

**FILED**UNITED STATES DISTRICT COURT  
ALBUQUERQUE, NEW MEXICO

MAR 15 2022

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF NEW MEXICO **MITCHELL R. ELFERS**  
CLERKIN THE MATTER OF THE ADOPTION  
OF THE AMENDED COLLATERAL  
FORFEITURE SCHEDULE OF THE  
UNITED STATES FISH AND WILDLIFE  
SERVICE.)  
)  
)  
)  
)

Misc. No.

/ 22 mr 433 WJ

**ORDER ADOPTING AMENDED COLLATERAL FORFEITURE SCHEDULE  
OF THE UNITED STATES FISH AND WILDLIFE SERVICE**

THIS MATTER having come before the Court on the motion of the United States for adoption of the amended collateral forfeiture schedule of the United States Fish and Wildlife Service in the District of New Mexico, the Court, having reviewed the motion and the proposed amended collateral forfeiture schedule, finds that good cause exists for approving and adopting said amended collateral forfeiture schedule.

IT IS THEREFORE ORDERED, pursuant to Rules 58(d)(1) and 58(d)(2) of the Federal Rules of Criminal Procedure and Local Criminal Rule 58.1, that the amended collateral forfeiture schedule of the United States Fish and Wildlife Service, District of New Mexico, attached to the motion of the United States, be and is hereby adopted and promulgated effective upon entry of this Order.

IT IS FURTHER ORDERED that the previous collateral forfeiture schedule applicable to the United States Fish and Wildlife Service, District of New Mexico, is hereby repealed.

  
 WILLIAM P. JOHNSON  
 CHIEF UNITED STATES DISTRICT JUDGE

FWS - NM

# U.S. Fish and Wildlife Service

## Office of Law Enforcement

### &

## Division of Refuge Law Enforcement

### District of New Mexico

## Forfeiture of Collateral Schedule

Revised 2020

**TABLE OF CONTENTS****Forfeiture of Collateral Schedule**

General Fish & Wildlife Regulations .....	2
General Regulations for Importation, Exportation & Transportation of Wildlife .....	2
Wild Bird Conservation Act .....	4
General Regulations for the Importation or Shipment of Injurious Species .....	5
Endangered Species Act .....	5
Marine Mammal Protection Act .....	7
Airborne Hunting Act .....	8
Migratory Bird Treaty Act .....	8
Migratory Bird Hunting Stamp Act .....	13
Bald and Golden Eagle Protection Act .....	13
Convention on the International Trade in Endangered Species (CITES) .....	14
General Regulations for Importation and Exportation of Plants .....	14
General Regulations for the National Wildlife Refuge System .....	15
General Regulations for Fisheries Conservation Areas .....	19
Oversight Provision .....	20
African Elephant Conservation Act .....	20
American Antiquities Act .....	20
Archaeological Resources Protection Act .....	21
Assimilative Crimes Act .....	21
Hunting, Fishing, Trapping on Indian Lands .....	21
Entering Military Property .....	22
Hunting, Fishing, Trapping on Military Reservations .....	22
Indian Arts and Crafts Board .....	22
Rhinoceros and Tiger Conservation Act of 1998 .....	22
Lacey Act .....	23
Appendix A - Wildlife and Plant Value Table .....	26
Appendix B - Wildlife/Property Forfeiture Order .....	29

FWS - NM

**NOTE:** Due to increased liability and potential severity for environmental degradation posed by commercial and organized activities, collateral amounts for violations listed herein shall be doubled for corporations, businesses, partnerships, hunt clubs, and other organizations committing such violations (18 USC 3571(c) – Fines For Organizations).

**Value** = the current established replacement value of animals or plants listed in the Appendix of this Forfeiture of Collateral Schedule or the declared value, whichever is higher.

**Item** = per specimen

**Abbreviations**

**CFR** - Code of Federal Regulations  
**FWS** – U.S. Fish and Wildlife Service  
**NWR** – National Wildlife Refuge  
**USC** – United States Code

**DEC** - Declared  
**NM** – New Mexico  
**U.S.** – United States

## GENERAL FISH & WILDLIFE REGULATIONS

(16 USC 668A; 16 USC 704; 16 USC 1538(d); 16 USC 3373)

### 50 CFR – PART 13 – GENERAL PERMIT PROCEDURES

Section	Regulation	Collateral
13.1	Conducting activities requiring a permit without having obtained a permit	\$300
13.41	Failure to maintain humane and healthful conditions for live wildlife	\$500
13.42	Violation of terms/conditions set forth in permit	\$500
13.43	Alteration of permit; Unauthorized copying of permits or displaying, offering for inspection, or otherwise using copied permits for official purposes	\$650
13.44	Failure to display permit upon request	\$300
13.45	Failure to file reports as required	\$300
13.46	Failure to maintain records as required	\$500
13.47	Failure to allow inspection of premises	\$700
13.48	Failure to comply with conditions of permit	\$300
13.49	Failure to surrender permit upon suspension/revocation	\$300
13.50	Failure to assume liability and responsibility for conduct of any activity conducted under the authority of permit	\$300

## GENERAL REGULATIONS FOR IMPORTATION, EXPORTATION, & TRANSPORTATION OF WILDLIFE

(16 USC 1538; 16 USC 3371; 18 USC 42)

### 50 CFR – PART 14 – IMPORT, EXPORT, & TRANSPORTATION REGULATIONS

Section	Regulation	Collateral
14.11	Import/export wildlife at a non-designated port	\$650

FWS - NM

Section	Regulation	Collateral
14.14(b)	Knowingly unload in-transit shipment in U.S.	\$1,500
14.31 - 14.33	Violation of non-designated port permit conditions	\$500
14.51	Refusal to allow detention/inspection of wildlife	\$1,000
14.52(a)	Failure to obtain FWS clearance prior to release from Customs	\$650
14.52(c)	Failure to provide documents as required	\$650
14.54(a)	Failure by importer or their agent to notify FWS of live/perishable wildlife shipment at least 48 hours prior to estimated arrival	\$500
14.54(f)	Failure by exporter or their agent to make the wildlife shipment available for inspection at least 48 hours prior to estimated export	\$500
14.61	Failure to file completed FWS declaration as required on import	\$700
14.63	Failure to file completed FWS declaration as required on export	\$700
14.81	Import/export/transport wildlife in interstate commerce without marked containers and/or without required packing list	\$500
14.91	Engage in business as an importer/exporter of wildlife without a valid import/export license	\$700
<b>16 USC – SECTION 1538(d) – IMPORT/EXPORT LICENSE (ENDANGERED SPECIES ACT)</b>		
Section	Regulation	Collateral
16 USC 1538(d)	Engage in the business of importing/exporting fish or wildlife or plants; or importing/exporting raw or worked African elephant ivory without a permit	\$1,500 + value
<b>18 USC – SECTION 42 – HUMANE TRANSPORT (LACEY ACT)</b>		
Section	Regulation	Collateral
18 USC 42(c)	Importation of wildlife under inhumane or unhealthful conditions	\$700 + value
<b>50 CFR – PART 14 – HUMANE AND HEALTHFUL TRANSPORT OF WILD MAMMALS AND BIRDS TO THE U.S.</b>		
Section	Regulation	Collateral
14.103	Import/transport/cause or permit transport to the U.S. any wild mammal/bird in violation of Humane Transport Regulations	\$700 + value
14.104	Failure to provide English translation for any required certificate/document	\$200
14.105(a)	Unauthorized acceptance by carrier of any wild mammal/bird for transport to the U.S. without required veterinary certificate	\$700 + value
14.105(d)	Unauthorized acceptance by carrier of any wild mammal/bird for transport to the U.S. if presented less than 2 hours or more than 6 hours to scheduled departure.	\$700 + value
14.106	Unauthorized acceptance by carrier of any wild mammal/bird for transport in an enclosure that does not meet requirements	\$500 + value
14.107	Improper cargo space for live mammal/bird	\$700 + value
14.108	Violation by carrier of food/water requirements	\$500 + value

FWS - NM

Section	Regulation	Collateral
14.109(b)	Failure to provide prescribed care during transportation of live mammal/ bird	\$500 + value
14.110	Improper or lack of animal holding area	\$650 + value
14.111	Violation of handling requirements	\$350 + value
14.121	Failure to comply with primate primary enclosure requirements	\$800 + value
14.122	Failure to comply with primate food and water requirements	\$800 + value
14.123	Failure to comply with prescribed care in transit for primates	\$800 + value
14.131	Failure to comply with marine mammal primary enclosure requirements	\$800 + value
14.132	Failure to comply with food and water requirements for marine mammals	\$800 + value
14.133	Failure to comply with prescribed care in transit for marine mammals	\$800 + value
14.141	Transporting antlered animals without removing antlers	\$700 + value
14.142	Failure to comply with primary enclosure requirements for elephants and ungulates	\$800 + value
14.151	Failure to comply with primary enclosure requirements for sloths, bats, and flying lemurs	\$650 + value
14.161	Failure to comply with primary enclosure requirements for other terrestrial mammals	\$650 + value
14.171	Transporting a wild bird without a veterinary certificate	\$700 + value
14.172	Failure to comply with primary enclosure requirements for birds	\$650 + value
<b>50 CFR – PART 14 – CAPTIVE WILDLIFE SAFETY ACT</b>		
Section	Regulation	Collateral
14.253	Import/export/transport/sell/receive/acquire/purchase in interstate/foreign commerce, any live wildlife species listed as prohibited per 14.252(4)	\$1,500 + value

**WILD BIRD CONSERVATION ACT OF 1992**  
(16 USC 4901-4916)

**50 CFR – PART 15 – PROHIBITED ACTS**

Section	Regulation	Collateral
16 USC 4910(a) <b>OR</b> 50 CFR 15.11	Unlawful import of any exotic bird in violation of any regulations or prohibitions of this Act <ul style="list-style-type: none"> <li>• Non-commercial</li> <li>• Commercial</li> </ul>	\$700 + value \$1,300 + value



FWS - NM

**GENERAL REGULATIONS FOR THE IMPORTATION OR SHIPMENT OF  
INJURIOUS SPECIES  
(18 USC 42)**

<b>50 CFR – PART 16 – INJURIOUS WILDLIFE REGULATIONS</b>		
<b>Section</b>	<b>Regulation</b>	<b>Collateral</b>
16.3	Unlawful import/transport of injurious wildlife into the U.S.	\$700 + \$50/item
16.11(a)	Unlawful import/transport/acquisition of listed mammals	\$700 + \$50/item
16.12(a)	Unlawful import/transport/acquisition of any live specimen or egg of listed birds	\$700 + \$50/item
16.13	Unlawful import/transport/possession/release of any live or dead specimen, or parts thereof, or gametes/fertilized eggs of listed fish/mollusk/crustacean	\$700 + \$50/item
16.14	Unlawful import/transport/acquisition/release of any live or dead specimen, including parts/progeny/eggs of listed amphibians	\$700 + \$50/item
16.15	Unlawful import/transport/acquisition/release of any live specimen/gamete/viable egg/hybrid of listed reptiles	\$700 + \$50/item
16.22(b)(1)	Failure to properly confine injurious species	\$700 + \$50/item
16.22(b)(2)	Transfer of injurious species to unauthorized person	\$700 + \$50/item

**ENDANGERED SPECIES ACT  
(16 USC 1538)**

<b>16 USC – SECTION 1538 – PROHIBITED ACTS (WILDLIFE)</b>		
<b>Section</b>	<b>Regulation</b>	<b>Collateral</b>
16 USC 1538(a)(1)(A)	Unlawful import/export of any endangered fish/wildlife	\$1,500 + value
16 USC 1538(a)(1)(B)	Unlawful take of any endangered fish/wildlife within U.S. or territorial seas of the U.S	\$1,500 + value
16 USC 1538(a)(1)(C)	Unlawful take of any endangered fish/wildlife upon the high seas	\$1,500 + value
16 USC 1538(a)(1)(D)	Unlawful possession/sale/delivery/carry/transportation/shipping of any endangered fish/wildlife taken in violation of (B) & (C)	\$1,500 + value
16 USC 1538(a)(1)(E)	Unlawful delivery/receipt/carry/transportation/shipping of any endangered fish/wildlife in interstate/foreign commerce in the course of a commercial activity	\$1,500 + value
16 USC 1538(a)(1)(F)	Unlawful sale/offer for sale of any endangered fish/wildlife in interstate/foreign commerce	\$1,500 + value
16 USC 1538(a)(1)(G)	Violate any regulation pertaining to any endangered or threatened fish/wildlife	\$1,500 + value

FWS - NM

<b>16 USC – SECTION 1538 – PROHIBITED ACTS (PLANTS)</b>		
<b>Section</b>	<b>Regulation</b>	<b>Collateral</b>
16 USC 1538(a)(2)(A)	Unlawful import/export of any endangered plants	\$750 + value
16 USC 1538(a)(2)(B)	Unlawful to remove and reduce to possession from areas under Federal jurisdiction; maliciously damage/destroy any such species on any such area; or remove/cut/dig up/damage/destroy any such species on any other area in knowing violation of any law/regulation of any State or in the course of any violation of State criminal trespass law.	\$750 + value
16 USC 1538(a)(2)(C)	Unlawful delivery/receipt/carry/transportation/shipping in interstate/foreign commerce, by any means whatsoever and in the course of a commercial activity, any endangered plants	\$750 + value
16 USC 1538(a)(2)(D)	Unlawful sale/offer for sale in interstate/foreign commerce any endangered plants	\$750 + value
16 USC 1538(a)(2)(E)	Violate any regulation pertaining to any endangered or threatened plants	\$750 + value
<b>50 CFR – PART 17 – ENDANGERED AND THREATENED WILDLIFE REGULATIONS</b>		
<b>Section</b>	<b>Regulation</b>	<b>Collateral</b>
17.21(a)	Unlawful for any person subject to the jurisdiction of the U.S. to commit, attempt to commit, to solicit another to commit, or cause to be committed, any of the acts described in paragraphs (b) – (f) of this section in regard to any endangered wildlife	As described below
17.21(b)	Unlawful import/export of any endangered wildlife	\$750 + value
17.21(c)	Unlawful take of any endangered wildlife	\$1,500 + value
17.21(d)	Unlawful possession/sale/delivery/carry/transportation/shipping any endangered wildlife	\$750 + value
17.21(e)	Unlawful delivery/receipt/carry/transportation/shipping in interstate/foreign commerce in the course of a commercial activity any endangered wildlife	\$1,500 + value
17.21(f)	Unlawful sale/offer to sell in interstate/foreign commerce any endangered wildlife	\$1,500 + value
17.21(g)	Violating the conditions regulating captive-bred endangered wildlife	\$600 + \$75/animal
17.22	Violations of conditions of permits issued for scientific purposes, enhancement of propagation or survival, or for incidental taking of any endangered wildlife	\$500 + \$75/animal
17.23	Violations of the conditions of economic hardship permits	\$500 + \$75/animal
17.31	Violation of 17.21(b), (c) [except for 17.21(c)(5)], (d), and (g) as they apply to threatened wildlife	\$750 + value

FWS - NM

Section	Regulation	Collateral
17.40	Violation of special rules pertaining to mammals	\$500 + value
17.41	Violation of special rules pertaining to birds	\$500 + value
17.42	Violation of special rules pertaining to reptiles	\$500 + value
17.43	Violation of special rules pertaining to amphibians	\$500 + value
17.44	Violation of special rules pertaining to fishes	\$500 + value
17.46	Violation of special rules pertaining to crustaceans	\$500 + value
17.47	Violation of special rules pertaining to insects	\$500 + value

**50 CFR – PART 17 – ENDANGERED AND THREATENED PLANTS REGULATIONS**

Section	Regulation	Collateral
17.61(a)	Unlawful for any person subject to the jurisdiction of the U.S. to commit, attempt to commit, to solicit another to commit, or cause to be committed, any of the acts described in paragraphs (b) – (e) of this section in regard to any endangered plants	As described below
17.61(b)	Unlawful import/export of any endangered plant	\$750 + value
17.61(c)	Unlawful removal and reducing to possession of any endangered plant	\$750 + value
17.61(d)	Unlawful delivery/receipt/carry/transportation/shipping in interstate/foreign commerce in the course of a commercial activity of any endangered plant	\$750 + value
17.61(e)	Unlawful sale/offering for sale in interstate/foreign commerce of any endangered plant	\$750 + value
17.62	Failure to comply with conditions of permit issued for scientific purposes or for enhancing the propagation or survival of endangered plants	\$400
17.63	Failure to comply with conditions of permit issued to prevent undue economic hardship caused by any endangered plant	\$400
17.71(a)	Violation of sub-sections 17.61 as they apply to threatened plants	\$500 + value
17.72	Failure to comply with conditions of a permit issued to allow otherwise unlawful activities with regard to threatened plants	\$400

**50 CFR – PART 17 – EXPERIMENTAL POPULATIONS REGULATIONS**

Section	Regulation	Collateral
17.82	Violation of general experimental population regulations	\$400 + value
17.84	Violation of special rules pertaining to vertebrates	\$400 + value
17.85	Violation of special rules pertaining to invertebrates	\$400 + value

**MARINE MAMMAL PROTECTION ACT**  
**(16 USC 1371-1372)**

**16 USC – SECTION 1372 – PROHIBITIONS**

Section	Regulation	Collateral
16 USC 1372(a)	Unlawful take of a marine mammal	\$1,500 + value



FWS - NM

Section	Regulation	Collateral
16 USC 1372(b)	Unlawful import of marine mammals which are: pregnant or nursing mammals/depleted species or stock/by inhumane take	\$1,500 + value
16 USC 1372(c)	Import of unlawfully taken marine mammals	\$1,500 + value
16 USC 1372(f)	Unlawful take of any species of whale incident to commercial whaling in waters subject to the jurisdiction of the U.S.	\$1,500 + value
<b>50 CFR – PART 18 – MARINE MAMMAL REGULATIONS</b>		
Section	Regulation	Collateral
18.11	Unlawful take of marine mammal	\$750 + value
18.12	Unlawful import of marine mammals	\$750 + value
18.13	Unlawful port use/possession/transportation/purchase/sale of any marine mammal or marine mammal product	\$750 + value

**AIRBORNE HUNTING ACT****(16 USC 742j-1)****16 USC – SECTION 742j-1 – PROHIBITION**

Section	Regulation	Collateral
16 USC 742j-1	Unlawful shooting, harassing, or attempting to shoot/harass any bird/fish/other animal; or knowingly participates in using an aircraft for those purposes	\$1,300 + value

**50 CFR– PART 19.11 – AIRBORNE HUNTING REGULATIONS**

Section	Regulation	Collateral
19.11(a)(1)	Unlawful shooting from an aircraft for the purposes of capturing/killing wildlife	\$1,300 + value
19.11(a)(2)	Unlawful use of an aircraft to harass wildlife	\$650
19.11(a)(3)	Knowingly participates in using aircraft to shoot/harass wildlife	\$1,300 + value
19.32(a)	Failure to file annual report	\$400

**MIGRATORY BIRD TREATY ACT****(16 USC 703-711)****16 USC – SECTION 703-705 – MIGRATORY BIRD TREATY ACT & MIGRATORY BIRD TREATY REFORM ACT OF 1998**

Section	Regulation	Collateral
16 USC 703	Take/hunt/pursue/capture/kill/attempt thereof; possess/sell/barter/purchase/ship/export/import/carry/transport/offer or cause thereof; migratory birds, their parts, nests, or eggs without authorization	\$750 + value/bird \$60/part/nest/egg
16 USC 704(b)(1)	Take any migratory bird by the aid of bait/on or over any baited area, if the person knows/reasonably should know that the area is baited	\$1,500 + value

FWS - NM

Section	Regulation	Collateral
16 USC 704(b)(2)	Place/direct the placement of bait on or adjacent to an area for the purpose of causing/inducing/allowing any person to take/attempt to take any migratory bird by the aid of baiting on or over the baited area	\$1,500 + value
16 USC 705	Ship/transport/carry in interstate/foreign commerce, any bird/part/nest/egg thereof, carried contrary to law of the place where captured/killed/taken/shipped/transported/carried	\$500 + value/bird \$60/part/nest/egg

**50 CFR – PART 20 – MIGRATORY GAME BIRD HUNTING REGULATIONS**

Section	Regulation	Collateral
20.21(a)	Take with illegal device/substance	\$750 + value
20.21(b)	Take with a shotgun capable of holding more than three (3) shells	\$200 + value
20.21(c)	Take by means, aid, or use of a sink box	\$200 + value
20.21(d)	Take from or by means, aid, or use of a motor driven conveyance/motor vehicle/aircraft	\$500 + value
20.21(e)	Take by means of motorboat/other craft having motor attached and under power	\$500 + value
20.21(f)	Take by use/aid of live decoys	\$300 + value
20.21(g)	Take by use/aid of electronic/recorded calls	\$300 + value
20.21(h)	Take by means/aid of motor driven conveyance for concentrating/driving or rallying/stirring up waterfowl	\$300 + value
20.21(i)	Take by aid of bait/on or over baited area	\$750 + value
20.21(j)	Take while possessing shot shells other than approved non-toxic shot	\$150 + value +\$25/shell + forfeit toxic shells
20.22	Take during closed season	\$750 + value
20.23	Take before/after legal shooting hours	1 – 15 min. \$150 + value
		16 - 30 min. \$250 + value
		30 + min. \$400 + value
		45 + min. \$500 + value
20.24	Take in excess of daily bag limit	\$400 + value
20.25	Wanton waste of migratory birds	\$300 + value
20.26(c)	Failure to comply with temporary closure regulations	\$300 + value
20.31	Possession of birds taken in violation of 20.21 – 20.26	\$250 + value
20.32	Possess freshly killed migratory birds during closed season	\$500 + value
20.33	Exceed possession limit of migratory birds taken in the U.S.	\$300 + value
20.34	Possess in excess of daily bag limit on opening day	\$250 + value
20.35	Possess or transport in excess of daily field limit	\$300 + value

FWS - NM

Section	Regulation	Collateral
20.36	Violation of tagging regulations	\$200 + value
20.37	Custody of untagged birds of another	\$200 + value
20.38	Live wounded birds in possession	\$200 + value
20.40	Receive, possess, give to another untagged birds	\$200 + value
20.41	Transport birds taken in violation of 20.21 – 20.26	\$200 + value
20.42	Transportation of untagged birds of another	\$200 + value
20.43	Transport migratory game birds with species ID removed	\$150 + value
20.44	Transport unmarked/improperly marked package containing migratory game birds via postal service or common carrier	\$150/package
20.51	Export birds taken in violation of 20.21 - 20.26	\$300 + value
20.52	Export birds with species ID removed	\$250 + value
20.53	Export unmarked/improperly marked packages containing migratory birds as required	\$300 + value
20.61	Import migratory game birds in excess of legal limit	\$300 + value
20.62	Import migratory game birds belonging to another	\$300 + value
20.63	Import migratory game birds with species ID removed	\$250 + value
20.64	Import/possess/transport birds killed in foreign country without required export permits	\$250 + value
20.65	Import birds not drawn or dressed as required	\$250 + value
20.66	Import unmarked/improperly marked packages containing migratory birds as required.	\$250/package
20.71	Take/possess/transport/export migratory birds, their parts, nests or eggs in violation of any other federal law/regulation	\$350 + value
20.72	Take/possess/transport/export migratory birds, their parts, nests, or eggs in violation of any state law or regulation	\$350 + value
20.73	Import/possess/transport migratory birds, their parts, nests or eggs if taken/bought/sold/transported/possessed/exported contrary to any law/regulation of any foreign country/state/province thereof	\$350 + value
20.81	Commercial facility with untagged migratory birds of another as required under 20.36	\$400 + value
20.82	Violation of record keeping requirement	\$300 + value
20.83	Failure to permit premise inspection	\$700 + value
20.91(a)	Purchase/sell/barter/offer thereof for millinery or ornamental use, the feathers of migratory game birds	\$300 + value
20.91(b)	Purchase/sell/barter/offer thereof, mounted specimens taken by hunting	\$300 + value
20.100	Take migratory game birds for which no season has been established	\$300 + value
20.133	Violation of crow hunting regulations	\$60 + \$60/bird

FWS - NM

<b>50 CFR – PART 21 – MIGRATORY BIRD PERMIT REGULATIONS</b>		
<b>Section</b>	<b>Regulation</b>	<b>Collateral</b>
21.11	Take, possess, import, export, transport, sell, purchase, barter or offer for sale, purchase, or barter, any migratory bird, or the parts, nests, or eggs of such birds without a permit	\$500 + value
21.21	Import/export migratory birds, their parts, nests, or eggs without an import/export permit	\$300 + value
21.22	Capture migratory birds for banding/marketing purposes/use of official Service issued bands without a permit	\$300 + value
21.23	Take/transport/possess migratory birds, their parts, nests, or eggs for scientific purposes without a scientific collecting permit	\$300 + value
21.24	Performing taxidermy services on migratory birds, their parts, nests, or eggs without a taxidermy permit	\$300 + value
21.25	Unlawful sale/trade/donation/otherwise disposing of, to another person, any species of captive-reared migratory waterfowl without a waterfowl sale and disposal permit	\$300 + value
21.27(a)	Take/salvage/otherwise acquire/transport/possess migratory birds, their parts, nests, or eggs for any purpose not covered by standard form permits without a special purpose permit	\$300 + value
21.29(c)(1)	Failure to have a valid falconry permit from the state/tribe/territory in which you reside to take/possess/transport raptors for falconry, or to hunt with them	\$500 + value
21.29(c)(1)(iii)	Failure to identify your falconry facilities on your falconry permit and meet the standards in paragraph (d) of this section	\$300
21.29(c)(2)(i), (ii) & (iii)	Failure to meet the requirements and possession options for apprentice, general, and master falconer levels to practice falconry	\$300 + value
21.29(c)(2)(i)(D) & (E)	Apprentice falconer may not possess more than one (1) raptor and may not possess a federally listed threatened/endangered species, bald eagles, white-tailed eagles, Steller's sea eagles, golden eagles, American swallow-tailed kites, Swainson's hawks, peregrine falcons, flammulated owls, elf owls, or short-eared owls	\$500 + value
21.29(c)(2)(ii)(E) & (F)	General falconer may not possess more than three (3) raptors and may not possess golden eagles, bald eagles, white-tailed eagles, or Steller's sea eagles	\$500 + value
21.29(c)(2)(iii)(E)	Master falconer may not possess more than five (5) wild raptors, including golden eagles, and may not possess a bald eagle	\$500 + value
21.29(d)(1)	Failure to have and maintain adequate facilities to keep all permitted raptors in humane and healthful conditions	\$300
21.29(e)	Failure to comply with regulations concerning the taking/possessing/transporting of raptors for falconry	\$300 + value



FWS - NM

Section	Regulation	Collateral
21.29(f)(4)(ii)	Unlawful purchase/sale/trade/barter of a wild raptor	\$500 + value
21.29(f)(5)	Failure to comply with regulations concerning the transfer of wild-caught raptors for falconry	\$300
21.29(f)(6)	Failure to comply with reporting requirements concerning the transfer of captive-bred falconry raptors	\$300
21.29(f)(8)(iii)	Failure to use falconry raptors primarily for falconry	\$300
21.29(f)(9)	Use of falconry raptors in commercial ventures not related to falconry	\$500 + value
21.29(f)(10)	Failure to comply with requirements concerning the release of rehabilitated raptors	\$300 + value
21.29(f)(11)	Failure to obtain special purpose abatement permit for using falconry birds in abatement activities	\$300 + value
21.29(f)(12)(i)	Unlawful buying/sell/bartering of raptor feathers	\$300 + value
21.29(f)(12)(ii)	Unlawful donation of golden eagle feathers	\$300 + value
21.29(f)(12)(iii)	Failure to send all feathers of golden eagles, that are not needed for imping, to the National Eagle Repository	\$300 + \$100/feather
21.29(f)(13)	Failure to dispose of carcasses of falconry birds	\$300
21.29(f)(16)	Failure to obtain permission to capture/fly/release a falconry bird on restricted property	\$300
21.29(f)(17)	Failure to ensure falconry activities do not cause the take of Federally listed threatened/endangered wildlife	\$300
21.29(f)(18)	Failure to comply with conditions when trapping/capturing raptors in areas used by the northern aplomado falcon	\$300
21.29(f)(19)(i)	Unlawful possession of a prey animal killed by falconry bird without intent, including an animal taken outside of the regular hunting season	\$300
21.29(f)(19)(ii)	Failure to report the take of any threatened/endangered prey animal killed by a falconry bird without intent	\$300
21.29(h)	Failure to inform authorities when moving to a new jurisdiction and taking falconry birds	\$300
21.30(a)	Capture from the wild/possess/transport/import/purchase/barter/offer to sell/purchase/barter any raptor, raptor egg, or raptor semen for propagation purposes without a raptor propagation permit	\$500 + \$100/bird
21.30(d)	Failure to permit inspection of propagation raptors, facilities, equipment, and records	\$300
21.31(a)	Unlawfully take/temporarily possess/transport any migratory bird for rehabilitation purposes without a rehabilitation permit	\$300 + \$100/bird

FWS - NM

Section	Regulation	Collateral
21.31(e)	Failure to comply with rehabilitation permit conditions set forth in this section, 21.31(e)(1) – 21.31(e)(9)	\$300
21.41(a)	Unlawfully take/possess/transport migratory birds for depredation control purposes without a depredation permit	\$250 + value
21.41(c)	Failure to comply with depredation permit requirements set forth in this section, 21.41(c)(1) – 21.41(c)(5)	\$250 + value

**MIGRATORY BIRD HUNTING STAMP ACT**  
(16 USC 718a)

**16 USC – SECTION 718a – MIGRATORY BIRD HUNTING STAMP ACT**

Section	Regulation	Collateral
16 USC 718a(a)(1)	Taking migratory waterfowl without an unexpired federal Migratory Bird Hunting and Conservation Stamp	\$250 + value
16 USC 718a(a)(1)	Taking migratory waterfowl with an invalid (unsigned) federal Migratory Bird Hunting and Conservation Stamp	\$150 + value
16 USC 718e(a)	Loan or transfer valid federal Migratory Bird Hunting and Conservation Stamp to another person, or use stamp validated by another	\$500
16 USC 718e(b)	Alter/mutilate/imitate/counterfeit a federal Migratory Bird Hunting and Conservation Stamp	\$750

**BALD AND GOLDEN EAGLE PROTECTION ACT**  
(16 USC 668)

**16 USC – SECTION 668 – PROHIBITED ACTS**

Section	Regulation	Collateral
16 USC 668(a)	Unlawful take/possess/sale/barter/offer for sale, purchase or barter/ Transport/export/import any bald or golden eagle or parts, nests, or eggs thereof	\$1,500 + value

**50 CFR – PART 22 – EAGLE PERMIT REGULATIONS**

Section	Regulation	Collateral
22.11	Unlawful take/possess/transport of a bald or golden eagle ..... <b>OR</b> parts, nest, or eggs thereof .....	\$1,500 + value \$500
22.12	Unlawful sale/purchase/trade/barter/export/import/ or offer thereof of any bald or golden eagle ..... <b>OR</b> parts, nest or eggs thereof .....	\$1,500 + value \$500
22.21	Violation of eagle permit requirements issued for scientific and exhibition purposes	\$400
22.22	Violation of eagle permit requirements issued for Indian religious purposes	\$400
22.23	Violation of eagle permit requirements issued for taking depredating eagles	\$400

FWS - NM

Section	Regulation	Collateral
22.24	Violation of eagle permit requirements issued for falconry purposes	\$400
22.25	Violation of eagle permit requirements issued for taking golden eagle nests	\$400
22.32	Violation of conditions of authority for taking golden eagles under depredation control order	\$400

**CONVENTION ON THE INTERNATIONAL TRADE IN ENDANGERED SPECIES (CITES)**  
**(16 USC 1538(c))**

**16 USC – SECTION 1538(c) – CITES (ENDANGERED SPECIES ACT)**

Section	Regulation	Collateral
16 USC 1538(c)	Engaging in trade of any species contrary to the provisions of CITES or possessing any species traded contrary to the provisions of CITES	\$1,500 + value

**50 CFR – PART 23 – CONVENTION ON INTERNATIONAL TRADE IN ENDANGERED SPECIES OF WILD FAUNA AND FLORA (CITES) REGULATIONS**

Section	Regulation	Collateral
23.13(a)	Import/export/re-export/engage in international trade with any specimen of species listed in Appendix I, II, or III of CITES	Refer to 23.13(d)
23.13(b)	Introduce from the sea any specimen of a species listed in Appendix I or II of CITES	Refer to 23.13(d)
23.13(c)	Possess any specimen of a species listed in Appendix I, II, or III of CITES imported/exported/ re-exported/introduced from the sea/traded contrary to the provisions of CITES, the Endangered Species Act, or this part	Refer to 23.13(d)
23.13(d)	Attempt to commit/solicit another to commit/cause to be committed any of the activities described in paragraphs (a) – (c) of this section with regard to:	
		• Appendix I species. . . . . \$1,500 + value
		• Appendix II species. . . . . \$700 + value
	• Appendix III species. . . . .	\$300 + value

**GENERAL REGULATIONS FOR IMPORTATION & EXPORTATION  
OF PLANTS**  
**(16 USC 1538(f)(1))**

**50 CFR – PART 24 – IMPORTATION & EXPORTATION OF PLANTS**

Section	Regulation	Collateral
24.11	Import/export/re-export plants at a non-designated port	\$400 + value

FWS - NM

**GENERAL REGULATIONS FOR THE NATIONAL WILDLIFE REFUGE SYSTEM**  
**(16 USC 668dd and 16 USC 721-723)**

**50 CFR – PART 25 – ADMINISTRATIVE PROVISIONS**

Section	Regulation	Collateral
25.42	Failure to display permit when requested	\$150
25.72	Failure to report accidents	\$150

**50 CFR – PART 26 – PUBLIC ENTRY AND USE**

Section	Regulation	Collateral
26.21(a)	Trespass onto NWR	\$200
26.21(b)	Permit unconfined domestic animal to enter NWR:	• Domestic pet (i.e. dog/cat) \$100 + \$50/animal
		• Livestock \$300 + \$100/animal
26.22(a)	Failure to comply with special regulations or other official notification under 25.31	\$150
26.36	Conduct public assembly/demonstration without a permit	\$150

**50 CFR – PART 27 – PROHIBITED ACTS**

Section	Regulation	Collateral
27.21	Take any animal or plant without authorization	\$300 + value
27.31	<ul style="list-style-type: none"> <li>Travel on other than a designated route of travel</li> <li>Failure to comply with traffic control signs/signals</li> <li>Parking violations</li> </ul>	\$300 + cost to repair damage
		\$200
		\$75
27.31(a)	<ul style="list-style-type: none"> <li>Operate a vehicle in violation of state vehicle law</li> <li>Operate a vehicle in violation of state insurance requirements</li> </ul>	\$150
		\$300
27.31(b)	Operate a vehicle under the influence of drugs or intoxicating beverage	Mandatory
27.31(c)	Operate a vehicle carelessly or heedlessly	\$300
27.31(d)	Exceed 25+ MPH or otherwise legally posted speed limit (Construction zone fines double)	• 1-10 MPH \$100
		• 11-20 MPH \$150
		• 21-30 MPH \$250
		• 31-40 MPH \$350
		• +40MPH Mandatory
27.31(e)	Operate vehicle without a muffler/spark arrester or vehicle that produces unusual or excessive noise or visible pollutants	\$150
27.31(f)	Operate vehicle without license plate/registration	\$150
27.31(g)	<ul style="list-style-type: none"> <li>Operate vehicle without valid driver's license</li> <li>Operation vehicle while driver's license suspended/revoked</li> </ul>	\$150
		\$250
27.31(h)	Block road access for other vehicles	\$150



FWS - NM

Section	Regulation	Collateral
27.31(i)	Failure to obey orders of traffic control officer	\$250
27.31(j)	Operate oversized/overweight vehicle	\$250
27.31(k)	Moving of vehicle involved in accident	\$150
27.31(l)	Operate a vehicle without proper head/tail/brake lights	\$75
27.31(m)	Violation of other established special vehicle requirements	\$150
27.32(a)	Unauthorized use of a boat	\$250
27.32(b)(1)	Operate boat in violation of either Coast Guard or State laws	\$100
27.32(b)(2)	<ul style="list-style-type: none"> <li>Operate boat in reckless/negligent manner</li> <li>Exceed speed limit/wake zone</li> </ul>	\$300
		\$150
27.32(b)(3)	Operate boat under the influence of an intoxicant	Mandatory
27.32(b)(4)	Interfere with the operation of other boats	\$150
27.32(b)(5)	Operate boat without proper marine head	\$75
27.32(b)(6)	Operate a sailboat without required lights	\$150
27.32(b)(7)	Leave boat unattended for 72 hours	\$100
27.32(b)(8)	Unauthorized use of government boat dock	\$75
27.33	Unauthorized waterskiing on NWR	\$150
27.34	Unauthorized operation of aircraft on/over NWR	\$250
27.41	<ul style="list-style-type: none"> <li>Carry/possess/discharge a firearm/fireworks</li> <li>Carry/possess/discharge explosives</li> </ul>	\$200
		Mandatory
27.43	Use of weapons other than firearms	\$200
27.51	<ul style="list-style-type: none"> <li>Disturb/injure/damage animals on NWR</li> <li>Disturb/injure/damage plants on NWR</li> </ul>	\$250 + value
		\$200 + value
27.52	Introduction of plants/animals on NWR	\$250 + recovery costs to repair and/or \$50 animal/plant
27.61	Destruction or removal of property from NWR	\$300
27.62	Search for and/or remove objects of antiquity	\$500
27.63(a)	Unauthorized search for valued objects	\$500
27.63(b)	Conduct archaeological studies without permit	\$500
27.64	Unauthorized prospecting/mining on a NWR	\$500
27.65	Tamper with vehicles or equipment	\$300
27.71	Take or film motion pictures for commercial use	\$250
27.72	Cause unreasonable disturbances with audio equipment	\$200
27.73	<ul style="list-style-type: none"> <li>Use of artificial light to spot wildlife</li> <li>Use of artificial light to take wildlife</li> </ul>	\$200 + value
		\$500 + value

FWS - NM

Section	Regulation	Collateral
27.81	Enter NWR under the influence of alcohol	\$350
27.82(b)(1)	Deliver controlled substance	Mandatory
27.82(b)(2)	Possess controlled substance on a NWR	Mandatory
27.82(b)(3)	Under influence of a controlled substance	\$350
27.83	Indecency or disorderly conduct	\$400
27.84	Interference with persons engaged in authorized activity	\$400
27.85	Gambling on NWR	\$100
27.86	Begging or soliciting	\$100
27.91	Conducting field trials	\$250
27.92	Construct/install/occupy private structure	\$250
27.93	Abandon private property	\$300
27.94	<ul style="list-style-type: none"> <li>Litter on a NWR</li> </ul>	\$250
	<ul style="list-style-type: none"> <li>Dumping refuse or waste</li> </ul>	\$500 + cleanup costs
	<ul style="list-style-type: none"> <li>Depositing environmental contaminants</li> </ul>	\$1,000 + cleanup costs
27.95(a)	<ul style="list-style-type: none"> <li>Setting unauthorized fire</li> </ul>	\$350
	<ul style="list-style-type: none"> <li>Setting unauthorized campfire (contained)</li> </ul>	\$100
27.95(b)	Leaving fire unattended	\$200
27.95(c)	Throw a burning cigarette, match, etc. where it may start a fire	\$300
27.95(d)	Smoking violation	\$100
27.96	Unauthorized advertising	\$100
27.97	Soliciting business or conducting commercial operation	\$500
<b>50 CFR – PART 28 – ENFORCEMENT, PENALTY, AND PROCEDURAL REQUIREMENTS</b>		
Section	Regulation	Collateral
28.31	Violate any provision, rule, regulation, sign, or special regulation of this Subchapter C	\$150
<b>50 CFR – PART 31 – WILDLIFE SPECIES MANAGEMENT</b>		
Section	Regulation	Collateral
31.13	No refuge commercial fishing permit	\$300 + value
31.16	Violations of federal trapping permit regulations, state trapping laws, or other special trapping laws or special trapping regulations	\$200 + value
<b>50 CFR – PART 32 – HUNTING AND FISHING</b>		
Section	Regulation	Collateral
32.2(a)	Hunt without a State license	\$250 + value
32.2(b)	Hunt without a migratory waterfowl stamp	\$250 + value
32.2(c)	Hunt in violation of federal law	\$250 + value

FWS - NM

Section	Regulation	Collateral
32.2(d)	Hunt in violation of state law	\$250 + value
32.2(e)	Hunt in violation of special access requirements	\$150 + value
32.2(f)	Failure to comply with refuge special hunting regulations	\$200 + value
32.2(g)	Bow hunt with any drug on an arrow	\$650 + value
32.2(h)	Distribution of bait and hunting over bait on NWR	\$750 + value
32.2(i)	Use of nails/wire/screws/bolts to attach a tree stand to a tree, or hunt from tree into which a metal object has been driven	\$150
32.2(j)	Use or possession of alcohol while hunting	\$300
32.2(k)	Possession of toxic shot while hunting	\$150 + value + \$25/shell + forfeit toxic shells
32.5(a)	Fish without a state license	\$150 + value
32.5(b)	Fish in violation of other federal laws and regulations	\$150 + value
32.5(c)	<ul style="list-style-type: none"> <li>Failure to comply with state law</li> <li>Over bag limits and/or size limits</li> </ul>	\$150 + value
		\$300 + value
32.5(d)	Failure to comply with terms and conditions authorizing sport fishing use of refuge area	\$150 + value
32.5(e)	Failure to comply with refuge special fishing regulations	\$150 + value

**16 USC – SECTION 668dd – NATIONAL WILDLIFE REFUGE ACT – PROHIBITED ACTS**

Section	Regulation	Collateral
16 USC 668dd(c)	Disturb/injure/burn/cut/remove/destroy/possess any real or personal property of the U.S...or take/possess any fish, bird, mammal, or other wild vertebrate or invertebrate animal or part or nest thereof...or enter/use/otherwise occupy any such area for any purpose without a permit or authorization	See subparagraph (f)(1) or (f)(2)
16 USC 668dd(f)(1)	Any person who knowingly violates or fails to comply with any of the provisions of this Act or any regulations issued thereunder	\$1,000 + value
16 USC 668dd(f)(2)	Any person who otherwise violates or fails to comply with any of the provisions of this Act (including a regulation issued under this Act)	\$500 + value

**16 USC – SECTION 668dd(d) – WILDLIFE CONSERVATION EASEMENT PROVISIONS**

Section	Regulation	Collateral
1	Dwellings/barns/outbuildings/other structures built without authorization within easement areas	\$650 + removal
2	Alter vegetation	\$150 + restoration
3	Alter hydrology	\$75 + restoration
4	Unauthorized cutting or mowing	\$150/acre

FWS - NM

Section	Regulation	Collateral
5	Unauthorized cultivation	\$250/acre
6	Unauthorized grazing	\$100/animal
7	Unauthorized harvesting or cutting of wood	\$250 + value
8	Unauthorized burning	\$150/acre
9	Place refuse/waste/sewage/other debris	\$500 + cleanup cost
10	Littering	\$250
11	Drain/dredge/channel/fill	\$650 + restoration
12	Pump/dike/impound and related activity	\$650 + restoration
13	Divert/affect the natural flow or surface of underground water into, within, or out of easement	\$650 + restoration
14	Failure to control noxious weeds/other undesirable plants	\$150/acre
15	Hunting in a closed area	\$250 + value
16	Taking/attempting to take fish & wildlife in violation of Federal, State, or local game/fish regulations	\$150 + value
17	Failure to allow inspection, entry, or egress by an authorized official, agent, or employee	\$650
18	Trespass on a closed area	\$200
19	Interfere with the management of easement area	\$400

## GENERAL REGULATIONS FOR FISHERIES CONSERVATION AREAS (16 USC 664)

### 50 CFR – PART 70 – NATIONAL FISH HATCHERIES

Section	Regulation	Collateral
70.2	Administrative provisions as adopted from Part 25	As noted in Part 25
70.4(a)	Prohibited Acts as adopted in Part 27	As noted in Part 25
70.4(b)	Unauthorized taking or attempt to take fish/amphibians/other aquatic animals	\$250 + value
70.4(c)	Unauthorized take of any animal	\$250 + value
70.4(d)	Disturbing spawning fish	\$250 + value
70.6	Public entry and use as adopted from Part 26	As noted in Part 26

### 50 CFR – PART 71 – HUNTING & FISHING ON NATIONAL FISH HATCHERY AREAS

Section	Regulation	Collateral
71.2(a)	Hunting without a State license	\$250 + value
71.2(b)	Hunting waterfowl without a migratory bird hunting stamp	\$250 + value



FWS - NM

Section	Regulation	Collateral
71.2(c)	Failure to comply with other Federal laws and regulations while hunting	\$250 + value
71.2(d)	Failure to comply with other State laws and regulations while hunting	\$250 + value
71.2(e)	Failure to comply with National Fish Hatchery terms and conditions authorizing access and use	\$250 + value
71.2(f)	Failure to comply with provisions of special notices	\$250 + value
71.12(a)	Fish without a State license	\$150 + value
71.12(b)	• Failure to comply with other Federal laws and regulations while fishing	\$150 + value
	• Over bag limits and/or size limits	\$300 + value
71.12(c)	• Failure to comply with other State laws and regulations while fishing	\$150 + value
	• Over bag limits and/or size limits	\$300 + value
71.12(d)	Failure to comply with National Fish Hatchery terms conditions authorizing access and use	\$150 + value
71.12(e)	Failure to comply with provisions of special notices	\$150 + value

### OVERSIGHT PROVISION

All regulatory provisions of 50 CFR *et seq.* not heretofore enumerated

#### 50 CFR *et seq.*

Section	Regulation	Collateral
As listed	Violations of permits or permit requirements	\$200
As listed	Violations of taking, sale, purchase, or barter	\$500
As listed	Violations of possession, transport, import/export	\$300
As listed	All other violations or noncompliance	\$100

### AFRICAN ELEPHANT CONSERVATION ACT

(16 USC 4201-4245)

#### 16 USC 4223 – PROHIBITED ACTS

Section	Regulation	Collateral
16 USC 4223	Import or export raw or worked ivory contrary to the provisions of the Act	• Commercial \$1,500 + value
		• Non-commercial \$750 + value

### AMERICAN ANTIQUITIES ACT

(18 USC 1866, 16 USC 462)

#### 18 USC 1866 – HISTORIC, ARCHEOLOGIC, OR PREHISTORIC ITEMS AND ANTIQUITIES

Section	Regulation	Collateral
18 USC 1866	Appropriate/excavate/injure/destroy historic or prehistoric ruins, or monument, or any object of antiquity	\$500

FWS - NM

## ARCHAEOLOGICAL RESOURCES PROTECTION ACT (16 USC 470aa *et seq.*)

### 16 USC 470ee – PROHIBITED ACTS

Section	Regulation		Collateral
16 USC 470ee(a)	Knowingly excavate, remove, damage, alter, deface or attempt thereof, any archaeological resource on public or Indian lands without a permit or exemption	• Commercial	\$1,500 + value
		• Non-commercial	\$750 + value
16 USC 470ee(b)	Knowingly sell, purchase, exchange, transport, receive, or offer thereof, any archaeological resource if such resource was excavated or removed from public or Indian lands in violation of 16 USC 470ee(a) or any provision, rule, regulation, ordinance or permit in effect under any other Federal law	• Commercial	\$2,000 + value
		• Non-commercial	\$1,000 + value
16 USC 470ee(c)	Knowingly sell, purchase, exchange, transport, receive, or offer there, any archaeological resource if such resource was excavated or removed from public or Indian lands in violation of 16 USC 470ee(a) or any provision, rule, regulation, ordinance or permit in effect under any other State law	• Commercial	\$2,000 + value
		• Non-commercial	\$1,000 + value
16 USC 470ee(d)	Knowingly violate, counsel, procure, solicit, or employ any other person to violate any prohibition	• Commercial	\$1,300
		• Non-commercial	\$650

## ASSIMILATIVE CRIMES ACT (18 USC 13)

### 18 USC 13 – LAWS OF STATES ADOPTED FOR AREAS WITHIN FEDERAL JURISDICTION

Section	Regulation	Collateral
18 USC 13	Violations of state statutes on land administered by the FWS	\$300 + value

## HUNTING, FISHING, TRAPPING ON INDIAN LANDS (18 USC 1165)

### 18 USC 1165

Section	Regulation	Collateral
18 USC 1165	Whoever, without lawful authority/permission, willfully and knowingly goes upon any land that belongs to any Indian or Indian tribe, band, or group for the purpose of hunting, trapping, or fishing thereon, or for the removal of game, peltries, or fish therefrom	\$500 + value

FWS - NM

### ENTERING MILITARY PROPERTY (18 USC 1382)

18 USC 1382		
Section	Regulation	Collateral
18 USC 1382	<ul style="list-style-type: none"> <li>Whoever, within the jurisdiction of the U.S., goes upon any military, naval, or Coast Guard reservation/post/fort/arsenal/yard/station/installation, for any purpose prohibited by law or lawful regulation</li> </ul>	\$500 + value
	<ul style="list-style-type: none"> <li>Whoever reenters or is found within any such reservation/post/fort/arsenal/yard/station/installation after having been removed therefrom or ordered not to reenter by any officer or person in command or charge thereof</li> </ul>	Mandatory

### HUNTING, FISHING, TRAPPING ON MILITARY RESERVATIONS (10 USC 2671(a))

10 USC 2671(a)		
Section	Regulation	Collateral
10 USC 2671(a)	Violation of state statutes for wildlife or plants while on military reservation	\$500 + value

### INDIAN ARTS AND CRAFTS (18 USC 1159(a)-(d))

18 USC 1159(a) – MISREPRESENTATION OF INDIAN PRODUCED GOODS/PRODUCTS		
Section	Regulation	Collateral
18 USC 1159(a)	It is unlawful to offer or display for sale or sell any good, with or without a Government trademark, in a manner that falsely suggests it is Indian produced, an Indian product, or the product of a particular Indian or Indian tribe or Indian arts and crafts organization, resident within the U.S.	\$500 + value

### RHINOCEROS AND TIGER CONSERVATION ACT OF 1998 (16 USC 5301-5306)

16 USC 5305a – PROHIBITION		
Section	Regulation	Collateral
16 USC 5305a(a)	Sell, import, export, or attempt to sell, import, or export, any product/item/substance intended for human consumption or application containing, or labeled or advertised as containing, any substance derived from any species of rhinoceros or tiger	\$1,000 + value
16 USC 5305a(b)	Engaging in business as an importer/exporter/distributor that knowingly violates subsection (a) of this section	\$1,000 + value

FWS - NM

**LACEY ACT**  
**(16 USC 3371-3778)**

<b>16 USC 3372(a) - OFFENSES OTHER THAN MARKING OFFENSES</b>			
<b>Section</b>	<b>Regulation</b>		<b>Collateral</b>
16 USC 3372(a)(1)	<ul style="list-style-type: none"> <li>Import/export/transport/sell/receive/ acquire/purchase any fish/wildlife/plant taken/ possessed/transported/ sold in violation of any law/treaty/ regulation of the U.S. or in violation of any Indian tribal law</li> </ul>	<ul style="list-style-type: none"> <li>Big game</li> </ul>	\$1,500 + value
16 USC 3372(a)(2)(A)	<ul style="list-style-type: none"> <li>Import/export/transport/sell/receive/ acquire/purchase in interstate or foreign commerce any fish/wildlife taken/possessed/ transported/sold in violation of any law/ regulation of any State or in violation of any foreign law</li> </ul>	<ul style="list-style-type: none"> <li>Birds</li> </ul>	\$750 + value
16 USC 3372(a)(2)(B)(i)	<ul style="list-style-type: none"> <li>Import/export/transport/sell/receive/ acquire/purchase in interstate or foreign commerce any plant taken/possessed/ transported/sold in violation of any law/ regulation of any State, or any foreign law, that protects plants or that regulates (I) the theft of plants; (II) the taking of plants from a park, forest reserve, or other officially protected area; (III) the taking of plants from an officially designated area; or (IV) the taking of plants without, or contrary to, required authorization</li> </ul>	<ul style="list-style-type: none"> <li>Furbearers</li> <li>Small game</li> <li>Reptiles</li> <li>Amphibians</li> <li>Fish</li> <li>Plants</li> <li>Others</li> </ul>	\$400 + value
16 USC 3372(a)(3)(A)	<ul style="list-style-type: none"> <li>Within the special maritime and territorial jurisdiction of the U.S. to possess any fish/wildlife taken/possessed/ transported/sold in violation of any law/regulation of any State or in violation of any foreign law or Indian tribal law</li> </ul>		



FWS - NM

Section	Regulation		Collateral
16 USC 3372(a)(3)(B)(i)	<ul style="list-style-type: none"> <li>Within the special maritime and territorial jurisdiction of the U.S. to possess any plant taken/possessed/transported/ sold in violation of any law/regulation of any State, or any foreign law, that protects plants or that regulates (I) the theft of plants; (II) the taking of plants from a park, forest reserve, or other officially protected area; (III) the taking of plants from an officially designated area; or (IV) the taking of plants without, or contrary to, required authorization</li> </ul>	<ul style="list-style-type: none"> <li>Big game</li> <li>Birds</li> <li>Furbearers</li> <li>Small game</li> <li>Reptiles</li> <li>Amphibians</li> <li>Fish</li> <li>Plants</li> <li>Others</li> </ul>	\$1,500 + value  \$750 + value  \$400 + value
16 USC 3372(a)(4)	<ul style="list-style-type: none"> <li>Attempt to commit any act described in paragraph (1) – (3)</li> </ul>		

**16 USC 3372(c) – SALE/PURCHASE OF GUIDING/OUTFITTING SERVICES**

Section	Regulation	Collateral
16 USC 3372(c)(1)(A)	<ul style="list-style-type: none"> <li>It is deemed to be a sale of fish/wildlife in violation of this chapter for a person for money or other consideration to offer or provide guiding, outfitting, or other services for the illegal taking/acquiring/receiving/transporting/possessing of fish or wildlife</li> </ul>	\$750 + value
16 USC 3372(c)(1)(B)	<ul style="list-style-type: none"> <li>It is deemed to be a sale of fish/wildlife in violation of this chapter for a person for money or other consideration to offer or provide a hunting/fishing license or permit for the illegal taking/acquiring/receiving/transporting/possessing of fish or wildlife</li> </ul>	
16 USC 3372(c)(2)(A)	<ul style="list-style-type: none"> <li>It is deemed a purchase of fish/wildlife in violation of this chapter for a person to obtain for money or other consideration guiding, outfitting, or other services for the illegal taking/acquiring/receiving/transporting/possessing of fish or wildlife</li> </ul>	
16 USC 3372(c)(2)(B)	<ul style="list-style-type: none"> <li>It is deemed a purchase of fish/wildlife in violation of this chapter for a person to obtain for money or other consideration a hunting/fishing license or permit for the illegal taking/acquiring/receiving/transporting/possessing of fish or wildlife</li> </ul>	

FWS - NM

<b>16 USC 3372(d) – FALSE LABELING OFFENSES</b>			
<b>Section</b>	<b>Regulation</b>		<b>Collateral</b>
16 USC 3372(d)(1)	<ul style="list-style-type: none"> <li>It is unlawful for any person to make or submit any false record/account/label for, or any false identification, of any fish/wildlife/plant which has been, or is intended to be imported/exported/transported/sold/purchased/received from any foreign country</li> </ul>	<ul style="list-style-type: none"> <li>Big game</li> <li>Birds</li> <li>Furbearers</li> <li>Small game</li> <li>Reptiles</li> <li>Amphibians</li> <li>Fish</li> <li>Plants</li> <li>Others</li> </ul>	\$1,500 + value  \$750 + value  \$400 + value
16 USC 3372(d)(2)	<ul style="list-style-type: none"> <li>It is unlawful for any person to make or submit any false record/account/label for, or any false identification, of any fish/wildlife/plant which has been, or is intended to be transported in interstate or foreign commerce</li> </ul>		

FWS - NM

**APPENDIX A**

<b>WILDLIFE AND PLANT VALUE TABLE</b>			
<b>Category</b>	<b>Species</b>	<b>Comments</b>	<b>Value</b>
<b>BIG GAME ANIMALS</b>	Elk		• Cow - \$1,500
	Caribou	Whole/Trophy	• Bull - \$6,000
	Moose		• Cow - \$2,500
	Bison	Whole/Trophy	• Bull - \$8,000
	Sheep		
	Mountain Goats	Whole/Trophy	\$11,000
	Deer		• Doe - \$750
	Pronghorn	Whole Trophy	• Buck - \$2,500
	Black bears		
	Cougars	Whole/Trophy	\$6,500
	Brown bears	Whole/Trophy	\$9,000
<b>SMALL GAME ANIMALS</b>	Polar bears	Whole/Trophy	\$13,000
	Rhinos/Elephants/Hippos		
	Buffalos/Felines	Whole/Trophy	\$13,000
	All other African/Asian/ South American/ European species	Whole/Trophy	\$3,000
	All other	Whole/Trophy	\$1,500
<b>FUR BEARING ANIMALS</b>	All parts/products	Per item	\$150 or DEC value
	All whole/trophy	Per item	\$150
	All parts/products	Per item	\$50 or DEC value
	All whole/skin	Per item	\$150
	Rodent family	Whole/Skin	\$50
<b>NON-GAME ANIMALS</b>	Canine family	Whole/Skin	\$150
	Procyon/Mustelid family	Whole/Skin	\$75
	Feline family	Whole/Skin	\$500
	All others	Whole/Skin	\$50
	Carnivores	• Whole • Parts	\$2,000 \$750
	Primates	Whole	\$1,500
	Others	Whole	\$400
	All parts/products	Per item	\$300 or DEC value

FWS - NM

Category	Species	Comments	Value
<b>MIGRATORY GAME BIRDS</b>	Swans	Whole/Mount	\$1,300
	Geese	Whole/Mount	\$100
	Ducks	Whole/Mount	\$60
	Doves/Pigeons	Whole/Mount	\$30
	All other	Whole/Mount	\$60
	All parts/products	Per item	\$30 or DEC value
<b>MIGRATORY NON-GAME BIRDS</b>	Eagles	<ul style="list-style-type: none"> <li>Whole/Mount</li> <li>Parts/Products</li> </ul>	\$1,500 \$500
	Hawks/Falcons/Owls	Whole/Mount	\$650
	Song birds	Whole/Mount	\$130
	Whooping Cranes	Whole/Mount	\$11,000
	All other	Whole/Mount	\$130
	All parts/products	Per item	\$75 or DEC value
<b>OTHER GAME BIRDS</b>	Wild Turkeys	Whole/Mount	\$650
	Grouse/Prairie Chickens	Whole/Mount	\$400
	All other	Whole/Mount	\$150
	All parts/products	Whole/Mount	\$50 or DEC value
<b>PARROTS</b>	Macaws/Cockatoos	Whole/Mount	\$1,500
	Parrots	Whole/Mount	\$750
	All other	Whole/Mount	\$150
	All parts/products	Whole/Mount	\$50 or DEC value
<b>OTHER PET BIRDS</b>	All	Whole/Mount	\$130
	All parts/products	Per item	\$20 or DEC value
<b>OTHER ANIMALS</b>	All whole/products	Per item	\$75 or DEC value
<b>ENDANGERED/ THREATENED WILDLIFE</b>	All	<ul style="list-style-type: none"> <li>Whole/Trophy</li> <li>Parts</li> <li>Curios/Jewelry</li> </ul>	\$2,500 \$750 \$150 or DEC value
	Sea Turtles	Eggs only	\$1,500
	Mexican Gray Wolves	Whole/Trophy	Mandatory
<b>ENDANGERED/ THREATENED PLANTS</b>	All	All	\$1,500
<b>MARINE MAMMALS</b>	All (except polar bears)	<ul style="list-style-type: none"> <li>Whole/Trophy</li> <li>Parts/Curios/ Other</li> </ul>	\$2,500 \$200 or DEC value
<b>GAME FISH</b>	Trout/Salmon/Walleye/ Bass/Pike/etc.	Whole/Trophy	\$100



FWS - NM

Category	Species	Comments	Value
<b>SPORT FISH</b>	Pan fish/Catfish/etc.	Whole/Trophy	\$50
<b>OTHER FISH</b>	Paddlefish/Sturgeon/etc.	Whole/Trophy	\$750
	Eggs/roe	Per pound	\$750
	All other	Whole/Trophy	\$50
<b>NON-SPORT FISH</b>	Carp/Suckers/Gar/etc.	Whole/Trophy	\$20
<b>TROPICAL FISH</b>	All	Per fish	\$30 or DEC value
<b>BAIT FISH</b>	All	Whole/Products	\$13
<b>AMPHIBIANS</b>	All whole/products	Per item	\$75 or DEC value
<b>REPTILES</b>	All whole/products	Per item	\$75 or DEC value
<b>INSECTS</b>	All whole/products	Per item	\$60 or DEC value
<b>MOLLUSKS</b>	All whole/products	Per item	\$40 or DEC value
<b>CORALS</b>	All whole/products	Per item	\$60 or DEC value
<b>DECIDUOUS TREES</b>	All	>10 years	\$1,300
		<10 years	\$400
<b>CONIFEROUS TREES</b>	All	>10 years	\$1,300
		<10 years	\$400
<b>CACTI</b>	All	Per plant	\$200
<b>SEDGES/GRASSES</b>	All	Per square foot	\$75
<b>ORCHID FAMILY</b>	All	Per plant	\$150
<b>OTHER PLANTS</b>	All	Per plant	\$20
<b>ARCHEOLOGICAL RESOURCES</b>	All	Per item	\$200

FWS - NM

## **APPENDIX B**

### **WILDLIFE/PROPERTY FORFEITURE ORDER DISTRICT OF NEW MEXICO**

Unless otherwise specifically ordered by a United States Court, any fish, wildlife, plants, or property which has been seized under the authority of the Migratory Bird Treaty Act, 16 USC 703-712; the National Wildlife Refuge Systems Administrative Act, 16 USC 668dd-668ee; the Bald and Golden Eagle Protection Act, 16 USC 668-668e; the Endangered Species Act, 16 USC 1531-1542; the Migratory Bird 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, 16 USC 3371-3378; the American Antiquities Act, 18 USC 1866; the African Elephant Conservation Act, 16 USC 4201-4245; the Archeological Resources Protection Act, 16 USC 470aa *et seq.*; Wild Bird Conservation Act, 16 USC 4901-4916; the Rhinoceros and Tiger Conservation Act of 1998, 16 USC 5301-5306; Hunting, Fishing, Trapping on Indian Lands, 18 USC 1165; the Assimilative Crimes Act, 18 USC 13; Hunting, Fishing, Trapping on Military Reservations, 10 USC 2671; Entering Military Property, 18 USC 1382; and Misrepresentation of Indian Produced Goods and Products, 18 USC 1159(a)-(d); where final disposition of the case has been made by either payment of a forfeiture of collateral or a judgment 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 and Wildlife Service in a manner prescribed by Title 50, Code of Federal Regulations, Part 12.