

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION**

FILED BY VOJ D.C.

95 OCT -4 AM 10: 59

Robert R. Di Trollo
CLERK, U.S. DIST. CT.
W. D. OF TN, MEMPHIS

95-27

IN THE MATTER OF:

COLLATERAL FINES FOR PETTY OFFENSE CASES FOR:

NATIONAL FISH AND WILDLIFE VIOLATION

**REVISED ORDER OF THE COURT PROVIDING FOR
FORFEITURE OF COLLATERAL IN LIEU OF APPEARANCE**

In accordance with Rule 58(d)(1), Federal Rules of Criminal Procedure, it is hereby ORDERED that collateral may be posted in lieu of the appearance of the offender in the amount indicated for the offenses listed below, whether originating under the applicable federal statute or federal regulation or applicable state statute by virtue of the Assimilative Crimes Act, 18 U.S.C. §13, and occurring within the territorial jurisdiction of a United States Magistrate Judge. Appearance before a United States Magistrate Judge may be waived, and forfeiture of the collateral may be consented to. Persons charged with offenses listed as "mandatory appearance violations" must appear for trial. Forfeiture will not be permitted on violations contributing to an accident with personal injury or when, in the opinion of the arresting or citing officer or agency, the offense charged was an aggravated offense.

This Order supersedes all prior orders providing for forfeiture of collateral in lieu of appearance that have been promulgated for this District.

Upon the failure of the person charged with an offense or offenses to appear before the United States Magistrate Judge for trial of the offenses listed below, except for those offenses denominated "mandatory appearance violations," the collateral in the amount listed opposite the

offense shall be forfeited to the United States. The posting of collateral shall signify that the offender does not contest the charge nor request a hearing before the designated United States Magistrate Judge.

If a defendant fails to post such collateral, request a hearing or appear in response to a citation or violation notice, the Central Violations Bureau or the Magistrate Judge may issue a notice for the defendant to appear before a Magistrate Judge on a date certain or to post collateral in lieu of appearance in accordance with the following schedules. If a defendant fails to respond to such notice, the Magistrate Judge may issue an arrest warrant or, if no warrant is requested by the attorney for the government, a summons in accordance with 58(d)(3), Federal Rules of Criminal Procedure. Such arrest warrant or summons may provide that the defendant may pay a fixed sum, not to exceed the maximum fine which could be imposed upon conviction, in lieu of personal appearance before the Magistrate Judge.

The Magistrate Judge shall certify the record of any forfeiture of collateral for a moving traffic violation to the proper state authority.

Pursuant to the foregoing, the offenses for which collateral may be posted in lieu of appearance by the person charged with the said offenses are:

**GENERAL FISH & WILDLIFE PERMIT REGULATIONS
(16 USC 704; 16 USC 668A; 16 USC 1538(D); 16 USC 3373)**

50 CFR 13: General Conditions of Permits

<u>Section Number</u>	<u>Offense</u>	<u>Collateral</u>
13.25-26	General violation of permit requirements	\$100
13.41-42	Humane Conditions	\$250
13.43	Alter permit	\$500
13.44-45	Fail to display permit/Fail to file report	\$ 50
13.46	Failure to maintain records	\$100
13.47	Failure to allow entry to premise for inspection as authorized by FWS permit . .	\$500
13.1 thru end	All other permit violations	\$100

GENERAL REGULATIONS FOR IMPORTATION, EXPORTATION, & TRANSPORTATION OF WILDLIFE

(16 USC 3371, 16 USC 1538)

50 CFR 14: Import, Export & Transportation Regulations

<u>Section Number</u>	<u>Offense</u>	<u>Collateral</u>
14.11	Import, or export wildlife at a non-designated Port	\$500
14.32 & 14.33	Violation of non-designated port permit conditions	\$500
14.51	Failure to allow detention/inspection of wildlife	\$500
14.52	Release from U.S. Customs without FWS clearance	\$500
14.61 thru 14.63	Failure to file completed declaration as required	
14.91	Engage in business as an importer/exporter of wildlife without obtaining import/export license	
14.103	Import, transport, cause or permit transport, to the U.S. any wild mammals/birds in violation of Humane Transport Regs	

19 USC 1202

Tariff Classification Act of 1962

50 CFR 15: Feather Import Quotas

<u>Section Number</u>	<u>Offense</u>	<u>Collateral</u>
15.12	Import, enter, or cause to be imported or entered feathers, skins, or species listed in 15.11	

18 USC 42
Lacey Act

Statute:

18 USC 42(a)	Import injurious species of wildlife	\$1000
	additional fine per shipment of each specimen	\$100
18 USC 42(c)	Importation of wildlife under inhumane or unhealthy conditions	\$500
	additional fine per shipment of each dead, crippled, diseased or, starved specimen	\$50

50 CFR 16: Regulations for the Importation or Shipment of Injurious Species

<u>Section Number</u>	<u>Offense</u>	<u>Collateral</u>
16.3 thru 16.15	Unauthorized import, transport, acquire or release of prohibited wildlife species or their progeny	\$1000
	additional fine per specimen	\$100
16.22	General Violation of injurious Wildlife Permit	\$500

16 USC 1538
Endangered Species Act

Statute:

16 USC 1538(a)(1)(A) thru 16 USC 1538(a)(1)(G)	Import or export any endangered species; take within the U.S. or territorial seas of the U.S.; take upon the high seas; deliver, carry, transport, or ship in interstate commerce in the course of a commercial activity; or sell in interstate or foreign commerce	\$1000
	additional fine per specimen or item	\$100
16 USC 1538(a)(2)(A) thru 16 USC 1538(a)(2)(D)	Import or export any endangered plant; remove and reduce to possession any such species from area under federal jurisdiction; deliver, receive, carry, transport, or ship in interstate or foreign commerce, in the course of a commercial activity, any endangered plant; or sell in interstate or foreign commerce	\$1000
	additional fine per specimen or item	\$100

50 CFR 17: Regulations Pertaining to Endangered Wildlife

<u>Section Number</u>	<u>Offense</u>	<u>Collateral</u>
17.21	General Endangered Species prohibitions:	
(2)(b)(d)	Attempt, solicit, cause; Import, Export; Possess, Transport unlawfully taken Wildlife	\$1000
c)(d)(f)	Take; Sell; Interstate or Foreign Commerce	\$1000
	addition fine per specimen or item	\$100
17.21(g)	Captive bred wildlife violations	\$250
17.22 thru 17.23	Endangered Species Permit violation	

50 CFR 17: Regulations Pertaining to Threatened Wildlife

<u>Section Number</u>	<u>Offense</u>	<u>Collateral</u>
17.31	Violate threatened wildlife prohibitions	\$500
	additional fine per specimen	\$50
17.40 thru 17.47	Violate special regulations pertaining to threatened wildlife	

50 CFR 17: Regulations Pertaining to Endangered Plants

<u>Section Number</u>	<u>Offense</u>	<u>Collateral</u>
17.61	General Violation of Endangered Plant regulations	\$1000
	additional fine per specimen	\$100
17.62 & 63	Fail to comply with Permit Conditions	

50 CFR 17: Regulations Pertaining to Threatened Plants

<u>Section Number</u>	<u>Offense</u>	<u>Collateral</u>
17.71	General violation of Threatened plant regulations	\$500
17.72	Failure to comply with Permit Conditions	\$250

50 CFR 17: Other Endangered & Threatened Plant Regulations

<u>Section Number</u>	<u>Offense</u>	<u>Collateral</u>
17.82	Violate general Experimental Regulations	\$250
	additional fine per specimen	\$100
17.84 to end	Violate Special Regulations	\$250

16 USC 1371 - 1372
Marine Mammal Protection Act

Statute:

16 USC 1371 thru 16 USC 1372

Take, or import any marine mammal, marine mammal parts, or products made thereof	\$1000
additional fine per item	\$100

50 CFR 18: Regulations Pertaining to Marine Mammals

<u>Section Number</u>	<u>Offense</u>	<u>Collateral</u>
18.11	Unlawful take of marine mammals	\$1000
	additional fine per animal	\$200
18.12	Unlawful import of marine mammals/marine mammal products	\$250
	additional fine per item	\$100
18.13	Unlawful port use, possess, transport, sale, of illegally taken marine mammal or marine mammal products	\$250
	additional fine per item	\$50

16 USC 742j-1
Airborne Hunting Act

Statute:

16 USC 742j-1

General Airborne Hunting Act Violations	\$1000
additional fine per animal	\$100

50 CFR 19: Regulations Pertaining to Airborne Hunting

<u>Section Number</u>	<u>Offense</u>	<u>Collateral</u>
19.11(a)(1)	Shoot from an aircraft for purpose of capturing or killing wildlife	\$500
	additional fine per animal	\$100
19.11(a)(2)	Use aircraft to harass wildlife	\$200
19.11(a)(3)	Participate in using aircraft to shoot or harass wildlife	\$500
19.32(a)	Failure to file annual report	\$250

Migratory Bird Treaty Act

Statute:

16 USC 703-712

Taking, pursuing, hunting, capturing, killing or the attempt thereof, possess, sell, barter, purchase, ship, export, import, carry, transport, offer, or cause thereof, migratory birds, their parts, nests, or eggs, without authorization	\$350
additional fine per item, parts, eggs, or nests	\$50
additional fine per bird	\$100

16 USC 703-712

Ship, transport, carry in interstate or foreign commerce, any bird, part, nest, or egg, thereof, captured, killed, taken, shipped, transported, or carried contrary to the law of the place where captured, killed, taken, shipped, transported, or carried	\$350
additional fine per item, parts, eggs, or nests	\$50
additional fine per bird	\$100

50 CFR 20: Migratory Game Bird Hunting Regulations

<u>Section Number</u>	<u>Offense</u>	<u>Collateral</u>
20.21(a)	Take with illegal device or substance	\$350
	additional fine per bird	\$100
20.21(b)	Take with shotgun capable of holding more than three shells	\$150
20.21(c)	Take by means, aid or use of a sink-box	\$350
	additional fine per bird	\$100
20.21(d)	Take from or by means, aid, or use of a motor driven conveyance, motor vehicle, or aircraft	\$350
	additional fine per bird	\$100
20.21(e)	Take by means of motorboat or other craft having motor attached and under power	\$350
	additional fine per bird.....	\$100
20.21(f)	Take by use or aid of live decoys	\$350
	additional fine per bird	\$100
20.21(g)	Take by use of aid of electronic or recorded calls	\$500
	additional fine per bird	\$100
20.21(h)	Take by means or aid of motor driven conveyance for concentrating, driving, or rallying, or stirring up waterfowl	\$500
	additional fine per bird	\$100
20.21(i)	Take by aid of bait	\$350
	additional fine per bird (waterfowl)	\$100
	additional fine per bird (other than waterfowl)	\$20
20.21(j)	Take while possessing toxic shells	\$100
	additional fine per shell	\$5
20.22	Take during closed season	\$500
	additional fine per bird	\$100
20.23	Take before or after legal shooting hours 1-15 min	\$50
	16-30 min	\$200
	30 + min	\$350

20.24	Take in excess of daily bag limit	\$350
	additional fine per bird over limit	\$100
20.25	Wanton Waste of migratory birds	\$350
	additional fine per bird	\$100
20.26(c)	Failure to comply with temporary closure regulations	\$350
	additional fine per bird	\$100
	Possession of birds taken in violation of 20.21 thru 20.23	\$350
	additional fine per bird	\$100
20.32	Possess freshly killed mig birds during closed season	\$500
	additional fine per bird	\$100
20.33	Exceed possession limit of mig. birds taken in U.S	\$350
	additional fine per bird over limit	\$100
	Possess in excess of daily bag limit on opening day	\$350
	additional fine per bird over limit	\$100
	Possess or transport in excess of daily field limit	\$350
	additional fine per bird over limit	\$100
20.36	Violation of tagging regulations	\$150
20.37	Custody of untagged birds of another	\$150
20.38	Live wounded birds in possession	\$350
	additional fine per bird	\$100
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20.40	Receive, possess, give to another untagged birds	\$150
20.41	Transport birds taken in violation of 20.21 thru 20.24	\$350
	additional fine per bird	\$100
20.42	Transportation of untagged birds of another	\$150
20.43	Transport migratory game birds with species id removed	\$250
20.44	Transport unmarked or improperly marked package containing migratory game birds via postal service or common carrier (per package)	\$500
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20.51	Export birds taken in violation of 20.12 through 20.24	\$500
	additional fine per bird	\$100
	Export birds with species identification removed	\$250
	additional fine per bird	\$100
	Export unmarked or improperly marked packages containing migratory game birds via postal service or common carrier (per package)	\$500
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20.61	Import migratory game birds in excess of legal limits	\$500
	additional fine per bird	\$100
20.62	Import migratory game birds belonging to another	\$250
20.63	Import migratory game birds with species id removed	\$250
20.64	Import, possess, transport birds killed in foreign country	\$250
	additional fine per bird	\$50
	without accompanying export permit or tags	\$250
20.65	Import birds not drawn or dressed as required	\$500
20.66	Import unmarked or improperly marked packages containing migratory game birds via postal service or common carrier (per package)	\$500
20.71	Take, possess, transport, or export migratory birds, their parts, nests, or eggs in violation of any other federal law or regulations	\$350
	additional fine per bird	\$100
	Take, possess, transport, or export migratory birds, their parts, nests, or eggs in violation of any applicable state law or regulations	\$350

20.73	Import, possess, or transport, migratory birds, their parts, nests, or eggs if taken, bought, sold, transported, possessed, or exported contrary to any law or regulation of any foreign country, state, or Province.	\$500
	additional fine per bird	\$100
20.81	Commercial facility with untagged mig. birds of another	\$500
	additional fine per bird	\$100
20.82	Violation of record keeping requirements	\$500
20.83	Failure to permit premise inspection	\$1000
20.91(a)	Purchase, sell, barter, or offer thereof for millinery or ornamental use, the feathers of migratory game birds	
20.91(b)	Purchase, sell, barter, or the offer thereof, mounted specimens of migratory game birds taken by hunting (per bird)	
20.100	Take of migratory game bird for which no season has been established	\$500
	additional fine per bird	\$100
20.133	Violation of crow hunting regulations	\$100
	additional fine per bird	\$10

50 CFR 21: Migratory Bird Permit Regulations

<u>Section Number</u>	<u>Offense</u>	<u>Collateral</u>
21.1 thru 21.27	Migratory Bird Permit Violations	\$500
	additional fine per bird	\$100
21.28	General Violation of Falconry Permit requirements	\$250
	additional fine per bird	\$50
21.28(e)(1)	Take, possess, transport, golden eagle for falconry without permit	\$500
21.28(e)(2)		
(iii)	Unauthorized purchase, sale, or barter, of raptor for falconry	\$500
21.29	General Violation of Falconry Standards	\$250
21.29(e)(3)	Take, Possess, transport raptor in violation of 21.29	\$250
	additional fine per bird	\$50
21.29(e)(3)(v)	Unauthorized take of a threatened species	\$500
	additional fine per bird	\$50
21.29(g)	Failure to comply with facility & equipment standards	\$150
21.29(j)	General Violations of Misc. Falconry Regulations	\$150
21.30	General Violation of Raptor Propagation Permit	\$250
	additional fine per bird	\$100
21.30(a)	Take, possess, transport, sell, purchase, barter, or transfer any raptor, raptor egg, or raptor semen, for propagation purposes without authorization	\$350
	additional fine per specimen	\$100
21.41 thru 21.43	Violation of Depredating bird regulations	\$100
	additional fine per bird	\$10

16 USC 718

Migratory Waterfowl Hunting and Conservation Stamp Act

Statute:

- 16 USC 718a Hunting migratory waterfowl without a federal waterfowl hunting stamp
- 16 USC 718b Hunting migratory waterfowl with an invalid (unsigned) federal waterfowl stamp
- 16 USC 718e Loan or transfer valid migratory stamp or use stamp
(a) validated by another
- 16 USC 718 After, mutilate, imitate, or counterfeit migratory waterfowl stamp Mandatory
e(b) Appearance

16 USC 668d

Bald and Golden Eagle Protection Act

Statute:

- 16 USC 668d Take, possess, transport, sell, purchase, barter, trade, import, export any bald or golden eagle or parts, nests, or eggs thereof
Take, sale, purchase, barter, possess, transport, import, export Mandatory Appearance

50 CFR 22: Regulations Pertaining to Bald and Golden Eagles

<u>Section Number</u>	<u>Offense</u>	<u>Collateral</u>
22.11	Possess, transport, import/export bald or golden eagle, nest or eggs thereof	\$1000
22.12	Take, sell, purchase, barter, trade bald or golden eagle	\$1000
22.21 thru 22.32	Violation of eagle permit requirements	

16 USC 1531 - 1543

Endangered Species Act - Convention on International Trade

Statute:

- 16 USC 1538(c) thru 16 USC 1538(d) Violations of convention on international trade in Appendix designated wildlife and plants \$1000
additional fine per specimen or item \$50

50 CFR 23: Regulations Pertaining to the Import & Export of Protected Wildlife & Plants

<u>Section Number</u>	<u>Offense</u>	<u>Collateral</u>
23.11(a) thru 23.11(e)	Unlawfully import, export, re-export, or possess unlawfully imported, exported or re-exported species	
	Appendix I species	\$1000
	additional fine per specimen or item	\$100
	Appendix II or III species	\$250
	additional fine per specimen or item	\$50

50 CFR 24: Regulations Pertaining to the Import & Export of Plants

<u>Section Number</u>	<u>Offense</u>	<u>Collateral</u>
24.11	Import, export, re-export plants at non-designated port	\$250
	additional fine per specimen or item	\$50

16 USC 4201 - 4245

African Elephant Conservation Act

Statute:

16 USC 4223	Import or export raw or worked ivory contrary to the Provisions of the Act	
	non-commercial	\$500
	commercial	\$1000
	additional fine, per item (commercial & non-commercial)	\$50

16 USC 668dd(c)

National Wildlife Refuge Act - Prohibited Acts

Statute:

16 USC 668dd(c)	Knowingly disturb, injure, cut, burn, remove, destroy, or possess any real or Personal Property of the United States or take or possess any fish, bird, mammal, or other wild vertebrate or invertebrate animal or part or nests or egg thereof.... or enter, use, or otherwise occupy any such area for any purpose without a permit or authorization.	
	Disturb, injure, cut, burn, remove, destroy, take, possess, enter, use, etc.	\$500+
	Value of property/wildlife as reflected on Schedule for Lacey Act (pg 14)	

Recreation Act

National Wildlife Refuge Administration Act
 Upper Mississippi River Wildlife and Fish Refuge Act
 Bear River Migratory Bird Refuge Act

50 CFR 25: Administrative Provisions

<u>Section Number</u>	<u>Offense</u>	<u>Collateral</u>
25.21	Enter a closed portion of a National Wildlife Refuge	\$100
25.31	Failure to comply with special regulations, etc	\$100
25.72	Failure to report all accidents	\$50
25.	All other administrative provisions regulations	\$50

50 CFR 26: Regulations Pertaining to Public Entry & Use

<u>Section Number</u>	<u>Offense</u>	<u>Collateral</u>
26.21(a)	Trespass on a National Wildlife Refuge (NWR)	\$50
26.21(b)	Permit unconfined domestic animals to enter or roam at large upon any NWR	\$50+\$50/animal
26.36	Conduct public assembly/demonstration without permit	\$100
26.	All other public entry and use regulations	\$100

50 CFR 27: Prohibited Acts

<u>Section Number</u>	<u>Offense</u>	<u>Collateral</u>
27.21	Take any animal or plant without authorization	\$350
27.31	Travel on other than a designated route of travel	\$100
27.31(a)	Operate a vehicle in violation of state law	\$50
27.31(b)	Operate a vehicle under the influence of drugs or intoxicating beverage	\$350
27.31(c)	Operate a vehicle carelessly or heedlessly	\$250
27.31(d)	Exceed 25 mph or posted speed limit	\$50
	11-15 MPH over limit	\$75
	16-20 MPH over limit	\$100
	20-25 MPH over limit	\$125
	25-30 MPH over limit	\$150
27.31(i)	Failure to obey orders of traffic control officer	\$200
27.31(k)	Moving of a vehicle involved in an accident	\$150
27.31(e) thru 27.31(m)	Violate all other established vehicle requirements	\$100
27.32(a)	Unauthorized use of a boat	\$100
27.32(b)	Operate a boat in violation of either U.S. Coast Guard or state law	\$100
27.32(b)(2)	Operate a boat in a reckless or negligent manner	\$150
	Operate a boat to endanger person, property, or wildlife	\$250
27.32(b)(3)	Operate a boat under the influence of an intoxicant	\$350

27.32(b)(4) thru		
27.32(b)(8)	Other boating regulation violations	\$100
27.33	Unauthorized waterskiing on NWR	\$50
27.34	Unauthorized operation of an aircraft on or over a NWR	\$250
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27.41	Possess or use of firearms, explosives	\$200
	Possession or use of fireworks	\$100
27.42	Firearms; other violations	\$150
27.43	Use of weapons other than firearms	\$150
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27.51	Disturb, injure, damage animals on NWR	\$250
	Disturb, injure, damage plants on NWR	\$250
27.52	Introduction of plants or animals to NWR	\$200
	additional fine, per animal & plant	\$75
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27.61	Destruction or removal of property on or from a NWR	\$300
27.62	Search for or remove objects of antiquity	\$300
27.63	Unauthorized search for valued objects; no permit	\$250
27.64	Unauthorized prospecting or mining on a NWR	\$300
27.65	Tamper with vehicles or equipment	\$300
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27.71	Take or film motion pictures for commercial use	\$250
27.72	Cause unreasonable disturbances with audio equipment	\$200
27.73	Use of artificial light to take wildlife	\$200
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27.81	Enter a NWR under the influence of alcohol	\$250
27.82(b)(1)	Deliver controlled substance	\$500
27.82(b)(2)	Possess controlled substance on a NWR	\$250
27.82(b)(3)	Under the influence of a controlled substance	\$250
27.83	Indecency or disorderly conduct	\$200
27.84	Interference with persons engaged in authorized activity	\$300
27.85	Gambling on a NWR	\$100
27.86	Begging or soliciting	\$75
27.91	Conducting field trials	\$100
27.92	Construct, install, or occupy private structure on a NWR	\$300
27.93	Abandon private property	\$150
27.94	Litter on a NWR	\$100
	Dumping refuse or waste	\$200
	DePositing environmental contaminants	\$500
27.95(a)	Setting an unauthorized fire on a NWR	\$500
	Setting an unauthorized campfire	\$50
27.95(b)(c)	Leaving fire unattended/throw burning cigarette	\$100
27.95(d)	Smoking violation	\$75
27.96	Unauthorized advertising	\$100
27.97	Conduct private commercial operation	\$350

50 CFR 28: Regulations Pertaining to Refuge Special Regulations - General

<u>Section Number</u>	<u>Offense</u>	<u>Collateral</u>
28.31	Violate any provisions, rules, regulation, sign, or special regulation	\$150

50 CFR 31: Regulations Pertaining to Commercial Fishing & Trapping

<u>Section Number</u>	<u>Offense</u>	<u>Collateral</u>
31.13	No refuge commercial fishing permit	\$300
31.16	Violation of federal trapping permit regulations, state trapping laws, or other special trapping laws, or other special trapping regulations	
	Violate state law	\$150
	Violate permit conditions, etc	\$150
	Failure to inspect traps	\$150
	Unlawful sets, unlawful equipment	\$300
	Animal unlawfully trapped	\$300

50 CFR 32: Regulations Pertaining to Hunting

<u>Section Number</u>	<u>Offense</u>	<u>Collateral</u>
32.2(a)	Hunt without a state license	\$100
32.2(b)(c)(e)(f)	Noncompliance with other federal laws or regulations	\$150
32.2(d)	Hunt in violation of state law	\$100
32.2(g)	Bow hunt with any drug on an arrow	\$250
32.12	Violation of special regulations on migratory bird hunting	\$200
32.22	Violation of special regulations on upland game	\$100
32.32	Violation of special regulations on big game	\$150

50 CFR 33: Regulations Pertaining to Fishing

<u>Section Number</u>	<u>Offense</u>	<u>Collateral</u>
33.2(a)	Fish without a state license	\$100
33.2(b)(d)(d)	Noncompliance with other federal laws or regulations	\$150
33.2(c)	Fishing in violation of state law	\$100
33.5 thru 33.55	Violation of special regulations on fishing	\$100

50 CFR 70: Regulations Pertaining to National Fish Hatcheries

<u>Section Number</u>	<u>Offense</u>	<u>Collateral</u>
70.2	Administrative provisions as adopted from Part 25	As Noted in Part 25
70.4(a)	Prohibited Acts as adopted from Part 27	As Noted in Part 27
70.4(b)	Unauthorized taking, or attempt to take fish amphibians, or other aquatic animals	\$250+\$50 per specimen
70.4(c)	Unauthorized take of any animal	\$250+\$50 per animal
70.4(d)	Disturbing spawning fish	\$100
70.6	Public Entry & Use as adopted from Part 26	As Noted in Part 26

50 CFR 71: Regulations Pertaining to Hunting on National Fish Hatcheries

<u>Section Number</u>	<u>Offense</u>	<u>Collateral</u>
71.2(a)	Hunt without a state license	\$100
71.2(b)(c)(e)(f)	Noncompliance with other federal laws or regulations	\$150
71.2(d)	Hunt in violation of state law	\$100

50 CFR 71: Regulations Pertaining to Fishing on National Fish Hatcheries

<u>Section Number</u>	<u>Offense</u>	<u>Collateral</u>
71.12(a)	Fish without a state license	
71.12(b)(d)(e)	Noncompliance with other federal laws or regulations	\$150
71.12(c)	Fishing in violation of state law	\$100

OVERSIGHT PROVISION

All Regulatory Provisions of 50 CFR Et Sec Not Heretofore Enumerated

<u>Section Number</u>	<u>Offense</u>	<u>Collateral</u>
As Listed	Violations of Permits or Permit requirements	\$150
	Violations of taking, sale, purchase or barter provisions	\$300
	additional fine, per specimen & item	\$50
	Violations of possession, transport, import or export	\$150
	additional fine, per specimen & item	\$25
	All other violations or noncompliance	

18 USC 13

Assimilative Crime Act

Statute:

18 USC 13	Violations of state statutes on land administered by FWS	
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10 USC 2671(a)

Hunting, Fishing, Trapping on Military Reservations

Statute:

10 USC 2671(a)	Violation of state statutes for wildlife and plants while on a military reservation	
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16 USC 433
American Antiquities Act

Statute:

16 USC 433 Appropriate, excavate, injure, or destroy historic or prehistoric ruins,
or monument, or any object of antiquity \$500

16 USC 3371- 3378

Lacey Act Amendments of 1981

Statute:

16 USC 3372(a)(1)

(1) to import, export, transport, sell, receive, acquire, or purchase any fish/wildlife/plant taken, possessed, transported, or sold in violation of any law/treaty/regulation of the U.S. or in violation of any Indian Tribal Law.

(2) to import, export, transport, sell, receive, acquire, or purchase in interstate commerce or foreign commerce-

(A) Any fish/wildlife taken, possessed, transported, or sold in violation of any law/regulation of any State or in violation of any foreign law, or

(B) Any plant taken, possessed, transported, or sold in violation of any law or regulation of any State

(3) within the special maritime and territorial jurisdiction of the U.S.-

(A) to possess any fish/wildlife taken, possessed, transported, or sold in violation of any law/regulation of any state, or in violation of any foreign law or Indian Tribal law, or

(B) to possess any plant taken, possessed, transported, or sold in violation of any law/regulations of any state.

Fish	\$500
additional fine, per fish	\$10
Big Game	\$1000
additional fine, per animal	\$250
Small Game	\$500
additional fine, per animal	\$10
Fur Bearer	\$500
additional fine, per animal	\$25
Bird	\$500
additional fine, per bird	\$100
Reptile/Amphibian	\$500
additional fine, per animal	\$25
Plant	\$250
additional fine, per plant	\$10
Other	\$250
additional fine, per species	\$10

6 USC 3372(a)(4)

Having imported, exported, transported, sold, purchased or received any fish/wildlife/plant imported, from any foreign country, or transported in interstate or foreign commerce, to make or submit any false record, account, label, or identification thereof \$1000

Wildlife/Property Forfeiture Order

Unless other wise specifically ordered by a United States Court any wildlife or property which has been seized under the authority of the Migratory Bird Treaty Act, 16 USC 703-711; the National Wildlife Refuge Systems Administration Act, 16 USC 668dd-668ee; the Upper Mississippi River Wildlife and Fish Refuge Act, 16 USC 721-731; the Eagle Protection Act, 16 USC 668-668e; The Endangered Species Act, 16 USC 1531-1542; The Migratory Waterfowl Hunting Stamp Act, 16 USC 718-718i; The Airborne Hunting Act, 16 USC 742j-1; The Marine Mammal Protection Act, 16 USC 1361-1407; the Tariff Classification Act, 19 USC 1202; the Lacey Act, 18 USC 42; The Lacey Act Amendments of 1981, 16 USC 3371-3378; the American Antiquities Act, 16 USC 433, or the African Elephant Conservation Act, 16 USC 4201-4245, where the final disposition of the case has been made by either payment of a forfeiture of collateral or a judgement by the Court on behalf of the government and where so authorized by statute, such wildlife, or Property shall be forfeited to the U.S. government and disposed of by the U.S. Fish & Wildlife Service in the manner prescribed by Title 50 Code of Federal Regulations, Part 12.

Julia S. Gibbons

JULIA S. GIBBONS
UNITED STATES DISTRICT JUDGE, CHIEF

James D. Todd

JAMES D. TODD
UNITED STATES DISTRICT JUDGE

Jerome Turner

JEROME TURNER
UNITED STATES DISTRICT JUDGE

Jon Phipps McCalla

JON PHIPPS MCCALLA
UNITED STATES DISTRICT JUDGE

Approved:

Veronica F. Coleman

VERONICA F. COLEMAN
United States Attorney