



NOAA
FISHERIES

FY23 Annual Enforcement Report to the
Pacific Fishery Management Council
West Coast Enforcement Division

June 2024

NOAA Fisheries, Office of Law Enforcement, West Coast Division

Report to the Pacific Fishery Management Council

June 2024

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West Coast Enforcement Division

The West Coast Enforcement Division

Staffing Snapshot

40 Full-Time Employees

- Assistant Director
- 13 Special Agents
- 12 Enforcement Officers
- 6 Mission Support
- 7 Investigative Support
- 1 Compliance Liaison

WCD Budget:

\$12.7 million

Headquarters

7600 Sand Point Way NE
Seattle, WA 98115

Field Offices

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

Vessel Monitoring System

(VMS): 1,713 vessels

The National Oceanic and Atmospheric Administration (NOAA) Fisheries, Office of Law Enforcement (OLE), West Coast Division (WCD) provides marine enforcement and compliance assistance for the west coast of the continental United States, primarily California, Oregon and Washington, but also includes Arizona, Colorado, Idaho, Montana, Nevada, North Dakota, South Dakota, Utah, and Wyoming. Our staff includes Special Agents, Enforcement Officers, and support personnel stationed in California, Oregon, and Washington. The states of Washington, Idaho, Montana, and North Dakota include 1,327 miles of the international border with Canada and the states of California and Arizona include 513 miles of international border with Mexico. There are 1,293 miles of rigorous Pacific Ocean coastline and 7,863 miles of tidal shoreline, five National Marine Sanctuaries (to include 290 Marine Conservation Areas), Puget Sound, 21 major international seaports, 18 international airports, 222,471 square nautical miles of Pacific Ocean within the Exclusive Economic Zone (EEZ), and 339,375 square miles of inland critical habitat encompassing numerous rivers and tributaries feeding into the Pacific Ocean.

The FY-24 OLE staffing plan for the WCD includes 44 funded positions including support and sworn personnel assigned throughout Washington, Oregon, and California. The plan divides the staff between three categories: Operational – which includes sworn staff (i.e., Special Agents and Enforcement Officers), Investigative Support – which includes operational support staff (i.e., Investigative Support Technicians and an Investigative Analyst), and Mission Support – which includes administrative staff (e.g., Program Analysts and Support Services Specialists).

The Operational staff has Special Agents (SAs) organized in two districts, each with a supervisory Assistant Special Agent-in-Charge (ASAC). District One covers Washington and Oregon, with a staff of six SA positions. District

Two covers California, with a staff of seven SA positions. As of May 2024, three funded SA positions are vacant and in the process of being filled.

The Operational staff also has Enforcement Officers (EOs) positioned in two patrol districts: Patrol North, which covers Washington and Oregon; and Patrol South, which covers California; with each district having a Supervisory Enforcement Officer (SEO) assigned. Ten of the eleven funded EO positions are currently filled (three in Washington, two in Oregon, and five in California). The final vacant EO position is expected to be filled during 2024.

Office of Law Enforcement – Enforcement Priorities

The NOAA Office of Law Enforcement released its six National Enforcement Priorities for Fiscal Years 2023-2027. It was finalized with input from the Pacific Fishery Management Council, along with various stakeholders and the public. A full description of OLE's Enforcement Priorities is available at this link and they are summarized below: [OLE Enforcement Priorities, Fiscal Years 2023 - 2027](#)

- 1) ***Sustainable Fisheries:*** NOAA Fisheries - in close coordination with the regional fishery management councils and state partners - is responsible for fostering healthy, productive, and sustainable living marine resources and habitats. One of the ways NOAA Fisheries achieves these outcomes is through effective enforcement. OLE emphasizes investigations related to violations that jeopardize the safety of observers and the integrity of the observer data, such as assaults, interference, or harassment of observers. Additionally, OLE prioritizes investigations involving violations of gear restrictions and closed-area regulations; limitations on bycatch and catch of prohibited species; landing requirements; and incidents of fraudulent or inaccurate reporting of required data.
- 2) ***Protected Resources:*** NOAA Fisheries is responsible for the conservation and recovery of protected species and their habitats, as well as the conservation and protection of key marine and estuarine areas as mandated by the Marine Mammal Protection Act (MMPA), the Endangered Species Act (ESA), and the National Marine Sanctuaries Act. To foster the conservation of protected resources and places, OLE focuses on enforcement of bycatch reduction, gear, and area regulations designed to conserve protected species; unlawful human interactions with protected species; and marine protected areas. OLE gives particular attention to noncompliance that threatens resources and places that are particularly vulnerable, such as violations that threaten endangered species or their habitat.
- 3) ***Illegal, Unreported, and Unregulated (IUU) Fishing/International:*** The vast majority of the seafood consumed in the U.S. is imported. This demand makes the U.S. an attractive market for IUU fish and fish products, and also places pressure on wild stocks from all over the world. Internationally, Regional Fisheries Management Organizations and Related Agreements (RFMO/As) work to ensure that seafood caught within their governing areas is taken in an authorized and sustainable manner. In accordance with the Maritime Security and Fisheries Enforcement (SAFE) Act, and in support of the U.S. Interagency Working Group on IUU Fishing 5-Year Strategy for Combating IUU Fishing, OLE coordinates across the U.S. Government and with foreign partners to: promote sustainable fisheries management and governance; enhance the monitoring, control, and surveillance of marine fishing operations; and ensure only legal, sustainable, and responsibly harvested seafood enters trade. OLE prioritizes its efforts within RFMO/As, and with foreign countries, federal partners, and non-governmental organizations to deter, detect, and prevent IUU fish and fish products from entering U.S. markets and to bring to justice those who seek to profit from this activity. In support of this priority, OLE will continue to work with the U.S. Coast Guard to implement the Port State Measures Agreement and will aggressively investigate interstate or foreign trafficking of illegally-harvested or fraudulently represented fish or fish products, including enforcement of regulations implemented under the Seafood Import Monitoring Program. In addition, OLE will provide technical assistance to international partners in fisheries law enforcement to enhance their abilities to detect IUU fish and fish products before they enter the stream of commerce, and to investigate and prosecute IUU fishing violations.

Office of Law Enforcement – Enforcement Priorities (continued)

- 4) ***Seafood Fraud:*** Seafood fraud - typically in the form of mislabeling or other methods of deceptive misidentification of seafood products with respect to quality, quantity, origin, or species - undermines the economic viability of U.S. and global fisheries and deceives consumers. Seafood fraud is generally driven by economic motives and can occur at multiple points along the supply chain. OLE prioritizes monitoring and investigating major seafood fraud violations, including increased efforts to deter and detect illegal products at ports of entry into the U.S., through implementation of the Seafood Import Monitoring Program and other NOAA trade monitoring programs. OLE works with international partners and state, local, and other federal agencies to strengthen seafood fraud detection throughout the supply chain, through continued coordination via interagency task forces and information-sharing mechanisms.

- 5) ***Wildlife Trafficking:*** Illegal wildlife trafficking is a multi-billion-dollar-per-year enterprise that targets some of the most iconic and endangered species on the planet. As economic opportunists, wildlife traffickers are also frequently involved in other illegal activities, such as human trafficking, illegal weapons sales, and the illicit drug trade. OLE identifies and investigates fish and other marine wildlife illegally taken, possessed, shipped, or transported through airports, ports, or border crossings. To support this effort, OLE will continue deployments of enforcement personnel to strategic ports of entry to better interdict these shipments. OLE will also continue its efforts to detect and investigate the illegal trafficking of marine mammals and endangered species parts or products.

- 6) ***Outreach and Education:*** A primary goal of OLE is voluntary compliance by members of the public or regulated industries with marine resource protection laws and implementing regulations. Engaging in outreach and education activities to foster voluntary compliance is the cornerstone of this goal. While conducting patrol efforts, OLE enforcement officers have day-to-day interactions with industry members and the general public, and use these daily opportunities to answer questions and provide information. As part of the Vessel Monitoring System (VMS) program, OLE Investigative Support Technicians routinely answer calls from industry members concerning regulations and make proactive contact with owners of vessels at sea when it appears that a vessel may be out of compliance with restricted area or VMS reporting requirements. In addition to day-to-day interactions, OLE conducts regular outreach and education initiatives regarding new and changing regulations to foster voluntary compliance. OLE works with our federal and state partners, as well as using social media, outreach events, web stories, compliance liaisons, and news articles to help the public understand and follow the law to promote voluntary compliance. The WCD Compliance Liaison analyzes and evaluates violation history, and works with regulators and marine resource users to provide education and promote compliance assistance.

Office of Law Enforcement – Cooperative Enforcement Program

Under the federally-funded NOAA Cooperative Enforcement Program (CEP), OLE has ongoing formal Cooperative Enforcement Agreements (CEAs) and Joint Enforcement Agreements (JEAs) with all three West Coast States: California Department of Fish and Wildlife (CDFW) – Law Enforcement Division, Oregon State Police (OSP) – Fish and Wildlife Division, and Washington Department of Fish and Wildlife (WDFW) – Police. These agreements extend federal authority for state agencies to enforce specific federal laws and regulations as defined in agreed upon federal priorities within each agreement. Officially affording partner officers, troopers, and wardens with formal federal deputation and specific federal marine law enforcement authority to assist NOAA.

In addition to providing reimbursement for direct federal fisheries enforcement work performed by state officers, wardens, and troopers in support of federal fisheries enforcement priorities, the agreements also provide funding for state administrative overhead and program-related direct purchases of large marine enforcement assets (e.g., boats, vehicles, etc.) as well as small or portable assets (e.g., dry suits, thermal imaging, cameras, etc.), in addition to targeted program meetings or specific training needs and services (maintenance of equipment and vessels).

Within the framework of each agreement, there are defined marine law enforcement, compliance assistance, and living marine resource management responsibilities under (mutually agreed upon) federal priorities; these typically include both land-based and at-sea activities, and may include air services, if available within a state partner agency and if determined to be of added value in support of one or more federal priorities.

NOAA continues to seek commitment from state and territorial partners to devote 75% of their efforts on federal enforcement execution priorities identified in their state or territory. CEP partners will retain the flexibility to designate up to 25% of their JEA to less-specified enforcement activities in general support of federal marine law enforcement. The WCD federal funding for JEA 2023 was \$2.64M and funding for JEA 2024 is planned to be \$2.61M, with the amounts distributed between Washington, Oregon, and California.

These agreements foster a cooperative environment, producing a viable collaborative approach to federal and state living marine resources enforcement and management. There are consistent ongoing cooperative efforts between WDFW, OSP, CDFW, OLE, and the U.S. Coast Guard (USCG) for the enforcement, preservation, and management of living marine resources. The USCG is a valuable federal partner, providing premier at-sea and air resources, and willingly supporting state partner and federal operations. WDFW Officers, CDFW Wardens, and OSP Troopers ensure comprehensive protection and compliance through the monitoring of directed and incidental commercial, recreational, and tribal fisheries. This is accomplished by conducting vessel boardings, monitoring off-loads, inspections of processors, wholesalers, dealers, markets, buyers, restaurants, air and sea ports, and cold storage facilities, as well as through follow-up, surveillance, investigations, and collaborative operations. The significant contributions of our West Coast Cooperative Enforcement Program Partners (CDFW, OSP, WDFW), and the USCG, formulate the foundation of our coastal living marine resource protection and compliance.

Office of Law Enforcement (OLE) – WCD Fiscal Year 2023 Investigations

Magnuson-Stevens Act

- An investigation into a limited entry IFQ trawl vessel that illegally harvested 233 pounds of Yelloweye rockfish resulted in a **Notice of Violation and Assessment (NOVA)** of \$2,907.75.
- An investigation into a first receiver for conducting an offload of groundfish from a limited entry trawl vessel without a catch monitor present resulted in a **NOVA** of \$9,000.
- An investigation into a limited entry fixed gear commercial fishing vessel whose landing receipts showed an average of 3,983.6 pounds (86.5%) of sablefish for the weekly limit resulted in a **NOVA** of \$15,764.43.
- An investigation into a commercial fishing vessel that conducted fishing operations within a Groundfish Conservation Area resulted in a **NOVA** of \$5,935.
- An investigation into the captain and two crewmen of a catcher vessel targeting groundfish who stashed approximately 100 pounds of widow rockfish for personal consumption without the rockfish being accounted for in the logbooks, contrary to the vessel monitoring plan and EFP, resulted in a **NOVA** of \$2,500.
- An investigation into a commercial fishing vessel that self-reported an average of Shortspine thornyhead rockfish resulted in a **NOVA** of \$3,916.
- An investigation into commercial fishing vessel participating in the 2023 Area 2A commercial Pacific halibut fishery that did not have the required seabird avoidance gear on board resulted in a **NOVA** of \$1,000. The operator admitted to not having it the previous three days while utilizing bottom longline gear. The owner of the vessel was issued a Written Warning the previous year for the same violation.
- An investigation into a commercial fishing vessel landing Albacore Tuna without a valid Highly Migratory Species (HMS) permit resulted in a **Summary Settlement** of \$500. The operator admitted to allowing his HMS permit to lapse.
- An investigation into the operator of an open access longline commercial fishing vessel for landing groundfish without a Vessel Monitoring System (VMS) installed resulted in a **Summary Settlement** of \$4,000.
- An investigation into an open access fixed gear commercial fishing vessel whose operator landed an average of 634 pounds of sablefish resulted in a **Summary Settlement** of \$2,022.21.
- An investigation into the operator of a fixed gear commercial fishing vessel with three groundfish permits with sablefish tiers for landing an average of 1,282 pounds of sablefish resulted in a **Summary Settlement** of \$2,478.88.
- An investigation into an open access groundfish commercial fishing vessel possessing groundfish in the Exclusive Economic Zone (EEZ) without a functional VMS resulted in a **Summary Settlement** of \$2,000.

- An investigation into the operator of a commercial fishing trawl vessel operating under an Exempted Fishing Permit (EFP) for discarding 2,608 pounds of rockfish and 190 pounds of sablefish contrary to the approved vessel monitoring plan resulted in a **Summary Settlement** of \$1,000.
- An investigation into the operator of a commercial fishing trawl vessel operating under an EFP for failing to follow the approved vessel monitoring plan by not loading a hard drive into the vessel's electronic monitoring system prior to starting fishing operations resulted in a **Summary Settlement** of \$1,000.
- An investigation into a commercial fishing vessel landing Albacore Tuna without a valid HMS permit resulted in a **Summary Settlement** of \$500. The operator also failed to submit the logbooks as required.
- An investigation into a commercial fishing vessel landing Bluefin Tuna without a valid HMS permit resulted in a **Summary Settlement** of \$500.
- An investigation into a commercial seafood company's shipments resulted in a **Summary Settlement** of \$1,000. The records for both shipments were either not provided or inconsistent.
- An investigation into the operator of a commercial fishing vessel utilizing undersized Kelp Greenling as bait when it is supposed to be treated as a prohibited/protected species resulted in a **Summary Settlement** of \$300.



- An investigation into a commercial fishing vessel landing Bluefin Tuna without a valid HMS permit resulted in a **Summary Settlement** of \$500.
- An investigation into a commercial seafood importer's shipments resulted in a **Summary Settlement** of \$1,000. The records for both shipments were either not provided or inconsistent.
- An investigation into a commercial seafood company's shipments resulted in a **Summary Settlement** of \$2,000. The records for several shipments were either not provided or inconsistent.
- An investigation into a commercial fishing vessel that conducted fishing operations within the Non-Trawl Rockfish Conservation Area resulted in a **Summary Settlement** of \$326.
- An investigation into a commercial seafood company's shipments resulted in a **Summary Settlement** of \$2,000. The records for several shipments were either not provided or inconsistent.

- An investigation into a commercial seafood company's incoming shipment resulted in a **Summary Settlement** of \$1,000. The records for the shipment were either not provided or inconsistent.
- An investigation into a limited entry fixed gear commercial fishing vessel with an incidental halibut overage during the tiered sablefish primary season resulted in a **Summary Settlement** of \$826.
- An investigation into a commercial seafood company that participates in the Individual Fishing Quota program failing to submit its Economic Data Collection forms resulted in a **Summary Settlement** of \$500.
- An investigation into a commercial fishing vessel that left port with a non-reporting VMS unit and while being on a haul out exemption resulted in a **Summary Settlement** of \$2,000.
- An investigation into a commercial seafood company's shipments resulted in a **Summary Settlement** of \$1,000. The records for several shipments were either not provided or inconsistent.
- An investigation into a commercial seafood company that failed to submit its Economic Data Collection forms resulted in a **Summary Settlement** of \$1,000.
- An investigation into a commercial seafood importer's shipments resulted in a **Summary Settlement** of \$1,000. The records for both shipments were either not provided or inconsistent.
- An investigation into a commercial fishing vessel that self-reported an overage of Shortspine thornyhead rockfish resulted in a **Summary Settlement** of \$14.21.
- An investigation into a commercial seafood company that had no catch monitor present at the start of an Individual Fishing Quota offload resulted in a **Written Warning**.
- An investigation into a commercial fishing vessel with a vessel monitoring plan violation resulted in a **Written Warning**.
- An investigation into a commercial fishing vessel whose Electronic Monitoring camera had an obstructed camera view during an offload resulted in a **Written Warning**.
- An investigation into a commercial fishing vessel participating in the 2023 Area 2A commercial Pacific halibut fishery opener that did not have required Seabird Avoidance Gear on board for all three days of fishery resulted in a **Written Warning**.
- An investigation into a commercial fishing vessel participating in the 2023 Area 2A commercial Pacific halibut fishery opener that did not have required Seabird Avoidance Gear on board resulted in a **Written Warning**. The operator admitted he did not utilize the gear while setting long line gear.
- An investigation into a commercial fishing vessel participating in the 2023 Area 2A commercial Pacific halibut fishery opener whose crew admitted they did not utilize required Seabird Avoidance Gear while fishing resulted in a **Written Warning**.
- An investigation into a commercial fishing vessel participating in the 2023 Area 2A commercial Pacific halibut fishery opener that did not have required Seabird Avoidance Gear on board resulted in a **Written Warning**.

- An investigation into a commercial fishing vessel that had been making groundfish landings with a non-reporting VMS unit resulted in a **Written Warning**.
- An investigation into a commercial fishing vessel participating in the 2023 Area 2A commercial Pacific halibut fishery opener that caught and retained Albacore Tuna without a valid HMS permit resulted in a **Written Warning**.
- An investigation into a commercial seafood company with an unlabeled shipment resulted in a **Written Warning**. An inspection of the package identified that the shipment contained shrimp.
- An investigation into a commercial fishing vessel that arrived dockside with Albacore Tuna onboard whose operator did not have a copy of the HMS permit but was current in the database resulted in a **Written Warning**.
- An investigation into a commercial fishing vessel landing Bluefin tuna without a highly migratory species permit resulted in the operator receiving a **Written Warning**.
- 178 additional investigations involving violations of the Magnuson Stevens Act were closed with **Compliance Assistance Provided**.

Endangered Species Act

- An investigation into the illegal retention of a wild steelhead at the Columbia River resulted in a **Summary Settlement** of \$450.



- An investigation into a recreational vessel operating within 300 yards of endangered Southern Resident Killer Whales in Puget Sound resulted in a **Summary Settlement** of \$300
- An investigation into a subject who illegally took an ESA listed Steelhead resulted in a **Summary Settlement** of \$450.
- 2 additional investigations involving violations of the Endangered Species Act were closed with **Compliance Assistance Provided**.

Marine Mammal Protection Act

- An investigation into a recreational sailing vessel that approached killer whales closer than 100 yards resulted in the operator receiving a **Written Warning**.
- 15 additional investigations involving violations of the Marine Mammal Protection Act were closed with **Compliance Assistance Provided**.

National Marine Sanctuaries Act

- An investigation into a commercial fishing vessel that sank within the boundaries of Olympic Coast National Marine Sanctuary (OCNMS) resulted in a **NOVA** of \$7,500. The investigation revealed the vessel struck shore side rocks after the operator fell asleep.
- An investigation into a recreational sailing vessel that sank within the boundaries of Monterey Bay National Marine Sanctuary (MBNMS) resulted in a **NOVA** of \$7,500.



- An investigation into a pilot who violated a Monterey Bay National Marine Sanctuary (MBNMS) regulation by flying a twin jet aircraft less than 1000 feet air to ground level in a restricted zone along the Santa Cruz coastline resulted in a **Summary Settlement** of \$350.



- An investigation into a pilot who violated a MBNMS regulation by flying an aircraft less than 1000 feet air to ground above two of the four flight restriction zones within the MBNMS resulted in a **Summary Settlement** of \$350.

Illegal, Unreported, and Unregulated (IUU) / International Fisheries

- An investigation into a subject charged with unlawfully selling more than 7000 lbs. of Chinook salmon taken from the Columbia River resulted in a sentence of 3 years' probation and an order to pay \$143,088 in restitution to the Columbia River Intertribal Fish Commission.

USAO Western District of Washington – Press Release

<https://www.justice.gov/usao-wdwa/pr/lummi-nation-member-sentenced-violating-lacey-act-purchasing-more-7000-pounds-illegally>



Boxes of illegally taken salmon

- An investigation into an open access longline commercial fishing vessel that was fishing after the International Pacific Halibut Commission's Area 2A fishery had closed resulted in a **Summary Settlement** of \$1,125. The operator admitted to retrieving gear after the 6:00 p.m. closing.

- An investigation into the operator of a longline commercial fishing vessel participating in the 2022 Area 2A commercial Pacific halibut fishery who landed fish after the fishing period was over resulted in a **Summary Settlement** of \$1,125.00. The vessel was observed by NOAA Office of Law Enforcement personnel during a flight onboard a U.S. Coast Guard helicopter. A boarding was conducted the next day to monitor the offload. During the boarding the operator also failed to have required seabird avoidance gear onboard during the fishery. The operator admitted to the violations during an interview. A **Written Warning** was issued for failing to utilize required seabird avoidance gear.

- An investigation into the operator of a commercial fishing vessel for one count of retaining a prohibited species, yelloweye rockfish, and landing a 212.55 pound overage of Pacific halibut caught incidental to the sablefish fishery resulted in a **Summary Settlement** of \$1,587.90.

- An investigation into a commercial seafood company's shipments resulted in a **Summary Settlement** of \$1,000. The records for both shipments were either not provided or inconsistent.

- An investigation into a commercial seafood importer's shipments resulted in a **Summary Settlement** of \$1,000. The records for both shipments were either not provided or inconsistent.

- An investigation into a commercial seafood shipment resulted in a **Summary Settlement** of \$1,000. The chain of custody and other records were incomplete.

- An investigation into a commercial fishing vessel that self-reported a 30 pound overage of Pacific halibut resulted in a **Summary Settlement** of \$180.

- An investigation into a commercial fishing vessel participating in the 2023 Area 2A Pacific halibut season for failing to mark longline gear and for having Coast Guard documentation numbers on the vessel that were too small and had missing numbers resulted in a **Written Warning**.

- An investigation into a commercial fishing vessel participating in the 2023 Area 2A commercial Pacific halibut fishery opener that had approximately 5' of freeboard and was not equipped with a boarding ladder resulted in a **Written Warning**.

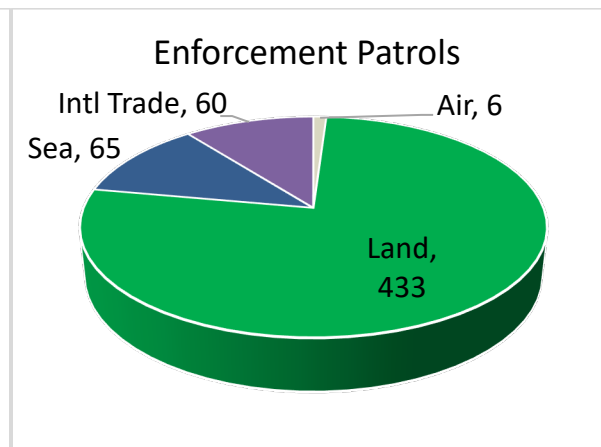
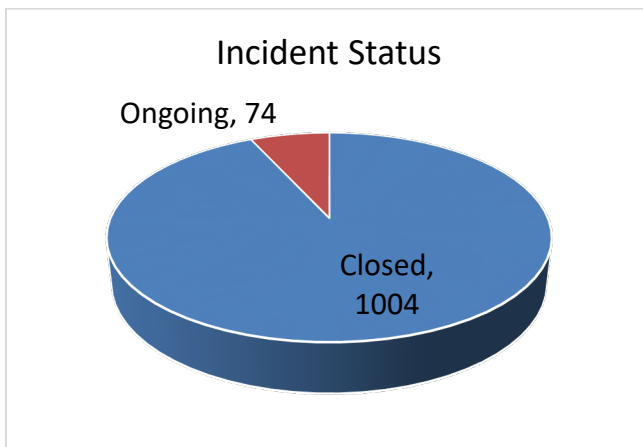
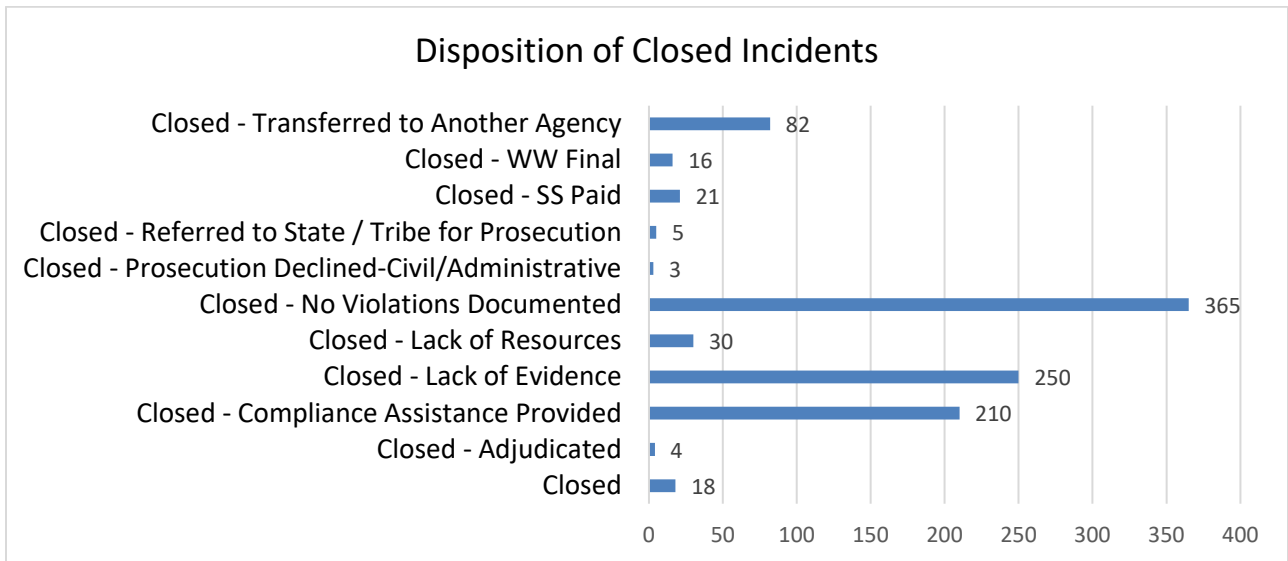
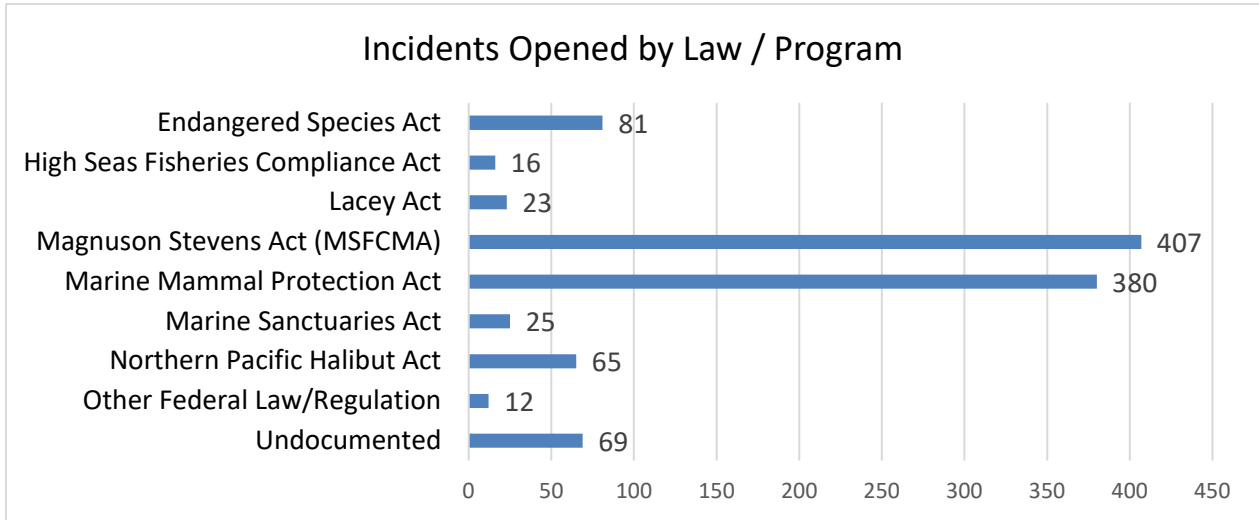
- An investigation into a commercial fishing vessel participating in the 2023 Area 2A commercial Pacific halibut fishery opener with improperly marked buoys used for longline gear resulted in a **Written Warning**.



- An investigation into a commercial fishing vessel participating in the 2023 Area 2A commercial Pacific halibut fishery opener with barely visible marking on the buoys used for longline gear resulted in a **Written Warning**.

- 8 additional investigations involving International Fisheries violations were closed with **Compliance Assistance Provided**.

Office of Law Enforcement – WCD Fiscal Year 2023 Metrics



Civil Penalties

