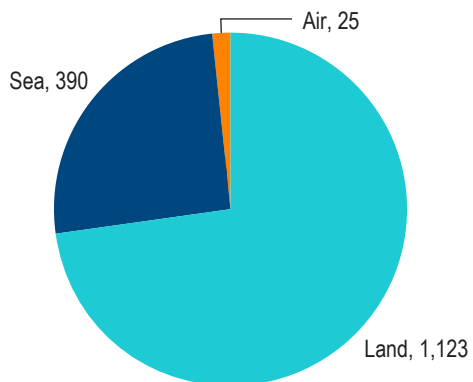
INCIDENT TYPE



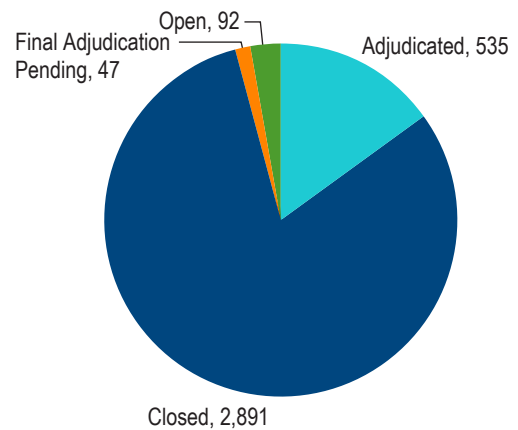
INCIDENT STATUS



PATROLS



INVESTIGATION DISPOSITIONS





Alaska Division

Will Ellis
Assistant Director

Staffing Snapshot

36 Full-Time Employees

- 10 Special Agents
- 19 Enforcement Officers
- 4 Mission Support
- 3 Investigative Support
- 16 Contractors

AKD Budget: \$10.8 million

Headquarters

709 W. 9th Street
Room 831L
Juneau, AK 99802-1767

Field Offices

Anchorage
Dutch Harbor
Homer
Juneau
Ketchikan
Kodiak
Petersburg
Seward
Sitka

VMS

600+ Reporting Vessels

Alaska supports a massive seafood industry and has the greatest number of domestic fish landings in the United States, with 59 percent of all U.S. seafood landings (measured by weight) occurring in Alaska. If it were a country, Alaska would be the ninth-largest seafood producer in the world. The geographic area of responsibility for the Alaska Division covers 28 percent of the U.S. EEZ, 70 percent of the U.S. continental shelf, and five of the 11 Large Marine Ecosystems located within the U.S. EEZ.

OLE's Alaska Division is unique in that the region only includes the State of Alaska, which comprises the mainland and more than 200 islands. Within this boundary lie some of the most productive fishing grounds on the planet. Waters off Alaska account for more than half of all annual U.S. seafood harvests. Alaska also has five of the nation's top 10 fishing ports ranked by value of landings.

Working with Regional Partners

Alaska's vast geography, limited infrastructure, and complex fisheries management scheme necessitate robust interagency partnerships. These partnerships act as a force multiplier to maximize our enforcement footprint and minimize duplicative efforts. While nationally OLE partners with the U.S. Coast Guard, U.S. Fish and Wildlife Service, and U.S. Forest Service, regional partners are also essential. The Cooperative Enforcement Program provides the Division the ability to leverage the resources and assistance of the Alaska Wildlife Troopers. Additional strong working relationships with Alaska's Department of Fish and Game, industry groups, and tribal governments are instrumental in the successful enforcement of marine resources laws.

The Division also relies on close working relationships with the North Pacific Fishery Management Council, International Whaling Commission, International Pacific Halibut Commission, Pacific Salmon Commission, North Pacific Anadromous Fish Commission, North Pacific Fisheries Commission, Pacific States Marine Fisheries Commission, and the parties to the Convention on the Conservation and Management of Pollock Resources in the Central Bering Sea. Fishery management, along with the conservation of marine mammals and habitat, is supported by a robust scientific enterprise led by the NOAA Alaska Fisheries Science Center. It is within this governance and scientific framework that policy is created by NOAA and then enforced by the Division.

Significant Investigations

Northern Pacific Halibut Act

An OLE Enforcement Officer investigated a fishing vessel owner/operator for failing to completely and continuously offload all halibut onboard at a single offload site. In addition, they submitted an inaccurate statement regarding halibut retained for personal use. A notice of violation and assessment (NOVA) was issued for \$17,600 and settled for \$15,840.

Magnuson-Stevens Act

An OLE Special Agent and five Enforcement Officers conducted an observer focused pulse operation in Dutch Harbor from February 4 through 15. The team focused on 191 individual observer statements involving 60 distinct vessels and multiple shoreside processors. The team resolved 87 cases and made progress on an additional 14. The team also initiated several new investigations. OLE worked with U.S. Customs and Border Protection to board one foreign tramper and one foreign cargo vessel.

An OLE Special Agent investigated a trawl vessel fishing in the Gulf of Alaska Pacific cod fishery for not carrying an operable NMFS-approved Vessel Monitoring System (VMS) and for not complying with VMS requirements. The owner and operator were charged jointly under the Magnuson-Stevens Act and issued a \$15,000 NOVA.

An OLE Enforcement Officer investigated a trawl vessel fishing in the Gulf of Alaska Pacific cod fishery for bycatch overages of four groundfish species that exceed the maximum retainable amount. The vessel operator/owner was issued a \$13,348 NOVA and settled for \$12,873.

An OLE Special Agent investigated a crew member of a Bering Sea catcher processor vessel who assaulted and sexually harassed an observer in violation of the Magnuson-Stevens Act. The crew member was issued a \$55,000 NOVA.

Marine Mammal Protection Act

An OLE Special Agent investigated a recreational vessel that struck a humpback whale at a high rate of speed that left a gash in front of the whale's dorsal fin. The owner/operator was charged under the Marine Mammal Protection Act for an unlawful take of a humpback whale. They were issued a \$7,500 NOVA that was settled for \$4,000.

International Cooperation

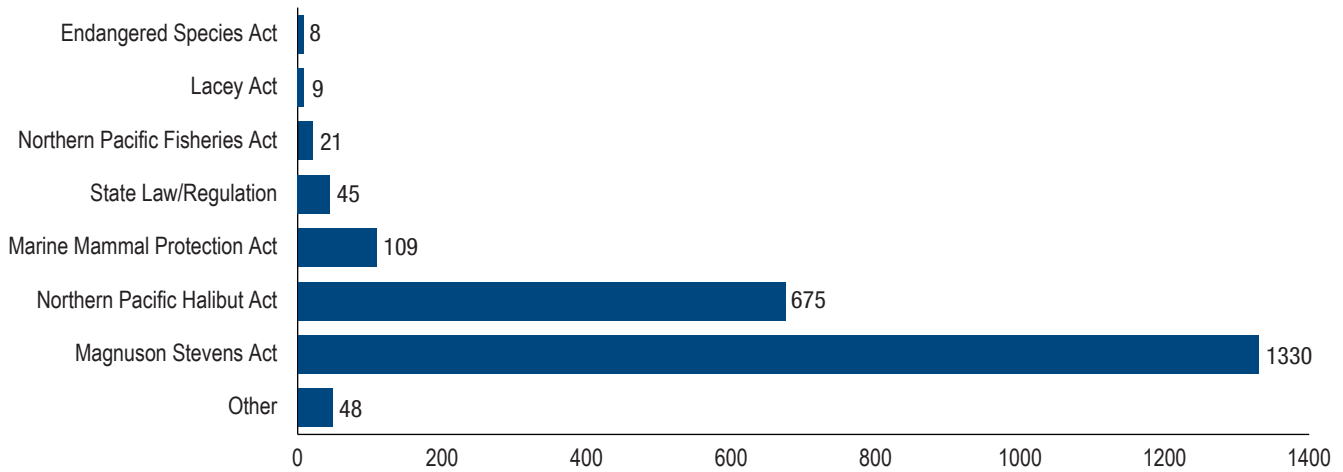
An OLE Enforcement Officer participated in a 23-day patrol in New Zealand's Exclusive Economic Zone during December as part of OLE's international mission. The team boarded 51 commercial fishing vessels at sea, along with over 25 recreational and charter vessels. The patrol uncovered violations including failure to record or report catch, failure to report the catch of protected species, failure to accurately weigh and document quota species, and operating without proper permits and registrations. These violations were referred to New Zealand fisheries officers.

Illegal, Unreported, and Unregulated Fishing

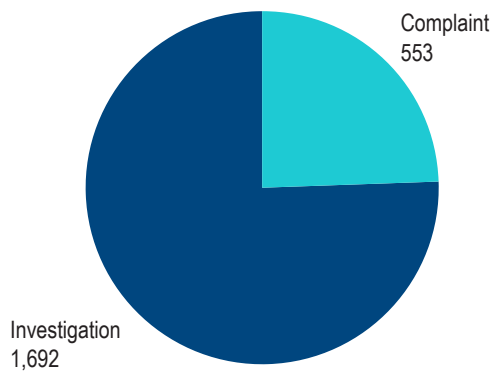
An OLE Enforcement Officer and Special Agent participated in a 2-day coordinated international patrol with Canadian counterparts. The patrol was targeted at the eastern side of the A-B line and involved one Canadian patrol vessel and OLE's Natoma Bay vessel. On the first day, officers boarded a Canadian sportfishing vessel operating in U.S. waters without sportfish licenses and they also identified illegal gear in U.S. waters from a Canadian citizen. On the second day, officers patrolled the disputed zone south of Prince of Wales Island and found one U.S. vessel without proper documentation, but no Canadian vessels.

AKD Enforcement Activities at a Glance

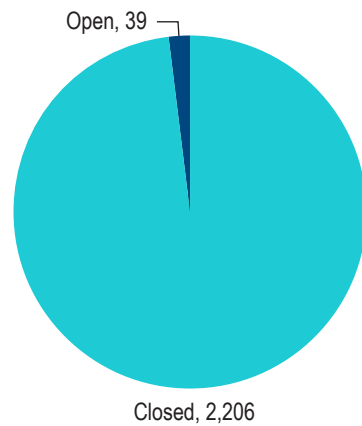
INCIDENT BY LAW



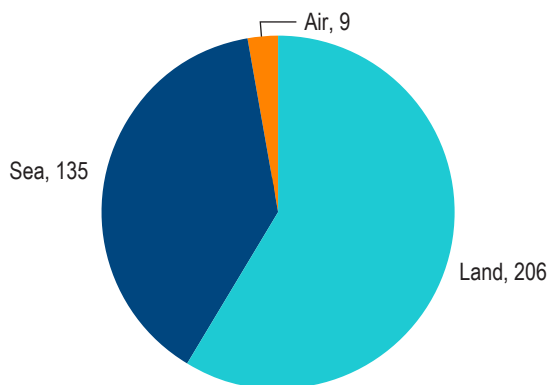
INCIDENT TYPE



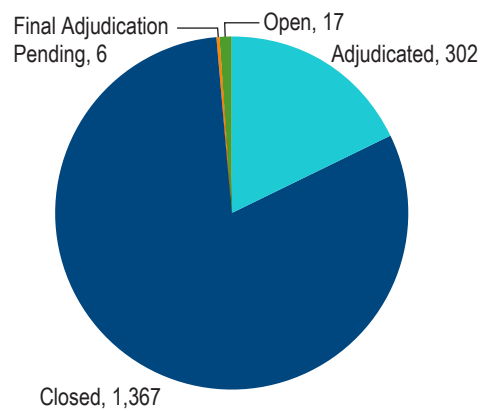
INCIDENT STATUS



PATROLS



INVESTIGATION DISPOSITIONS





Northeast Division

Tim Donovan Assistant Director

Staffing Snapshot

45 Full-Time Employees

- 17 Special Agents
- 13 Enforcement Officers
- 6 Mission Support
- 9 Investigative Support
- 1 Contractor

NED Budget: \$15.7 million

Headquarters

55 Great Republic Drive
Suite 02-300
Gloucester, MA 01930

Field Offices

Bellport, NY
Falmouth, MA
Gloucester, MA
Narragansett, RI
New Bedford, MA
Newport News, VA
Northfield, NJ
Portland, ME
New Castle, NH
Salisbury, MD
Scituate, MA
Wall, NJ

VMS

936 Reporting Vessels

The Northeast Division covers the 20 northeastern states from Virginia to Maine to Minnesota and includes the Great Lakes. The Division's area of responsibility covers more than 100,000 square nautical miles of the U.S. EEZ, 110 international Ports of Entry, and 265 individual domestic ports.

Four of the top 10 international landing ports, by weight and value, are found in the Division—New York, Portland, Boston, and Norfolk. Additionally, the Division has four of the top 10 states for domestic fish landings in the nation; this includes Massachusetts with the port of New Bedford, which has led the United States for 19 years as the top port in terms of value landed—a direct result of the scallop fishery. Throughout FY 2019, the Division also had more than 200,000 individual fishing trips, which resulted in hundreds of millions of pounds of fish landed.

Working with Regional Partners

The Division has strong working relationships with the 10 coastal state fishery enforcement agencies under the Cooperative Enforcement Program. These relationships enable OLE to leverage resources and improve compliance with federal fishery regulations. In addition to state partners, the Division works closely with three U.S. Coast Guard districts. Recent partnerships have expanded with key federal agencies, including the Food and Drug Administration and Customs and Border Protection, which are involved in ensuring consumer safety and integrity as it relates to seafood fraud and wildlife trafficking.

The Division also works closely with two regional fishery management councils and one major interstate commission. The New England Fishery Management Council is one of eight regional councils established by the Magnuson-Stevens Act and manages fishery resources within the EEZ off the coasts of Maine, New Hampshire, Massachusetts, Rhode Island, and Connecticut. The Mid-Atlantic Fishery Management Council is responsible for the management of fisheries in federal waters that occur predominantly off the mid-Atlantic coast. States with voting representation on the Mid-Atlantic Council include New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, and North Carolina.

The Division also provides support to the Atlantic States Marine Fisheries Commission. This group was formed by the 15 Atlantic coast states in 1942 in recognition that fish do not adhere to political boundaries. The Commission serves as a deliberative body, coordinating the conservation and management of the states' shared near-shore fishery resources—marine, shell, and anadromous—for sustainable use.

Significant Investigations

Magnuson-Stevens Act

On August 19, 2019, NOAA settled its pending civil administrative investigation against Carlos Rafael and his fishing captains for false reporting, gear, observer, and restricted area violations. Rafael was required to pay a \$3,010,063 civil monetary penalty, relinquish the seafood dealer permit issued to Carlos Seafood, permanently cease all commercial fishing except for scalloping, and sell all of his fishing vessels and limited access federal fishing permits. Beyond his civil penalties, Rafael was criminally sentenced to 46 months jail-time, three months of supervised release in which he is barred from the fishing industry, and issued approximately \$300,000 in fines and restitution. He was also required to forfeit two fishing vessels in connection with his criminal case.

In addition, 17 of Rafael's former fishing vessel captains had their operator permits suspended, which barred them from being aboard a federally permitted vessel while at sea or offloading. The captains were also required to serve probationary periods of anywhere from one to three years. These probationary periods place captains under additional monitoring and reporting requirements, and subject them to a permanent ban from commercial fishing if they are found liable for intentional or reckless violations.

Highly Migratory Species

OLE investigated a Massachusetts-based vessel for unreported and unpermitted landings, retention, and sales of at least 30 bluefin tuna. Following the investigation, NOAA General Counsel Enforcement Section (GCES) issued a settlement agreement in the amount of \$7,350 to the vessel owner. This was the last party of a three subject investigation, in which another vessel owner paid a \$1,000 summary settlement and a federally permitted dealer paid \$1,750. In total, the multi-year OLE investigation resulted in \$10,100 in monetary penalties.

Lacey Act

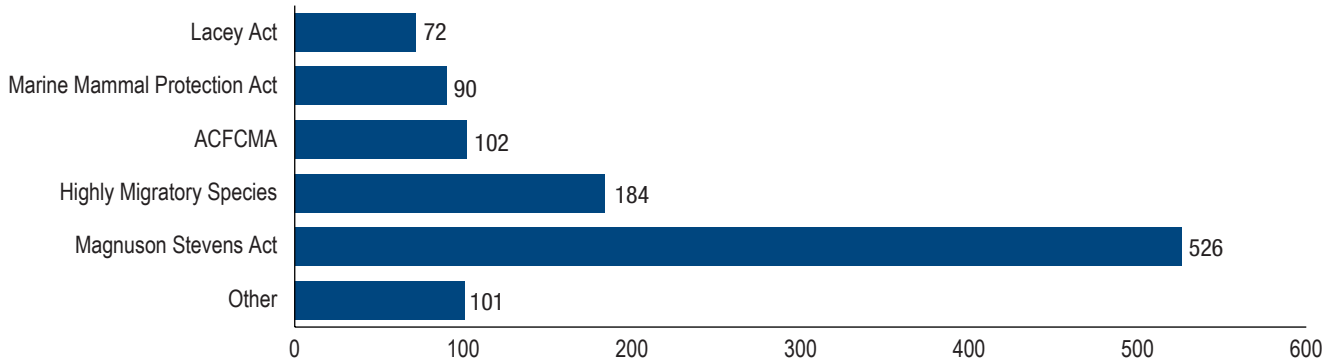
Following an OLE investigation, two subjects and their corporations pleaded guilty in federal court on November 25, 2019, to their scheme to falsely label seafood that they later sold across the country. From 2011 to 2014, the subjects imported, processed, marketed, sold, and distributed over 113,000 pounds of squid falsely labelled as octopus worth \$1,100,100. In general, octopus has a greater retail price than squid. The subjects would import giant squid from Peru, market it as octopus, and sell to grocery stores in multiple states. This scheme was in violation of the Lacey Act, which prohibits submitting false descriptions of fish that were transported and sold in interstate commerce. The maximum sentence for the subjects is five years imprisonment, three years of post-release supervision, and a fine of up to \$250,000. Their corporations may be placed on five years of probation, and pay a fine of up to \$500,000.

Illegal, Unreported, and Unregulated Fishing

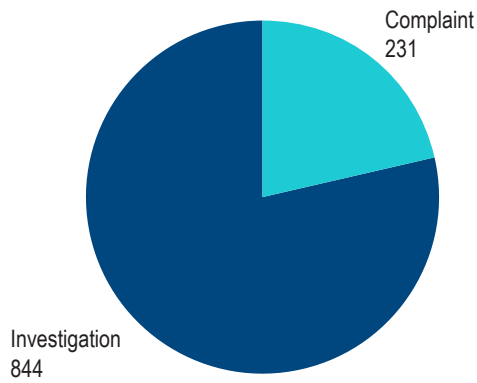
In support of the Seafood Import Monitoring Program, OLE agents and officers conducted investigations of containerized, imported seafood. This program is designed to comprehensively interdict IUU fished products from entering the United States. In addition, a U.S./Canada International Border operation in Maine resulted in the investigation of 63 containers. This led to six NOAA GCES referrals, one criminal referral, and 13 summary settlements.

NED Enforcement Activities at a Glance

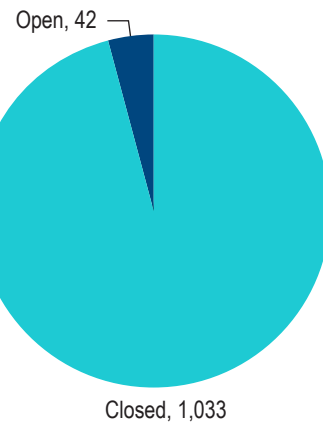
INCIDENT BY LAW



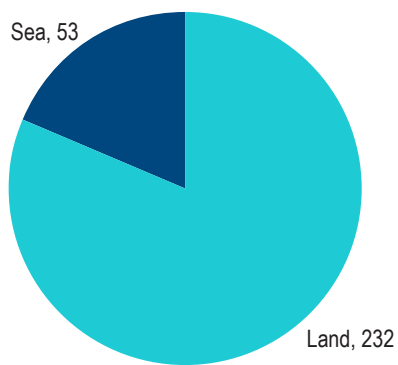
INCIDENT TYPE



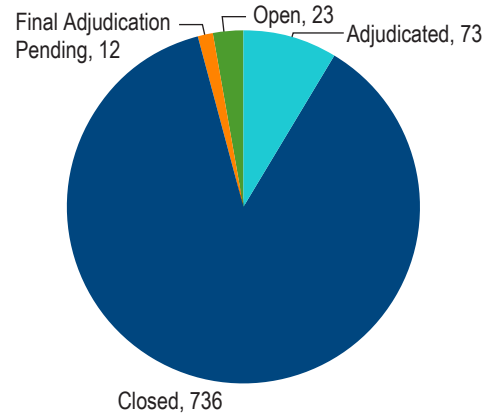
INCIDENT STATUS



PATROLS



INVESTIGATION DISPOSITIONS





CAIU 550050 4
45R1

CAUTION
9' 6" HIGH
CONTAINER



MAX. GROSS	34,000 KGS
	74,960 LBS
TARE	4,420 KGS
	9,740 LBS
NET	29,580 KGS
	65,220 LBS
CU. CAP.	

Pacific Islands Division

Bill Pickering Assistant Director

Staffing Snapshot

25 Full-Time Employees

- 7 Special Agents
- 7 Enforcement Officers
- 5 Mission Support
- 6 Investigative Support
- 0 Contractors

PID Budget: \$7.05 million

Headquarters

1845 Wasp Blvd.
Building 176
Honolulu, HI 96818

Field Offices

American Samoa
Guam

VMS

235 Reporting Vessels
1,500 Foreign Vessels apx.

The Pacific Islands Division was established in October 2004 and is geographically the largest division in OLE. Bounded by the Hawaiian Islands in the north, American Samoa and U.S. Pacific remote island areas in the south, and the Mariana Archipelago, including Guam in the west, the Division encompasses the largest geographical management area within both NOAA Fisheries and the regional fishery management council system. The total area of the U.S. EEZ waters included in the region is more than 1.5 million square nautical miles, which accounts for nearly half of the entire U.S. EEZ.

Within this massive marine area is the Papahānaumokuākea Marine National Monument (PMNM)—which OLE is charged with protecting and spans nearly 583,000 square nautical miles—the Marianas Trench, Pacific Remote Islands, and Rose Atoll Marine National Monuments, as well as the Hawaiian Islands Humpback Whale National Marine Sanctuary and National Marine Sanctuary of American Samoa.

The Division serves as the center of activity for the implementation of both domestic and international responsibilities related to the Port State Measures Agreement. Numerous longline and purse seine vessels within the U.S.-permitted fleet operate extensively throughout U.S. and international waters. The need to effectively monitor these U.S. vessels, along with foreign vessels that engage in IUU fishing, poses a unique enforcement challenge for the Division.

Working with Regional Partners

The monitoring of landing, importation, and processing of fish within Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands (CNMI), and landings by U.S. purse seine vessels in foreign ports, is an enforcement priority for Division staff. The Division works closely with the governments of the foreign nations in the region, the U.S. Coast Guard, and the U.S. Department of State in supporting and enforcing a number of treaties and conventions, such as the South Pacific Tuna Treaty, Western and Central Pacific Fisheries Commission, South Pacific Regional Fisheries Management Organization, Inter-American Tropical Tuna Commission, and Convention on the Conservation of Antarctic Marine Living Resources.

Significant Investigations

Lacey Act

An OLE Special Agent completed an ongoing marine mammal ivory investigation. The investigation involved the trafficking of contemporary endangered species, specifically whale teeth and walrus tusks. The subject confessed to buying prohibited marine mammal ivory from an undercover agent on three separate occasions, and selling prohibited items to an undercover agent on one occasion. OLE worked with the U.S. Attorney's Office, District of Hawaii, on negotiations with the defense counsel involving a possible plea to one felony Lacey Act count. This case is ongoing.

Marine Mammal Protection Act

OLE conducted investigations into two separate U.S. flagged purse seine fishing vessels illegally setting on live whales on the high seas that occurred from January to June 2018 in the South Pacific Ocean. These acts are in violation of the Marine Mammal Protection Act. Following the investigations, NOAA General Counsel Enforcement Section (GCES), Pacific Islands Region, issued two notices of violation and assessment (NOVA) for \$29,239 each.

Magnuson-Stevens Act

An OLE Special Agent completed an investigation into a longline fishing vessel owner and captain who admitted that they changed the coordinates on their fisheries logs to conceal that they had fished in the Main Hawaiian Islands Longline closed area. This fraudulent scheme was discovered after careful examination of the logbooks submitted to OLE. This case was forwarded to NOAA GCES, and a civil penalty was issued to the owner and captain in the amount of \$61,174.22.

Endangered Species Act

OLE investigated the killing of a green sea turtle, in which a subject was alleged to have sliced the turtle's throat and harvested its meat. The U.S. Attorney's Office sentenced the subject on June 19, 2019, to serve six months in prison and 100 hours of community service. The subject was found to be guilty of the take and slaughter of an endangered green sea turtle at Kekaha Beach Park on the island of Kauai.

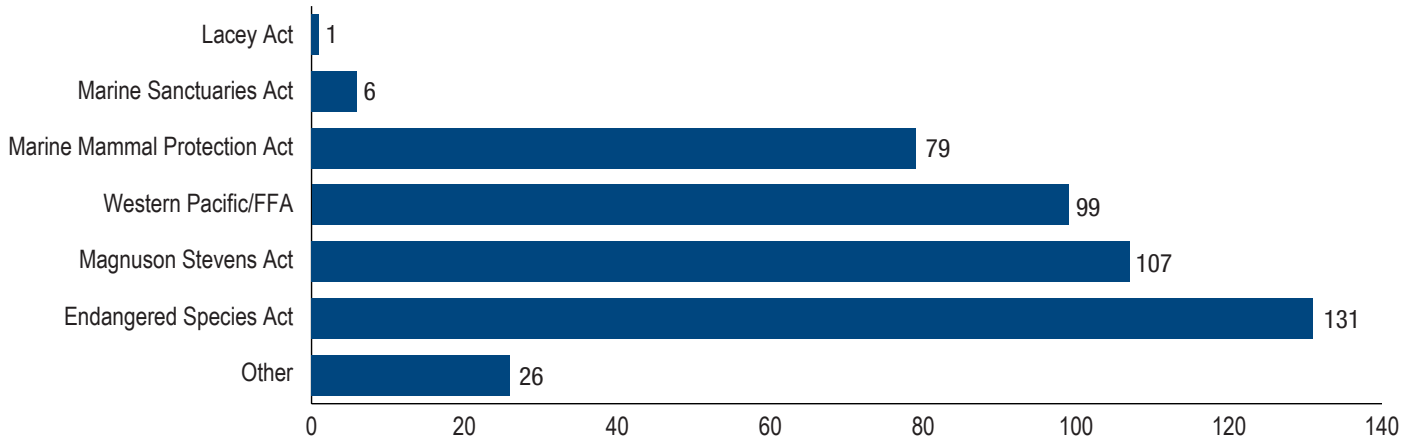
An OLE Enforcement Officer initiated an investigation into a social media post that showed a subject holding a green sea turtle, a violation of the Endangered Species Act. The officer was able to identify the subject through their profile picture, and to run background checks for criminal history and driver's license information. This led to the officer contacting the local police department where the subject lived, who in turn provided current contact information. A summary settlement in the amount of \$750 was issued.

International Fisheries

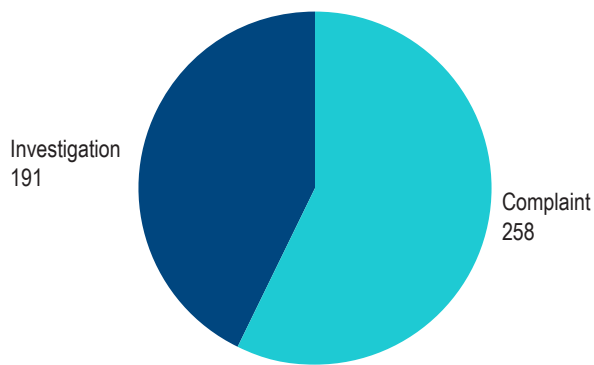
OLE Special Agents completed multiple investigations involving fishery violations under implemented regulations of the Western and Central Pacific Fisheries Commission (WCPFC). These cases consisted of fishing in the closed Effort Limit Area for Purse Seine area, Marine Mammal Protection Act violations for setting on schools of fish associated with live whales, and illegal sets conducted on Fish Aggregating Devices during the WCPFC closure period. NOAA GCES issued various NOVAs totaling \$425,062, and subsequently obtained a combined global settlement of \$338,471.

PID Enforcement Activities at a Glance

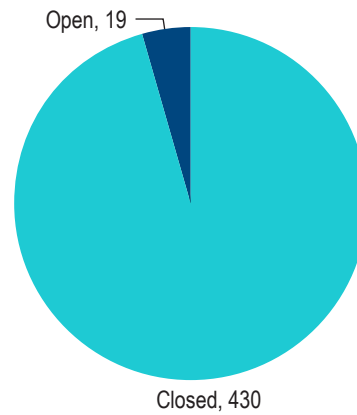
INCIDENT BY LAW



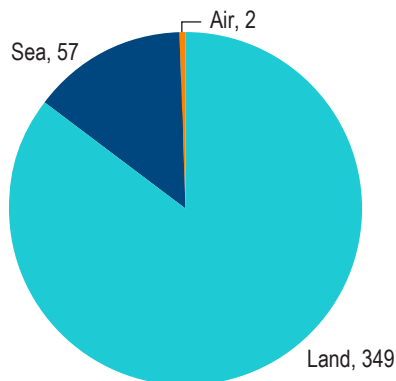
INCIDENT TYPE



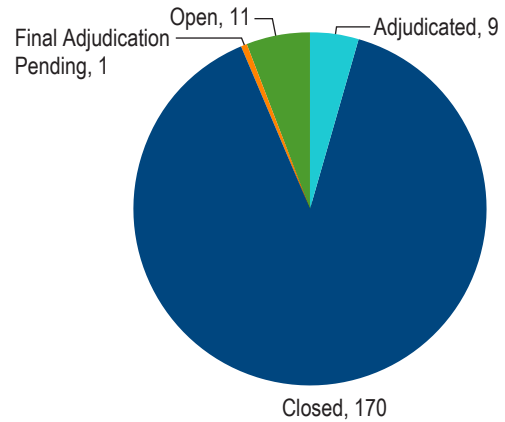
INCIDENT STATUS



PATROLS



INVESTIGATION DISPOSITIONS





Southeast Division

Tracy A. Dunn
Assistant Director

Staffing Snapshot

40 Full-Time Employees

- 20 Special Agents
- 12 Enforcement Officers
- 3 Mission Support
- 5 Investigative Support
- 2 Contractors

SED Budget: \$12.2 million

Headquarters

263 13th Avenue South
St. Petersburg, FL 33701

Field Offices

Charleston, SC
Corpus Christi, TX
Houston/Galveston, TX
Florida Keys
Miami/Sunrise, FL
Morehead City, NC
New Orleans, LA
Panama City, FL
Port Orange, FL
San Juan, Puerto Rico
St. Petersburg, FL

VMS

1,093 Reporting Vessels

The Southeast Division is the largest of the continental divisions, with approximately 3,230 miles of coastline covering the South Atlantic, Gulf of Mexico, and the Caribbean. North Carolina is the northernmost state of the Division, followed by South Carolina, Georgia, and the East Coast of Florida with the Dry Tortugas at the western extent of the Florida Keys being the southern boundary. The Gulf of Mexico picks up at the 83°W longitude following the coast of western Florida, around the Florida Panhandle, Alabama, Mississippi, and then down the Texas coast to the international border between Mexico and the United States. The Caribbean area of responsibility includes Puerto Rico and the U.S. Virgin Islands. In total, the Division is charged with monitoring and enforcing marine resource laws over 350,000 square nautical miles of the EEZ.

The fishery fleet in the Division is comprised of smaller commercial vessels relative to other areas of the nation, but has the largest recreational fisheries sector in the continental United States. The Division's federally permitted commercial fleet conducted more than 154,900 trips in 2019 totaling upward of \$608.5 million in revenue, while the number of recreational fishing trips far exceeded those numbers with an estimated 119.7 million trips.

In addition to domestic fisheries, the Division is responsible for three national marine sanctuaries—the Florida Keys, Gray's Reef, and Flower Garden Banks—and is actively engaged in combating IUU fishing and seafood fraud through the monitoring of seafood entering through U.S.-Mexico gateways.

Working with Regional Partners

To accomplish its mission, the Division works closely with the NOAA Fisheries Southeast Regional Office and the Southeast Fisheries Science Center, two interstate marine fisheries commissions, three regional fishery management councils (Gulf of Mexico, South Atlantic, and Caribbean), as well as numerous local, state, territorial, and federal agency partners.

The Cooperative Enforcement Program is the main partner program the Division relies on to increase patrol, monitoring, and inspection services across the region. Seven states, one commonwealth, and one territory have signed agreements to partner with the Division.

Significant Investigations

Magnuson-Stevens Act

An OLE Enforcement Officer worked with the Georgia Department of Natural Resources (GADNR) to follow up on information alleging that a fishing vessel owner and operator were illegally harvesting shark fins and South Atlantic black sea bass. OLE and GADNR's joint operations led to two boardings of the subjects' vessel during which shark fins from one small shark were found and documented. Upon further investigation, officers discovered 20 shark fins and 24 undersized black sea bass. The shark fins were analyzed by the NOAA Forensics Lab in Charleston, South Carolina. The subject was charged by NOAA General Counsel Enforcement Section (GCES), Southeast Region, under the Magnuson-Stevens Act with possessing shark fins and exceeding the recreational bag limit for South Atlantic black sea bass. GCES issued a \$15,500 NOVA and the case settled for \$13,950 with time payments.

Lacey Act

An OLE Enforcement Officer assisted a Louisiana Department of Wildlife and Fisheries (LDWF) agent during a blue crab fishery operation. The officer and agent monitored several vessels and documented one vessel operator who possessed 211 female blue crabs, a number much higher than the legal incidental take of immature female blue crabs set by the state. During the course of the investigation, the officer and agent determined that the subject intended on taking the blue crabs out of Louisiana to sell in a neighboring state in violation of the Lacey Act—which prohibits the interstate transport of illegally harvested fishery products. A \$2,000 summary settlement was issued to the captain/owner.

Endangered Species Act

An OLE Special Agent and Florida Fish and Wildlife Conservation Commission (FWC) officers investigated the unlawful take of an endangered smalltooth sawfish. This species has been listed as endangered since May of 2003. On July 18, 2018, the subject was observed removing the rostrum from a live 12-foot smalltooth sawfish with a power saw aboard his fishing vessel off the coast of Ponte Vedra, Florida. OLE Special Agents procured a search warrant for the

subject's vessel and were able to link seized items to the sawfish with the assistance of the NOAA Forensics Lab in Charleston, South Carolina. The U.S. Attorney's Office in Jacksonville, Florida, filed charges against the subject, who ultimately pleaded guilty to killing an endangered species. The subject faced a maximum penalty of one year in federal prison and a \$50,000 fine.

National Marine Sanctuaries Act

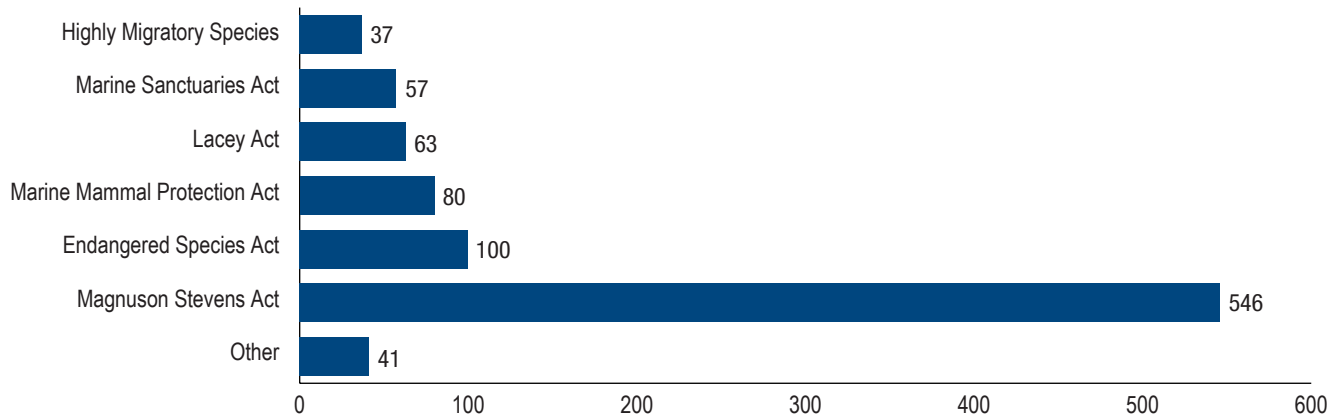
OLE Enforcement Officers conducted a patrol operation during the Spiny Lobster Mini-Season in the Florida Keys National Marine Sanctuary. The patrol focused on enforcing the National Marine Sanctuary Act regulations between Key Largo and the Dry Tortugas. In total, four patrol boat crews conducted 322 hours of underway time, boarded 246 vessels, contacted 906 people, and documented 102 violations.

Illegal, Unreported, and Unregulated Fishing

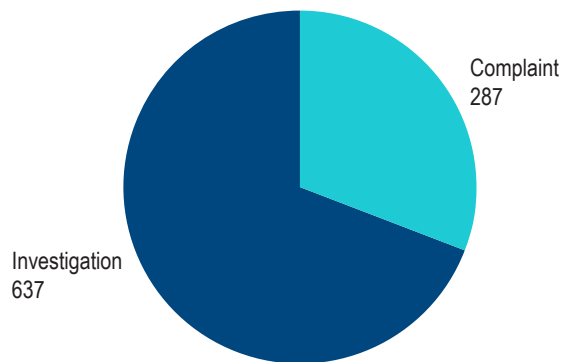
OLE Special Agents and Enforcement Officers conducted several IUU fishing port operations in conjunction with federal and state partners in FY 2019. During one of these operations, OLE worked in conjunction with Texas Parks and Wildlife Department (TPWD), U.S. Customs and Border Protection (CBP), U.S. Fish and Wildlife Service (USFWS), and the U.S. Food and Drug Administration (FDA) to target imports of marine species and products entering the Port of Galveston, Texas, from Mexico. During the course of the three-day operation, OLE and TPWD examined eight seafood trucks and one truck full of live frogs. No federal seafood violations were documented; however, TPWD issued one citation to a truck with eight undersized red snapper and several minor paperwork violations.

SED Enforcement Activities at a Glance

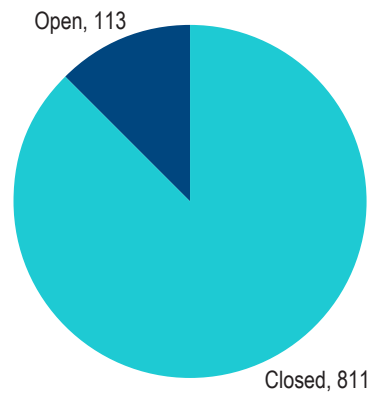
INCIDENT BY LAW



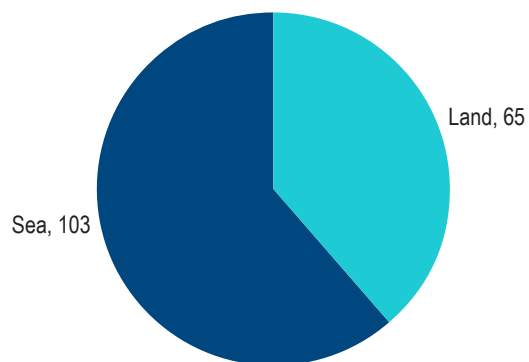
INCIDENT TYPE



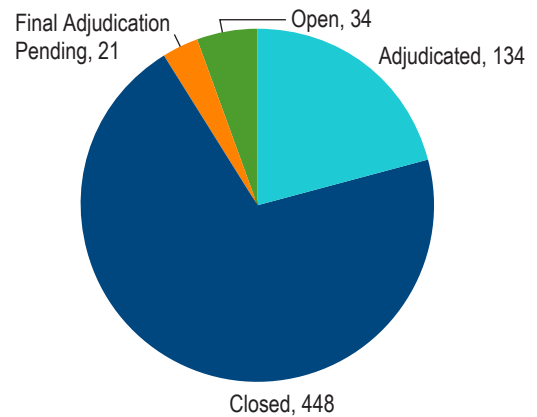
INCIDENT STATUS



PATROLS



INVESTIGATION DISPOSITIONS





West Coast Division

Greg Busch Assistant Director

Staffing Snapshot

35 Full-Time Employees

- 14 Special Agents
- 8 Enforcement Officers
- 7 Mission Support
- 6 Investigative Support
- 1 Contractor

WCD Budget: \$8.9 million

Headquarters

7600 Sand Point Way NE
Seattle, WA 98115

Field Offices

Alameda, CA
Astoria, OR
Bellingham, WA
Coos Bay, OR
Lacey, WA
Long Beach, CA
Monterey, CA
Newport, OR
Sacramento, CA
San Diego, CA
Santa Rosa, CA
Seattle, WA
Vancouver, WA
Westport, WA

VMS

1,323 Reporting Vessels

The West Coast Division encompasses the coastal states of Washington, Oregon, and California. The area of responsibility also extends inland to Idaho, North and South Dakota, and Montana.

This unique division shares borders with Canada and Mexico, has five national marine sanctuaries along its coast, and includes 290 Marine Conservation Areas. The Division is responsible for 1,293 miles of Pacific coastline and 7,863 miles of tidal shoreline, 222,471 square nautical miles of EEZ, and 339,375 square miles of critical habitat land encompassing numerous rivers and tributaries feeding into the Pacific Ocean.

Two of the top 10 international ports for exporting and importing seafood products by weight and value are found in the Division—Seattle and Los Angeles. In addition to those two seaports the Division monitors 16 international airports, 21 seaports, and numerous border crossings for imports/exports of seafood products.

Working with Regional Partners

The Division's Enforcement Officers and Special Agents leverage federal and state partnerships to address violations. Federal partners like the U.S. Coast Guard, Customs and Border Protection, U.S. Fish and Wildlife Service, and the Environmental Protection Agency help the Division identify and investigate incidents at sea, in critical habitat, and on the borders. Our state law enforcement partners in Washington, Oregon, and California, are given authority and responsibility to conduct patrols and outreach in areas where Division resources are scarce.

Native tribes located throughout the region have long been an asset to the Division, but recently cooperative efforts have been a focal point that has provided additional resources.

An integral part of OLE's enforcement effort is done through education and outreach efforts. Ensuring the general public, importers/exporters, and the commercial fishing industry has the latest information on regulations is of the utmost importance to maintaining sustainability and conservation standards.

Significant Investigations

Magnuson-Stevens Act

An OLE Special Agent's investigation into a 2016 collision at sea led to NOAA GCES issuing a NOVA with a settlement summary of \$5,175. The investigation began after a collision at sea was reported between a commercial groundfish trawler and a commercial salmon trawler. Both vessels were found to be negligent in maintaining proper lookout and wheel watch. The investigation also revealed that, at the time of the collision, the trawler was carrying a federal fisheries observer and the assigned bridge watchstander was not in position. While both vessels sustained damage from the collision, no one was injured.

Marine Mammal Protection Act

An OLE Enforcement Officer investigated a subject alleged to have shot a harbor seal with a pellet rifle in the San Juan Islands. Sheriff's Officers from San Juan County were the first to respond to the incident, capturing the seal and transporting it to a rehabilitation center. They located and interviewed the subject, collected evidence, then transferred the case to OLE. NOAA GCES issued a NOVA with a settlement summary of \$5,625.

National Marine Sanctuaries Act

Two OLE Enforcement Officers investigated a fuel discharge from a 28-foot recreational vessel that ran aground in the Monterey Bay National Marine Sanctuary. The investigation was in coordination with Monterey Bay Sanctuary personnel and the U.S. Coast Guard. Preliminary investigative work indicated that the vessel lost power and control offshore before crashing into the rocks. The rest of the investigation revealed that negligence on the part of the owner/operator contributed to the vessel running aground. In addition to this occurring within a National Marine Sanctuary, the grounding also impacted the habitat of endangered black abalone. The owner/operator was issued a summary settlement of \$800.

Lacey Act

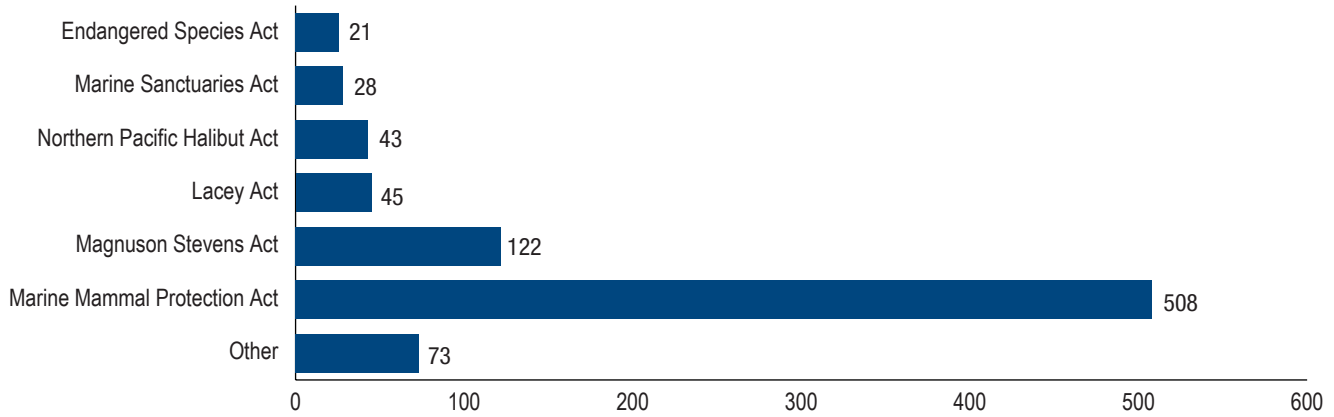
An OLE Special Agent conducted an investigation in 2018 into a subject suspected of unlawfully purchasing and transporting 165 subsistence-caught Klamath River Chinook salmon from a tribal member on Yurok tribal land. The subject was initially stopped by a state trooper for a vehicle violation, but the trooper became suspicious of the truckload of fish. The state trooper contacted a California Department of Fish and Wildlife (CDFW) warden, who then contacted OLE. The 2018 Yurok Tribe Harvest Management Plan did not have an open commercial salmon season, so this subject was in violation of the Lacey Act. A NOVA was issued with a settlement agreement of \$3,150.

International Cooperation

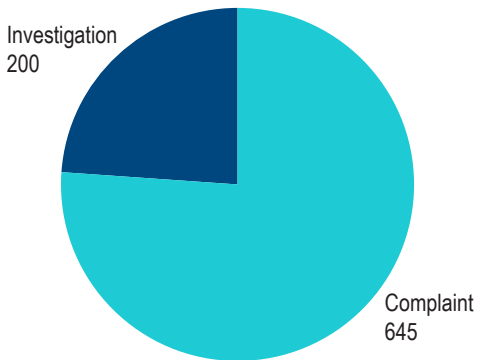
Following a joint investigation in 2018 between OLE and U.S. Fish and Wildlife Service, a former Border Patrol agent was sentenced by the U.S. Attorney's Office in San Diego for conspiring with others to smuggle dried sea cucumber into the United States from Mexico. The defendant organized couriers to conceal and transport bags of dried fuscus sea cucumber into the United States from Mexico on approximately 80 occasions. This is a listed species under the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES). It is estimated that the courier transported approximately 1,000 kilograms of dried sea cucumber worth over \$250,000. The former agent was sentenced to 24 months jail time, and ordered to pay \$5,400 restitution to the Government of Mexico, which regulated fuscus sea cucumber.

WCD Enforcement Activities at a Glance

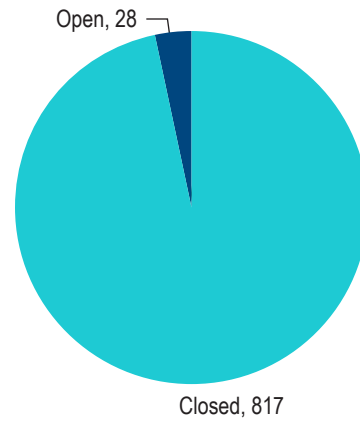
INCIDENT BY LAW



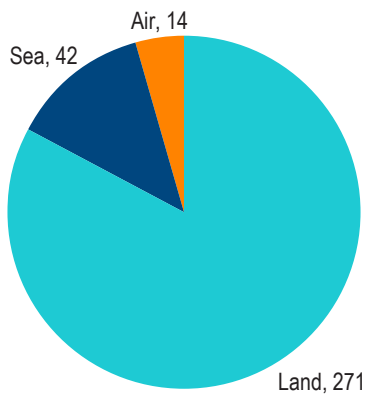
INCIDENT TYPE



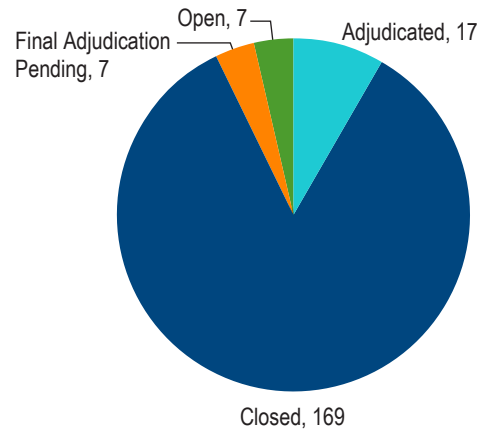
INCIDENT STATUS



PATROLS



INVESTIGATION DISPOSITIONS



Appendix

NOAA's Office of Law Enforcement is responsible for enforcing more than 35 federal statutes, with the majority of cases falling under the ESA, Lacey Act, MSA, MMPA, NMSA, and NPHA.

Endangered Species Act of 1973 (16 U.S.C. 1531-1543). This act prohibits the importation, exportation, taking, and commercialization in interstate or foreign commerce of fish, wildlife, and plants that are listed as threatened or endangered species. The act also implements the provisions of the Convention on International Trade in Endangered Species (CITES).

Lacey Act Amendments of 1981 (16 U.S.C. 3371-3378). This act prohibits the importation, exportation, transportation, sale, or purchase of fish, wildlife, or plants taken or possessed in violation of state, federal, tribal, and foreign laws. It also authorizes the Secretary of the Interior to designate injurious wildlife and ensure the humane treatment of wildlife shipped to the United States. Originally enacted in 1900, the Lacey Act is the nation's oldest federal wildlife protection law.

Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801-1882). This act is the primary law governing marine fisheries management in U.S. federal waters. First passed in 1976, the MSA fosters long-term biological and economic sustainability of our nation's marine fisheries within the U.S. EEZ. Key objectives of the MSA are to prevent overfishing, rebuild overfished stocks, increase long-term economic and social benefits, and ensure a safe and sustainable supply of seafood.

Marine Mammal Protection Act of 1972 (16 U.S.C. 1361-1407). This act establishes a moratorium on the take and importation of marine mammals, including parts and products, and defines federal responsibilities for the conservation of marine mammals. The Department of Commerce through the National Marine Fisheries Service is charged with protecting whales,

dolphins, porpoises, seals, and sea lions. Walrus, manatees, otters, and polar bears are protected by the Department of the Interior through the U.S. Fish and Wildlife Service. The Animal and Plant Health Inspection Service, a part of the U.S. Department of Agriculture, is responsible for regulations managing marine mammals in captivity.

National Marine Sanctuaries Act (16 U.S.C. 1431-1439). This act authorizes the Secretary of Commerce to designate and protect areas of the marine environment with special national significance due to their conservation, recreational, ecological, historical, scientific, cultural, archeological, educational, or esthetic qualities as national marine sanctuaries. Day-to-day management of national marine sanctuaries has been delegated by the Secretary of Commerce to NOAA's Office of National Marine Sanctuaries. The primary objective of the act is to protect marine resources, such as coral reefs, sunken historical vessels, or unique habitats.

Northern Pacific Halibut Act of 1982 (16 U.S.C. 773-773k). This act is the implementing legislation for the Convention between the United States and Canada for the preservation of the halibut fishery of the northern Pacific Ocean and Bering Sea. The act authorizes the Secretary of State, with the concurrence of the Secretary of Commerce, to accept or reject on behalf of the United States the halibut fishery regulations and management recommendations developed by the International Pacific Halibut Commission (IPHC). The act also authorizes the North Pacific Fishery Management Council and the Pacific Fishery Management Council to develop, and the Secretary of Commerce to implement, additional halibut fishery regulations governing the U.S. portion of Convention waters. Ultimately, the act was created to conserve, manage, and rebuild the halibut stocks in the Convention Area to those levels that would achieve and maintain the maximum sustainable yield from the fishery.

Other Statutes and Responsibilities

- Agreement on Port State Measures to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing 2015** (16 U.S.C. 7401-7409)
- American Fisheries Act of 1998** (Pub. Law 105-277)
- Anadromous Fish Products Act** (16 U.S.C. 1822 note, Section 801(f))
- Antarctic Conservation Act of 1978** (16 U.S.C. 2401-2413)
- Antarctic Marine Living Resources Convention Act of 1984** (16 U.S.C. 2431-2444)
- Antarctic Protection Act of 1990** (16 U.S.C. 2465(a))
- Antigua Convention Implementing Act of 2015** (Pub. Law 114-181)
- Atlantic Coastal Fisheries Cooperative Management Act** (16 U.S.C. 5103(b))
- Atlantic Salmon Convention Act of 1982** (16 U.S.C. 3601-3608)
- Atlantic Striped Bass Conservation Act** (16 U.S.C. 1851 note)
- Atlantic Tunas Convention Act of 1975** (16 U.S.C. 971-971k)
- Billfish Conservation Act of 2012** (Pub. Law 112-183, 126 Stat. 1422-1423)
- Convention on the Conservation and Management of High Seas Fishery Resources in the South Pacific 2017** (16 U.S.C. 7801-7810)
- Deep Seabed Hard Mineral Resources Act** (30 U.S.C. 1401 et seq.)
- Dolphin Protection Consumer Information Act** (16 U.S.C. 1385 et seq.)
- Driftnet Impact Monitoring, Assessment, and Control Act** (16 U.S.C. 1822 note, section 4006)
- Eliminate, Neutralize, and Disrupt Wildlife Trafficking 2015** (16 U.S.C. 7601-7644)
- Fish and Seafood Promotion Act of 1986** (16 U.S.C. 4001-4017)
- Fisherman’s Protective Act of 1967** (22 U.S.C. 1980(g))
- Fur Seal Act Amendments of 1983** (16 U.S.C. 1151-1175)
- High Seas Driftnet Fishing Moratorium Protection Act** (16 U.S.C. 1826(d)-1826(k))
- High Seas Fishing Compliance Act** (16 U.S.C. 5506(a))
- Illegal, Unreported, and Unregulated Fishing Enforcement Act of 2015** (Public Law 114-81)
- Land Remote-Sensing Policy Act of 1992** (15 U.S.C. 5601 et seq.)
- North Pacific Anadromous Stocks Convention Act of 1992** (16 U.S.C. 5002-5012)
- North Pacific Fisheries Convention 2017** (16 U.S.C. 7701-7710)
- Northwest Atlantic Fisheries Convention Act of 1995** (16 U.S.C. 5601-5612)
- Ocean Thermal Energy Conversion Act of 1980** (42 U.S.C. 9101 et seq.)
- Pacific Albacore Tuna Treaty Act** (Pub. Law 108-219, 118 Stat. 615- 617, 16 U.S.C. 1821 note)
- Shark Conservation Act** (Pub. Law 111-348, 124 Stat. 3668-3673, 16 U.S.C. 1801 note)
- Shark Finning Prohibition Act** (Pub. Law 106-557, 114 Stat. 2772- 2775, 16 U.S.C. 1822 note)
- South Pacific Tuna Act of 1988** (16 U.S.C. 973-973r)
- Sponge Act** (16 U.S.C. 781 et seq.)
- Tuna Conventions Act of 1950** (16 U.S.C. §§ 951-961)
- Weather Modifications Reporting Act** (15 U.S.C. 330-330e)
- Western and Central Pacific Fisheries Convention Implementation Act** (16 U.S.C. 6901 et seq.)
- Whaling Convention Act of 1949** (16 U.S.C. 916-9161)



U.S. Secretary of Commerce

Gina M. Raimondo

Acting Under Secretary of Commerce
for Oceans and Atmosphere

Dr. Richard W. Sprinrad

Assistant Administrator for Fisheries

Janet Coit

August 2021

www.fisheries.noaa.gov

OFFICIAL BUSINESS

**National Marine
Fisheries Service**

1315 East-West Highway
Silver Spring, MD 20910

