

U.S. Fish & Wildlife Service

Division of Law Enforcement

Annual Report FY 2000



The U.S. Fish and Wildlife Service, working with others, conserves, protects, and enhances fish and wildlife and their habitats for the continuing benefit of the American people. As part of this mission, the Service is responsible for enforcing U.S. and international laws, regulations, and treaties that protect wildlife resources.



United States Department of the Interior

FISH AND WILDLIFE SERVICE

Washington, D.C. 20240



Message from the Assistant Director for Law Enforcement

In 2000, Federal wildlife law enforcement celebrated its centennial year with the 100th anniversary of the Lacey Act – the first U.S. wildlife protection law. The special agents, wildlife inspectors, forensic scientists, and administrative staff of the U.S. Fish and Wildlife Service Division of Law Enforcement marked that occasion in the best way possible – by once again serving the American people as diligent and dedicated stewards of Earth's "living legacy."

Service enforcement officers worked on more than 9,100 investigative cases and inspected more than 87,000 wildlife shipments last year. Our forensic scientists supported those efforts by examining more than 4,000 pieces of evidence, a 20 percent increase over FY 1999. Collectively, the Division's work contributed to virtually every aspect of the agency's conservation mission, from combating illegal wildlife trade to preserving hunting and fishing opportunities.

On the global front, special agents broke up smuggling operations dealing in exotic reptiles, wild birds, elephant ivory, sea turtle eggs, cacti, caviar, and shahtoosh. Service wildlife inspectors continued to provide an effective frontline defense against wildlife trafficking, intercepting both living contraband and illegal wildlife products while keeping U.S. borders closed to injurious species. We trained wildlife officers in Kenya, Tanzania, and the Galapagos Islands; supported U.S. efforts to protect coral reef resources; and teamed with our North American enforcement counterparts to improve policing of the global trophy trade.

Here at home, Service investigations exposed large-scale profiteering in species that ranged from eagles and big game to paddlefish and coral. Agents forged new partnerships with oil companies and electric utilities to remove threats to migratory birds. Our work also paid off for endangered species. Seasonal patrols and innovative outreach and educational programs stemmed the take of wolves and grizzly bears, while enforcement efforts helped reduce manatee deaths caused by boat strikes.

These success stories and the many others documented in this report were, however, truly the work of a "thin green line." Our agent ranks had dropped to 201 by the close of the fiscal year because we lacked the funds to field a fully staffed, fully equipped force. In the FY 2001 budget appropriations process, however, Congress renewed the Nation's commitment to wildlife law enforcement, approving the first significant funding increase for the Division in over a decade. As a result, we closed our centennial year committed to protecting "wild things," rebuilding our core enforcement capabilities, and continuing to make a difference for wildlife.

K Adams




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I. Overview

Law enforcement is essential to virtually every aspect of wildlife conservation. The Division of Law Enforcement contributes to Service efforts to manage ecosystems, save endangered species, conserve migratory birds, preserve wildlife habitat, restore fisheries, combat invasive species, and promote international wildlife conservation.

Service law enforcement today focuses on potentially devastating threats to wildlife resources — illegal trade, unlawful commercial exploitation, habitat destruction, and environmental contaminants. The Division investigates wildlife crimes, regulates wildlife trade, helps Americans understand and obey wildlife protection laws, and works in partnership with international, state, and tribal counterparts to conserve wildlife resources. This work includes:

- Breaking up international and domestic smuggling rings that target imperiled animals
- Preventing the unlawful commercial exploitation of protected U.S. species
- Protecting wildlife from environmental hazards and safeguarding habitat for endangered species
- Enforcing federal migratory game bird hunting regulations and working with states to protect other game species and preserve legitimate hunting opportunities
- Inspecting wildlife shipments to ensure compliance with laws and treaties and detect illegal trade
- Working with international counterparts to combat illegal trafficking in protected species
- Training other federal, state, tribal, and foreign law enforcement officers
- Using forensic science to analyze evidence and solve wildlife crimes
- Distributing information and outreach materials to increase public understanding of wildlife conservation and promote compliance with wildlife protection laws

When fully staffed, the Division includes 252 special agents and 93 wildlife inspectors. Most are “officers on the beat” who report through seven regional law enforcement offices. A headquarters Office of Law Enforcement provides national oversight, support, policy, and guidance for Service investigations and the wildlife inspection program; trains Service law enforcement personnel; fields a special investigations unit; and provides budget management and administrative support for the Division.

The Clark R. Bavin National Fish and Wildlife Forensics Laboratory conducts scientific analyses that support federal, state, and international investigations of wildlife crime. The Division also maintains a National Wildlife Property Repository, which supplies abandoned and forfeited wildlife items to schools, universities, museums, and non-government organizations for public education, and operates the National Eagle Repository, which meets the needs of Native Americans for eagles and eagle feathers for religious use. The latter responsibility, however, will be transferred to the Service’s Division of Migratory Bird Management in FY 2001.

In FY 2000, the Division of Law Enforcement operated with an enacted budget of \$39,405,000. This amount was augmented with \$5.3 million in user fees collected to help offset the cost of the wildlife inspection program. At the end of the fiscal year, 201 special agents and 90 wildlife inspectors were on the job.

Efforts to combat illegal commercial exploitation and habitat destruction or modification target the two major human threats to the survival of animal and plant species in the wild.

Program Evolution and Priorities

While some of the Service's law enforcement activities, such as policing Habitat Conservation Plans developed under the Endangered Species Act, are of relatively recent origin, federal wildlife law enforcement itself dates back nearly a century to the passage of the Lacey Act in 1900. This first national wildlife protection law prohibited interstate commerce in illegally taken wildlife and banned the importation of injurious species. Migratory game bird hunting was first regulated by the federal government in 1913; even broader protections for migratory birds followed in 1918 with the passage of the Migratory Bird Treaty Act. For some seven decades, federal wildlife law enforcement functioned primarily as a game protection and management operation, first in the Department of Agriculture and later in the Interior Department.

Growing threats to the continued survival of native species and world wildlife resources, however, prompted both new legislation and treaties and an expanded focus for Service law enforcement. The 1970s saw the passage of the Endangered Species Act and the Marine Mammal Protection Act; signing of migratory bird treaties with Mexico and the Soviet Union; and creation of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) and the Service's wildlife inspection program — a program that now keeps track of an annual trade worth more than \$1 billion.

Other laws enforced by the Service include the Bald and Golden Eagle Protection Act, Migratory Bird Hunting and Conservation Stamp Act, Airborne Hunting Act, National Wildlife Refuge System Administration Act, Antarctic Conservation Act, Archaeological Resources Protection Act, Wild Bird Conservation Act, African Elephant Conservation Act, and Rhinoceros-Tiger Conservation Act. Under the Lacey Act, the Service can bring federal charges against those who violate foreign, state, or tribal wildlife laws, making this statute a key tool for supporting wildlife conservation in this country and around the world. Brief descriptions of wildlife laws enforced by the Division appear at the end of this section.

Today, Service law enforcement targets criminal activities that undermine U.S. and international efforts to conserve wildlife resources. A critical enforcement priority is to deter and detect crimes involving wild populations of federally protected species, including the more than 1,100 animals and plants listed under the CITES treaty. Efforts to combat illegal commercial exploitation and habitat destruction or modification target the two major human threats to the survival of animal and plant species in the wild. The Division also supports the efforts of states and tribes to protect resident species from poachers who traffic in illegally taken fish, wildlife, and plants.

Major Program Components

The Service's special agents, wildlife inspectors, and forensic scientists provide the "heart and soul" of federal wildlife law enforcement. The agency combats wildlife crime through a variety of investigative activities conducted by individual field agents and through special long-term probes of large-scale criminal enterprises. Day-to-day monitoring of wildlife imports and exports facilitates legal trade, ensures compliance with U.S. and international wildlife protection laws and treaties, and helps detect and deter illegal trafficking in protected species. Service investigators and inspectors both rely on forensic specialists at the National Fish and Wildlife Forensics Laboratory to identify the species of wildlife and wildlife products and compile the scientific evidence needed to support the arrest and eventual conviction of criminals who violate the Nation's wildlife protection laws.

Investigations

Service special agents enforce federal wildlife protection laws throughout the United States. Special agents are plainclothes criminal investigators with full federal law enforcement authority. They work in settings that range from

Service special agents investigate criminal and civil violations involving the illegal take and commercialization of federally protected wildlife species, parts, and products.



Service special agent examines potential evidence while executing a search warrant. USFWS

major cities to one-person duty stations that cover some of the few remaining wilderness areas left in this country.

Service special agents investigate criminal and civil violations involving the illegal take and commercialization of federally protected wildlife species, parts, and products. Preventing the illegal trade of endangered animals from both the United States and around the world is an essential part of their work. Common investigative targets range from international smuggling rings to illegal guiding operations.

Agents support species reintroduction programs, pursue habitat destruction cases, and help promote and enforce Habitat Conservation Plans under the Endangered Species Act. They forge partnerships with industry groups to remove hazards to migratory birds and other wildlife caused by oil pits, power lines, pesticides, and mining operations, and investigate those who ignore their wildlife conservation responsibilities.

Special agents are key players on Service ecosystem teams, providing the expertise needed to identify and deal with enforcement issues. They conduct patrol and surveillance operations to enforce federal migratory game bird hunting regulations; provide investigative expertise when wildlife crimes occur on national wildlife refuges; and support drug eradication and interception efforts on lands managed by the Service. Special agents conduct training on wildlife law enforcement for state and tribal officers as well as for enforcement officers overseas. They also respond to citizen complaints; participate in interagency enforcement task forces with state and federal counterparts; and conduct public outreach to secure voluntary compliance with federal wildlife protection laws.

In 2000, most of the Service's special agents conducted or managed field investigations. This force worked on more than 9,000 cases involving the full gamut of wildlife crimes and violations. The tables below provide a statistical summary of the Division's recent investigative work. Information on specific cases and investigative accomplishments can be found in the "Regional Highlights" section, which begins on p. 14.

FY 2000 Investigative Caseload

Classification	Cases
African Elephant Conservation	66
Airborne Hunting	10
Archaeological Resources	6
Eagle Protection	120
Endangered Species	4,101
Lacey	1,291
Marine Mammal Protection	203
Migratory Bird Stamp	372
Migratory Bird Treaty	2,307
National Wildlife Refuge	228
Other Federal Laws	158
Permit/License Investigations	11
State Laws	168
Wild Bird Conservation	64
Total	9,105

Annual Violation Statistics*

FY 1998 - FY 2000

	1998	1999	2000
Violations	6,957	6,456	5,734
Fines	\$9,631,628	\$2,645,694	\$4,370,972
Jail (Yrs)	33	47	13
Probation (Yrs)	634	623	323
Civil Penalties	\$176,980	\$222,835	\$392,551

*Data compiled as of 12/19/00; FY 2000 data incomplete

The Branch of Special Operations is successfully combating the global exploitation of wildlife resources and providing, through its record of investigations and prosecutions, a powerful deterrent to those who seek to profit at the expense of wildlife.



The Branch of Special Operations conducted a multiyear investigation of the illegal reptile trade; smuggled species included endangered ploughshare tortoises from Madagascar. Ernest Mayer/USFWS

Special Operations

The Branch of Special Operations, which was created in the late 1970s, conducts complex investigations of criminal enterprises that are both national and international in scope. Managed out of the headquarters Office of Law Enforcement, the Branch employs special agents stationed at strategic locations throughout the United States who utilize innovative investigative techniques to uncover and document the illegal commercialization and large-scale illegal taking of wildlife. The Branch specializes in multiyear covert cases. It also provides intelligence gathering and analysis to support these investigations and the work of special agents and wildlife inspectors in the regions.

In recent years, the Branch's work has become even more critical to the Service's law enforcement mission. Officers worldwide have found it increasingly difficult to detect wildlife crime using conventional methods of enforcement. Today, sophisticated organized groups operating clandestinely are responsible for many large-scale commercial violations of wildlife conservation laws and treaties. The crimes that pose the most serious threat to wildlife are often the most difficult to solve because the criminals involved are well organized, have substantial financial resources, and use complex strategies to avoid detection.

Although the investigative techniques needed to track down and document such crimes are themselves time-consuming, costly, and potentially dangerous, they are effective. Since 1981, the Branch has completed 16 major investigations, resulting in more than 800 convictions. "Victim" species in these cases included psittacine birds, reptiles, big game animals, birds of prey, cactus, walrus, waterfowl, and fish.

The Branch of Special Operations is successfully combating the global exploitation of wildlife resources and providing, through its record of investigations and prosecutions, a powerful deterrent to those who seek to profit at the expense of wildlife. Information about the Branch's accomplishments in FY 2000 is provided in the "Office of Law Enforcement Highlights" section (see p. 90).

Wildlife Inspection Program

The wildlife inspection program is the Nation's front-line defense against illegal international trade in wildlife and wildlife products. The Service's force of uniformed wildlife inspectors monitor wildlife imports and exports and ensure that wildlife shipments meet the requirements of U.S. laws, such as the Endangered Species Act, as well as the laws of foreign countries that have established special protections for their native animals. Their work is essential to upholding the Nation's responsibilities under the Convention on International Trade in Endangered Species of Wild Fauna and Flora – a global agreement through which more than 150 countries regulate trade in animals and plants that face the threat of extinction.

Inspectors are stationed at the Nation's major international airports, seaports, and border crossings, where they maintain import/export controls and interdict smuggled wildlife and wildlife products. A system of designated, special, and border ports funnels wildlife shipments through a limited number of locations, facilitating trade monitoring and maintaining the efficiency of the inspection program. A list of these locations appears in the "Organizational Structure" section on p. 11.

Wildlife inspectors spend virtually all of their time working on import/export control. They review documents on commercial wildlife shipments and conduct physical inspections. They make sure that required licenses and permits have been obtained; that the contents of shipments match the items listed on import/export declaration forms; and that live animals have been shipped humanely. If the paperwork or cargo is not in order, the shipment is detained or seized. Some seizures at ports of entry provide Service special agents the starting point for full-scale criminal investigations — investigations that may result in felony prosecutions involving smuggling, conspiracy, wildlife, and money laundering charges.

Wildlife inspectors also work the passenger terminals at airports and conduct inspections at centralized mail facilities that handle international traffic. They participate in special enforcement task forces that target specific trade problems and provide training to counterparts in other countries.

Wildlife inspectors also work the passenger terminals at airports and conduct inspections at centralized mail facilities that handle international traffic. They participate in special enforcement task forces that target specific trade problems; provide training to counterparts in countries around the world; and conduct public outreach to explain wildlife protection laws to customs brokers, trade associations, airlines, international travelers, and hunters going abroad. They are also popular guest speakers at schools, nature centers, zoos, and environmental fairs, where they talk about the illegal wildlife trade and its devastating effect on species around the world.

Close coordination with other federal inspection agencies is essential to the success of the Division's efforts to monitor U.S. wildlife trade. Inspectors work closely with their counterparts at the U.S. Customs Service, which is responsible for clearing all goods entering this country. Some wildlife inspections require coordination with the U.S. Department of Agriculture's Animal and Plant Health Inspection Service, which regulates the importation of plants and enforces animal quarantine rules. Contacts with the National Marine Fisheries Service, Immigration and Naturalization Service, Food and Drug Administration, and Centers for Disease Control are also common.

The Service ended FY 2000 with 90 wildlife inspectors on the job to monitor the U.S. wildlife trade. This force staffed 13 designated ports of entry and 16 border, non-designated, and special ports. In FY 1999 (the last year for which complete data are available), Service inspectors processed 95,664 declared shipments of wildlife and wildlife products worth more than \$1 billion. The Nation's busiest ports of entry for the wildlife trade that year were New York/Newark, where 20,467 shipments entered or left the country, followed by Los Angeles (16,450 shipments) and Miami (8,005 shipments).

The table on p. 6 provides a port-by-port breakdown of U.S. wildlife imports and exports for FY 1999 and includes preliminary statistics for FY 2000. Descriptions of inspection program accomplishments for FY 2000 and activities at specific ports are included in the "Regional Highlights" section, which begins on p. 14.

Wildlife Forensics

The Clark R. Bavin National Fish and Wildlife Forensics Laboratory, which opened in 1988 in Ashland, Oregon, is the first and only full-service crime laboratory in the world devoted to wildlife law enforcement. Over the past decade, laboratory scientists have analyzed more than 35,000 evidence items, providing crucial support to Service special agents and wildlife inspectors, state conservation agencies, and enforcement officers around the world. In the process, they have also created much of the science of wildlife forensics, developing the analytical techniques needed to help solve wildlife crimes.

Service wildlife inspectors play a critical role in upholding U.S. trade monitoring responsibilities under the Convention on International Trade in Endangered Species. USFWS





*Wildlife inspector suits up in protective gear before inspecting a trophy shipment.
Kimberly Hamilton/USFWS*

FY 1999-2000 Wildlife Inspection Activity

Port of Entry	FY 1999 No. of Shipments	FY 2000* No. of Shipments
Designated Ports		
Atlanta, GA	1,705	2,093
Baltimore, MD	3,066	2,931
Boston, MA	1,102	1,140
Chicago, IL	4,352	4,328
Dallas/Fort Worth, TX	3,414	3,529
Honolulu, HI	3,369	3,615
Los Angeles, CA	16,450	15,186
Miami, FL	8,005	6,383
New Orleans, LA	876	608
New York, NY/Newark, NJ	20,467	21,836
Portland, OR	807	636
San Francisco, CA	5,225	5,053
Seattle, WA	2,905	2,669
Subtotal	71,743	70,007
Non-Designated Ports		
Agana, GU	719	1,293
Anchorage, AK	2,768	3,555
Blaine, WA	1,610	1,065
Brownsville, TX	239	272
Buffalo, NY	2,299	1,327
Detroit, MI	1,183	879
El Paso, TX	967	775
Golden, CO	367	174
Great Falls, MT	867	594
Houston, TX	963	751
Laredo, TX	279	233
Nogales, AZ	286	316
Pembina, ND	1,369	468
San Diego, CA	536	610
St. Paul, MN	1,213	953
Tampa, FL	1,495	1,272
Subtotal	17,160	14,537
Non-Staffed Ports	6,761	2,530
Total	95,664	87,074

* Data compiled as of 12/20/00; incomplete data for FY 2000

Forensic scientists working on wildlife cases encounter unique challenges, such as confirming the species of smuggled goods, identifying the cause of death for recovered animals, or linking suspects with specific wildlife victims.

Forensic scientists working on wildlife cases encounter unique challenges, such as confirming the species of smuggled goods, identifying the cause of death for recovered animals, or linking suspects with specific wildlife victims. Examples of key research accomplishments from the Laboratory's first decade include ways to distinguish ancient and modern ivories; the application of DNA analysis to species identification; and work to pinpoint the contents of traditional Asian medicines, many of which claim to contain endangered species.



Forensic scientist conducts DNA analysis to develop evidence for use in a wildlife crime investigation. Jim Chamberlain/USFWS

Three years ago, the Laboratory earned accreditation from the American Society of Crime Laboratory Directors, a professional status attained by only half the crime laboratories in the United States. Demand for case assistance from federal, state, and foreign investigative agencies increases each year.

The Laboratory's FY 2000 accomplishments are described on p. 96.

Laws Enforced

The Division of Law Enforcement upholds the Nation's wildlife protection laws. Brief summaries of these statutes follow.

Bald and Golden Eagle Protection Act (16 U.S.C. 668-668C). This Act makes it illegal to import, export, or take bald or golden eagles, or to sell, purchase, or barter their parts or products made from them, including nests or eggs.

Migratory Bird Treaty Act (16 U.S.C. 703-712). Except as allowed by implementing regulations, this Act makes it unlawful to pursue, hunt, kill, capture, possess, buy, sell, purchase, or barter any migratory bird, including feathers or other parts, nests, eggs, or migratory bird products.

Migratory Bird Hunting and Conservation Stamp Act (16 U.S.C. 718). Commonly referred to as the "Duck Stamp Act," this law requires waterfowl hunters, 16 years of age or older, to purchase and possess a valid federal waterfowl hunting stamp before they take migratory waterfowl.

Lacey Act (18 U.S.C. 42; 16 U.S.C. 3371-3378). This Act authorizes the Secretary of the Interior to designate injurious wildlife and ensure the humane treatment of wildlife shipped to the United States. It prohibits the importation, exportation, transportation, sale, or purchase of fish and wildlife taken or possessed in violation of state, federal, Indian tribal, and foreign laws. The 1981 amendments strengthened the enforcement of federal wildlife laws and improved federal assistance to the states and foreign governments in the enforcement of their wildlife laws.

Marine Mammal Protection Act (16 U.S.C. 1361-1407). This Act establishes a moratorium on the taking and importation of marine mammals, including parts and products, and defines federal responsibilities for the conservation of marine mammals. It assigns management authority for the sea otter, walrus, polar bear, dugong, and manatee to the Department of the Interior.

Airborne Hunting Act (16 U.S.C. 742j-1). Section 13 of the Fish and Wildlife Act of 1956 is commonly referred to as the Airborne Hunting Act, or Shooting From Aircraft Act. It prohibits taking or harassing wildlife from aircraft, except when protecting wildlife, livestock, and human health or safety as authorized by a federal or state-issued license or permit.

National Wildlife Refuge System Administration Act (16 U.S.C. 668dd-668ee). This 1966 Act constitutes an “Organic Act” for the National Wildlife Refuge System. It provides guidelines and directives for administration and management of all areas in the system including “wildlife refuges, areas for the protection and conservation of fish and wildlife that are threatened with extinction, wildlife ranges, game ranges, wildlife management areas, or waterfowl production areas.”

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

Antarctic Conservation Act (16 U.S.C. 2401). This Act provides for the conservation and protection of the fauna and flora of Antarctica and of the ecosystem upon which they depend. The Act makes it unlawful for any U.S. citizen to take any native bird or mammal in Antarctica or to collect any native plant from any specially protected area on that continent. In addition, the Act makes it unlawful for anyone in the United States to possess, sell, offer for sale, deliver, receive, carry, transport, import, export, or attempt to import or export from the United States any native mammal or bird taken in Antarctica or any plant collected in any specially protected area.

Archaeological Resources Protection Act (16 U.S.C. 470aa). This Act protects archaeological resources and sites on public and Indian lands, and fosters increased cooperation among governmental authorities, the professional archaeological community, and individuals who own collections of archaeological resources obtained before October 31, 1979. The primary prohibitions of the Act make it illegal for any person to excavate, remove, damage, or otherwise alter or deface any archaeological resource located on public or Indian lands without a permit. In addition, the Act makes it illegal for any person to sell, purchase, exchange, transport, receive, or offer to sell, purchase, or exchange any archaeological resource taken from public or Indian lands in violation of federal, state, or local law.

African Elephant Conservation Act (16 U.S.C. 4201-4245). This Act provides additional protection for the African elephant. It establishes an assistance program for elephant-producing countries of Africa and provides for the creation of an African Elephant Conservation Fund. In addition, the Act places a moratorium on the importation of raw or worked ivory from African elephant-producing countries that do not meet certain criteria.

Wild Bird Conservation Act (16 U.S.C. 4901). This 1992 Act promotes the conservation of exotic birds by encouraging wild bird conservation and management programs in countries of origin; by ensuring that all U.S. trade in such species is biologically sustainable and of benefit to the species; and by limiting or prohibiting imports of exotic birds when necessary.

Rhinoceros and Tiger Conservation Act (16 U.S.C. 5301-5306). The 1998 reauthorization of this Act prohibits the import, export, or sale of any product, item, or substance containing, or labeled or advertised as containing, any substance derived from tiger or rhinoceros.



II. Organizational Structure

During FY 2000, the Service's law enforcement program was carried out by seven regional law enforcement offices, each managed by an Assistant Regional Director for Law Enforcement who reported to the Regional Director, and a Washington-based headquarters Office of Law Enforcement, which reported to the Director. The latter alignment, which was mandated by the Director in the fall of 1997, ensures law enforcement participation in the development of Service policy and program directions and makes law enforcement expertise more readily accessible to all Service programs.

The chart below provides the addresses and shows the areas of jurisdiction for the seven regional law enforcement offices and for the Washington headquarters Office of Law Enforcement.

Region/Address	Area of Jurisdiction
All addresses begin: U.S. Fish and Wildlife Service Division of Law Enforcement	
1 911 N.E. 11th Avenue Portland, OR 97232-4181 503/231 6125	California, Guam, Hawaii, Idaho, Nevada, Oregon, Washington, American Samoa, and the Northern Mariana Islands
2 P.O. Box 329 Albuquerque, NM 87103 505/248 7889	Arizona, New Mexico, Oklahoma, and Texas
3 P.O. Box 45, Fed. Bldg. Fort Snelling, MN 55111-0045 612/713 5320	Illinois, Indiana, Iowa, Minnesota, Missouri, Ohio, Michigan, and Wisconsin
4 P.O. Box 49226 Atlanta, GA 30359 404/679 7057	Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, Puerto Rico, South Carolina, Tennessee, and the Virgin Islands
5 300 Westgate Center Drive Hadley, MA 01035 413/253 8274	Connecticut, Delaware, District of Columbia, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, Virginia, and West Virginia
6 P.O. Box 25486-DFC Denver, CO 80225 303/236 7540	Colorado, Kansas, Montana, Nebraska, North Dakota, South Dakota, Utah, and Wyoming
7 1011 E. Tudor Road, Suite 155 Anchorage, AK 99503-6199 907/786 3311	Alaska
9 4401 N. Fairfax Drive, Room 520 Arlington, VA 22203 703/358 1949	Headquarters Office

Agent Duty Stations

STATE	AD*	DEPUTY AD	ARD/ SAC**	DEPUTY ARD/ASAC***	SR RESIDENT AGENT	SPECIAL AGENT	TOTAL
Alabama						2	2
Alaska				1	2	6	9
Arizona					1	4	5
Arkansas						2	2
California					2	14	16
Colorado				1	1	2	4
Connecticut						1	1
Delaware						1	1
District of Columbia	1		3	1	1	11	18
Florida					2	9	11
Georgia				1	1	4	6
Guam							0
Hawaii					1	1	2
Idaho					1	2	3
Illinois						4	4
Indiana						1	1
Iowa						1	1
Kansas					1	1	2
Kentucky						1	1
Louisiana						5	5
Maine							0
Maryland					1	4	5
Massachusetts			1	1	1	2	5
Michigan					1	2	3
Minnesota			1	1	1	2	5
Mississippi					1	2	3
Missouri					1	3	4
Montana					1	2	3
Nebraska						2	2
Nevada						2	2
New Hampshire						1	1
New Jersey					1	2	3
New Mexico			1	1		2	4
New York					1	6	7
North Carolina					1	3	4
North Dakota						2	2
Ohio						2	2
Oklahoma					1	1	2
Oregon			1	1	1	3	6
Pennsylvania						2	2
Puerto Rico						1	1
Rhode Island							0
South Carolina						2	2
South Dakota					1	1	2
Tennessee						3	3
Texas					1	13	14
Utah					1	1	2
Vermont						1	1
Virginia					1	5	6
Washington						5	5
West Virginia							0
Wisconsin						3	3
Wyoming					1	2	3
Total	1	1	8	7	29	155	201

* Assistant Director for Law Enforcement

** Assistant Regional Director for Law Enforcement; Special Agent in Charge

*** Assistant Special Agent in Charge

(Agents listed under the District of Columbia report to LE Headquarters)

As of October 1, 2000

The seven regional law enforcement offices uphold the Nation's wildlife protection laws and fulfill the Service's law enforcement mission in the field.



Wildlife inspectors examine commercial wildlife shipments to ensure compliance with wildlife laws and treaties. USFWS

Regional Law Enforcement Offices

The seven regional law enforcement offices uphold the Nation's wildlife protection laws and fulfill the Service's law enforcement mission in the field. These offices conduct investigations of wildlife violations in the states within their jurisdiction and operate the wildlife inspection program at assigned ports of entry. Each regional law enforcement office carries out these responsibilities through senior resident agents, who serve as first-line field supervisors, and a staff of special agents, wildlife inspectors, and administrative support personnel.

A table showing the distribution of senior resident agents and special agents by state appears on p. 10.

The chart below identifies the ports staffed by wildlife inspectors during FY 2000.

Location of Wildlife Inspectors

Designated Ports

Atlanta, Georgia
Baltimore, Maryland
Boston, Massachusetts
Chicago, Illinois
Dallas-Fort Worth, Texas
Honolulu, Hawaii
Los Angeles, California
Miami, Florida
Newark, New Jersey*
New York, New York*
New Orleans, Louisiana
Portland, Oregon
San Francisco, California
Seattle, Washington

* These locations operate together as one designated port of entry for wildlife trade.

Border, Non-designated, and Special Ports

Agana, Guam
Anchorage, Alaska
Blaine, Washington
Brownsville, Texas
Buffalo, New York
Denver (Golden), Colorado
Detroit (Ann Arbor), Michigan
Dunseith, North Dakota
El Paso, Texas
Great Falls, Montana
Houston, Texas
Laredo, Texas
Nogales, Arizona
San Diego, California
St. Paul, Minnesota
Tampa, Florida

Staffed by senior special agents and senior wildlife inspectors, the Branch of Investigations develops policy for Service enforcement activities; prepares and reviews Service regulations that deal with enforcement issues; and coordinates international enforcement efforts.

Office of Law Enforcement

The Assistant Director for Law Enforcement is the Division's top ranking officer and the national administrator of the Service's law enforcement program. This individual serves as the Director's principal adviser on law enforcement issues; provides overall policy direction for the law enforcement program; coordinates all investigative activities in conjunction with line officials in the field; and oversees the wildlife inspection program.

The Office of Law Enforcement, which serves as the Division's headquarters operation and reports directly to the Assistant Director for Law Enforcement, includes four branches: Investigations, Special Operations, Training and Inspection, and Technical and Field Support. The Clark R. Bavin National Fish and Wildlife Forensics Laboratory, which is described on p. 5 and in Section V, also reports to the Assistant Director.

The Branch of Investigations, which is supervised by a Special Agent in Charge, ensures that Service law enforcement policies and procedures are followed nationwide. Staffed by senior special agents and senior wildlife inspectors, the Branch develops policy for Service enforcement activities; prepares and reviews Service regulations that deal with enforcement issues; and coordinates international enforcement efforts. This group monitors investigations of national or international significance and helps facilitate those that involve more than one region.

The Branch works extensively on matters concerning Service obligations under the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES). These efforts include participating in the development of U.S. listing proposals, negotiating positions, and implementing regulations. Senior special agents and wildlife inspectors provide CITES training to counterparts in other countries and represent Service law enforcement in a variety of international forums.

Special agent retrieves illegally taken fish from nets along the Yukon River in Alaska. Corky Roberts/USFWS



Directed by a Special Agent in Charge based in the Washington office, the Branch of Training and Inspection develops, coordinates, and conducts basic training for new agents and inspectors, as well as advanced and annual training for these officers.

The Branch maintains liaison with other federal and state law enforcement agencies and with the global crime-fighting community via INTERPOL and direct contacts with foreign investigative organizations. This office also coordinates law enforcement outreach activities, develops public information materials that explain wildlife conservation laws and promote compliance, and serves as the Division's media liaison.

The Branch of Special Operations is supervised by a Special Agent in Charge based in the headquarters Office of Law Enforcement. The investigative work of this group is described in Section I on p. 4.

The Branch of Training and Inspection ensures that Service law enforcement officers are prepared to meet the professional challenges of wildlife law enforcement. Directed by a Special Agent in Charge based in the Washington office, the Branch develops, coordinates, and conducts basic training for new agents and inspectors, as well as advanced and annual training for these officers. The Branch maintains a training staff at the Federal Law Enforcement Training Center in Glynco, Georgia, where the Service is one of 23 federal law enforcement agencies in permanent residence. The Branch develops special programs featuring academic and applied course work for refuge officers, state conservation officers, and enforcement personnel from the U.S. Customs Service, National Marine Fisheries Service, National Park Service, Bureau of Indian Affairs, and foreign governments. Through its inspection function, it provides a quality control mechanism for law enforcement operations throughout the Division.

The Branch of Technical and Field Support supplies a wide range of administrative support services to the Division. This office handles budget formulation and execution as well as workload and funding planning and analysis. It provides national computer support for federal wildlife law enforcement efforts through the Law Enforcement Management Information System (LEMIS), which first became operational in October 1983. A new Internet-based version of this system, called LEMIS 2000, has been implemented. This Branch also manages a centralized data entry group that compiles wildlife trade information and uses these data to respond to public requests under the Freedom of Information Act.

Accomplishments of the Office of Law Enforcement, including reports on Special Operations and Training activities, appear in Section IV, which begins on p. 83. A description of the accomplishments of the National Fish and Wildlife Forensics Laboratory can be found in Section V (see p. 96).



Basic training for Service special agents covers the gamut of law enforcement skills, from handcuffing suspects to conducting undercover investigations. USFWS



III. Regional Highlights

Region One

Region One stretches from Canada to Mexico and bridges the Pacific; it includes California, Hawaii, Idaho, Nevada, Oregon, Washington, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands. As of September 30, 2000, the region had 34 special agents and 26 wildlife inspectors on board. Five of the Service's 13 designated ports for wildlife trade are located in the Pacific Region as well as several border and special ports.

Illegal Take and Commercialization of Wildlife

Poaching and commercial exploitation remain threats to wildlife resources in Region One. Cooperative efforts continued with states, tribes, and other entities to limit the unlawful take or sale of wildlife, including endangered species, migratory birds, and state-protected resources. Crimes probed by Service special agents during FY 2000 ranged from coral collection and Internet-based wildlife trafficking to cactus poaching and unlawful sale of sea turtle meat.

A two-year investigation continued into a conspiracy to violate the Lacey Act involving at least six subjects who collected coral and live rock in violation of Hawaii state laws and shipped this contraband to California, Washington, and Nevada labeled as "smoked fish" or "smoked seafood." Evidence now shows that in addition to the 96 tons of live rock and coral valued at about \$1 million that were collected between 1996 and 1998, at least 60 other shipments of live rock occurred between 1994 and 1996. The exact amount and value of the older shipments are unknown, but estimates bring the total live rock illegally collected from Hawaiian waters to about 150 tons valued at over \$1.5 million. In September 2000, one subject pleaded guilty to conspiring to violate the Lacey Act, false labeling, and illegal transport of wildlife collected in violation of state law. Two other subjects face federal criminal charges.

The illegal sale of wildlife on the Internet continues to be a growing problem. For example, between February 20 and April 2, 2000, a California man offered mounted migratory waterfowl for sale on 24 separate occasions in violation of the Migratory Bird Treaty Act. The birds were listed on a major Internet auction site, and at least eight mounts were sold to individuals in Texas, Missouri, Illinois, Kansas, and Minnesota. The man continued to advertise and sell waterfowl mounts after the site ended 10 of his auctions and he was notified three times that it may be illegal to engage in such activity. After being charged with unlawful sale of migratory birds, the man was ordered to pay a \$2,000 fine.

In March 2000, special agents learned that a jaguar coat, a leopard coat, and crocodile skin were also being offered for sale via the Internet in violation of the Endangered Species Act. Contacts by special agents resulted in voluntary abandonment of the leopard skin coat and agreement to remove all advertisement for the other items from the Internet.

Service special agents in southern California assisted the National Park Service with an investigation involving the theft of barrel cactus from federal lands in California, Arizona, and Nevada. The cactuses were then sold to Mexican candy factories in Los Angeles. The investigation revealed that the subjects stole about 30 cactuses per trip, making as many as four trips per month during the winter, spring, and fall. This activity had been occurring for more than 10 years. Indictments of approximately 10 individuals are expected.

A federal grand jury indicted a Las Vegas, Nevada, man for violating the Lacey Act and U.S. postal regulations by illegally collecting rattlesnakes in Nevada and shipping them to Pennsylvania. The venomous reptiles were shipped via U.S. mail in a plain, unmarked cardboard box. Trial is pending.

The Service completed a joint investigation with Yakama Nation tribal detectives involving possession of eagles illegally killed on the Yakama Indian Reservation. The individual was fined \$500.

Agents began investigating the theft of three eagles (two golden and one bald) from California's Santa Barbara Zoo. The eagles were apparently shot in their cages since spent bullet casings, feathers, and blood were found on the floor of the enclosures. A reward of \$15,000 was offered for information in this case, but those responsible have not yet been identified.

Pacific-based special agents have worked with members of the Sea Turtle Recovery Team to identify ways that law enforcement might assist in recovery efforts. Investigations in Guam resulted in criminal prosecution of a violator for illegal take and sale of turtle; sentencing is pending. Three other seizures of turtle meat, which were intercepted in undeclared shipments, are still being investigated.



A California man was investigated for hunting with fraudulently obtained Nevada licenses; agents recovered the mounts, skulls, and horns of 13 unlawfully taken bighorn sheep from his home. J&K Hollingsworth/USFWS



A Service investigation resulted in the indictment of a Nevada man who was illegally collecting rattlesnakes from the wild. Tom Smylie/USFWS

Enforcing Federal and State Hunting Regulations

A joint state/federal investigation into the unlawful take and interstate transportation of elk from Idaho to Minnesota and Wisconsin resulted in state charges against six subjects from Minnesota and Wisconsin and one from Idaho. The defendants were involved in killing six cow elk in an area of Idaho closed to hunting; four were left to waste and the others were transported to Minnesota. A total of approximately \$14,000 in fines were assessed, and the subjects will serve a total of 16 years probation while banned from hunting. The two who shot the elk were also ordered to serve five days in jail.

A northern California man was charged in federal court in San Francisco with a violation of the Lacey Act and illegal possession of a firearm by a felon. California Department of Fish and Game officers had responded to a report of two cow elk hanging near the residence of the suspect. A kill site was located well inside the boundary of Redwoods National Park. DNA samples taken from the cow elk at the suspect's residence matched samples recovered at the kill site. A trial is anticipated.

Service special agents helped Idaho and California Fish and Game officers investigate a California man for the killing of deer and elk with a fraudulent hunting license and the subsequent interstate transportation of the unlawfully taken animals. The man was charged in Idaho state court with the unlawful possession and take of deer and elk and the unlawful purchase of resident Idaho hunting licenses. He pleaded guilty and was sentenced to pay a \$1,500 fine and serve two years probation during which he is barred from hunting.

In Nevada, the Service began investigating the use of powered parachutes (para-planes) for hunting, which is a violation of the Airborne Hunting Act. Federal and state officers have documented the unlawful use of para-planes in five counties along with other state and federal violations. Illegal activities detected include unlawful guiding, significant harassment of wildlife while airborne, and unlawful take of wildlife. Two para-planes are known to be involved, one of which has been seized by Nevada authorities. Federal prosecution is expected.

A Sandy Valley, California, man was charged in California state court for fraudulently obtaining Nevada hunting licenses over a 10-year period and illegally harvesting wildlife using the licenses. The execution of a search warrant at the defendant's home in August 1999 resulted in the seizure of mounts, skulls, and horns of 13 bighorn sheep. The man was also implicated in the illegal killing of a mountain lion. He pleaded guilty to one count of unlawful possession of wildlife and one count of unlawful importation of wildlife. He was fined \$3,000, placed on three years probation, and forfeited all seized wildlife.

A three-year undercover probe of illegal hunting activities ended in February when a federal magistrate sentenced a Woodland, Washington, waterfowl guide. The man lost all hunting and fishing privileges for two years and must pay a \$6,000 fine, forfeit the shotgun used in the violation, and surrender all firearms to the government during his probation. His associate lost hunting and fishing privileges for a year and was fined \$500; this individual also forfeited a shotgun and was directed to surrender all weapons to the government during probation.



Agents investigated the deaths of four gray wolves found dead in Idaho as well as the suspected death of a fifth, whose radio collar was recovered from the Clearwater River. J & K Hollingsworth/USFWS

Enforcement of baiting regulations took much of the agents' time in northern California during the 1999-2000 migratory bird hunting season. Five investigations were opened, one for dove baiting and four for waterfowl baiting.

The dove baiting incident occurred north of Yuba City, where a field road adjacent to an orchard had been baited with wheat and milo. When interviewed, the host, who had invited guests to the dove shoot, admitted to knowledge of the bait. Recent amendments to the Migratory Bird Treaty Act and its implementing regulations provide for enhanced penalties for baiting. The host pleaded guilty and was fined \$5,000 for his role in baiting the dove field.

A duck club in San Joaquin County was prosecuted for manipulation of standing corn in conjunction with waterfowl hunting. The club paid a fine of \$8,000. Several club members were also cited for hunting with toxic shot, an unplugged shotgun, and no duck stamp. A duck club in Yolo County was prosecuted for planting and manipulating Japanese millet in the same year it was planted. The club was placed on probation for one year and must donate \$5,000 worth of equipment to a neighboring state wildlife area. A pending case involves a private island in the Delta where corn was manipulated; the owner of the island received more than \$2.5 million in public funding for wetland easements over the past five years.

Protecting Endangered Wolves

The unauthorized killing of reintroduced wolves in Idaho continued to put a strain on the resources of the agents assigned to that state. In August, agents recovered three gray wolves found dead within six miles of each other in the Salmon/Challis National Forest. Major forest fires hampered the recovery and investigation. All three wolves were in an advanced state of decomposition, and poison is suspected as the cause of death.

Agents are also investigating the suspected death of a collared wolf in northern Idaho. The collar, which had been cut off the wolf, was first spotted in the north fork of the Clearwater River in May, but the height and speed of the river prevented retrieval. The collar was recovered from the river in August.

The unauthorized taking of endangered species through habitat destruction can have a long-lasting adverse impact on protected wildlife.



Region One investigations included efforts to protect the habitat of the threatened California gnatcatcher (top), the endangered Pacific pocket mouse (middle), and the California red-legged frog (bottom) – a threatened species. Top to bottom: B. "Moose" Peterson/USFWS; March Air Force Base; Mark R. Jennings/USFWS

Another collared wolf was found dead in August in the Chamberlain Basin in the River of No Return Wilderness Area. The remains, which were in an advanced state of decomposition, were sent to the Forensics Laboratory for necropsy. The results indicated that the cause of death was gun shot.

Habitat Destruction

The unauthorized taking of endangered species through habitat destruction can have a long-lasting adverse impact on protected wildlife. Although this problem is a concern regionwide, it is particularly acute in southern California. Rapid and substantial growth in this area, combined with the highest concentration of listed species in the Nation, results in almost daily conflicts between habitat modification and species protection.

A successfully completed investigation involving the illegal take of the threatened California gnatcatcher has enhanced the Service's ability to protect coastal sage scrub habitat occupied by these birds. This case involved grading and construction activity in gnatcatcher habitat for a new housing development in western Riverside County, California. The developer began the project without seeking an incidental take permit under Section 10 of the Endangered Species Act. Service investigation of the resulting unauthorized take of gnatcatchers prompted negotiation of a settlement in which the developer agreed to prepare a Habitat Conservation Plan, apply for an incidental take permit, and pay over \$140,000 in penalties and mitigation for damaged habitat.

The developer, however, failed on numerous occasions to comply with the terms of the agreement, leading the Service to seek injunctive relief for the continued unauthorized take of California gnatcatchers. The U.S. District Court for the Central District of California first granted a temporary restraining order and then issued a preliminary injunction halting the project. A final settlement agreement has been reached, which calls for permanent protection for some 40 acres of coastal sage scrub habitat, completion of all restoration work originally agreed to, and payment of an additional \$15,000 fine. While the first agreement was negotiated by the Department of the Interior Solicitor's Office and entered into by the developer and the Service directly, the final agreement was filed with the district court as the resolution of the scheduled hearing for a permanent injunction and will be enforced by that court.

This case sets the stage for improved protection of coastal sage scrub habitat occupied by California gnatcatchers. The ability of the Service to prove that destruction of such habitat violates the Endangered Species Act has already had, and will continue to have, far-reaching effects on efforts to preserve similar areas that remain in southern California.

In May 2000, the Service began investigating the illegal take of the endangered arroyo southwestern toad in San Diego County, California. A development company erected an exclusionary fence in habitat occupied by the species, even though Service biologists had advised the developer that arroyo toads were present in a nearby creek as well as on the land proposed for grading, and that installing the fence would result in unauthorized take in violation of the Endangered Species Act. The developer graded a 4,500-foot-long section of the property to install the fence, which separated toads found in the upland foraging/burrowing habitat from their breeding habitat in the creek. The developer has refused to remove the fence, which prevents the toads from moving back and forth between breeding/feeding habitats and the higher ground they use for shelter, increasing the risk of exposure and predation along the fence line. The Service has submitted the matter to the Department of Justice for injunctive relief.

Special agents investigated a California utility company whose road grading activities resulted in the unauthorized take of the endangered Pacific pocket mouse on Camp Pendleton Marine Corps Base on two separate occasions. The company graded roads leading to its power lines after being counseled on how best to avoid the pocket mouse's burrows and still complete the work.

Service special agents investigated the take of threatened bull trout by two irrigation districts on the Walla Walla River in northeast Oregon.



Agents in Oregon and Idaho are working with irrigation districts to find ways to prevent the take of bull trout, a threatened species. J & K Hollingsworth/USFWS

A settlement now being negotiated calls for the company to restore some of the last remaining habitat for this endangered species.

Charges are pending against a development company for the unlawful take of endangered San Diego fairy shrimp through the destruction of vernal pool habitats. A developer purchased land that had been set aside as a vernal pool preserve, obtained a grading permit from the City of San Diego, and began the initial phases of development before the Service became aware of the grading activity.

In 2000, special agents began investigating the unlawful take of the endangered California tiger salamander and threatened California red-legged frog on private property in Santa Maria, California. The Santa Barbara County Planning Department requested Service assistance in dealing with an agricultural operation that was draining wetlands and destroying streambeds believed to contain these species. The county had issued several stop work orders and was trying to obtain a restraining order to prevent further destruction. The farmer, who was also violating state laws regulating the alteration of streambeds, pleaded guilty to California Fish and Game violations and was placed on two years probation.

At an on-site meeting, representatives from the Service, Army Corps of Engineers, and Environmental Protection Agency found that the farmer was in violation of the Clean Water Act and that he was not fulfilling the terms of his probation from the state violations. The Corps issued a stop work order. A subsequent field biological survey revealed that grading and discing activity had resulted in the unauthorized take of tiger salamanders and red-legged frogs and that the farmer had continued to destroy wetlands habitat in violation of the stop work order. The investigation was submitted to the U.S. Attorney's Office for criminal prosecution. The Army Corps of Engineers is seeking injunctive relief for the continued violations of the Clean Water Act.

Investigation of unlawful take of the endangered Morro shoulder band dune snail on private property in Los Osos, California, began during this reporting period. A water company graded and bulldozed a pad in order to install a well, taking dune snails in the process. Agents learned that the on-site engineer was aware of the possible presence of the dune snail and the sensitivity of the habitat, but chose to proceed with the project to keep the work on schedule. A biological survey revealed that take had occurred. The Service will recommend civil litigation.

The president of a San Francisco Bay area consulting firm, which was hired to review proposed home construction work slated for a wetlands area, has agreed to plead guilty to violating the Endangered Species Act. The company reported to the Service that no threatened or endangered species were present at the construction site even though site surveys revealed the presence of California red-legged frogs – a threatened species. Permits authorizing the filling in of wetlands were issued based, in part, upon the false information provided by the consultant. Just before the fill occurred, employees of the consulting firm trapped and relocated as many as eight red-legged frogs. The president has agreed to pay a fine of \$10,000; the firm faces a \$65,000 penalty.

Service special agents investigated the take of threatened bull trout by two irrigation districts on the Walla Walla River in northeast Oregon. Both districts diverted flows from the Walla Walla River during the summers of 1998 and 1999, which resulted in the de-watering of segments of the river, causing the take of bull trout. During the investigation, the irrigation districts voluntarily expressed the desire to obtain incidental take authority through the development of a Habitat Conservation Plan; they were joined by a third irrigation district.

In negotiations prompted by pending civil penalty proceedings, the irrigation districts presented a proposed settlement plan to the Service, the

The unauthorized killing of migratory birds, which have long been federal trust species, as a result of poisoning, contaminants, and other industrial hazards is a growing environmental threat throughout the Pacific Region.



Agents teamed with California Fish and Game officers to investigate two commercial fishermen who tried to conceal common murrelets that died in their gill nets. Robert Twist/USFWS

Confederated Tribes of the Umatilla Indian Reservation, WaterWatch of Oregon, and the Center for Environmental Law and Policy for review and comment. The final nonadjudicated settlement requires minimum instream flows, screening, bull trout telemetry studies, diversion rate ramping, fish salvage, water flows, and hydrological monitoring of temperatures and discharges, as well as monthly reporting through January 31, 2001. This precedent-setting agreement, which will be reviewed for sufficiency, modification, and extension when it expires, has received wide support and cooperation.

Another investigation involving the unauthorized take of bull trout, similar to the Walla Walla case, is underway in Idaho. Service special agents are helping the National Marine Fisheries Service (NMFS) investigate the death of 51 bull trout in Lemhi County's Hayden Creek. In August 2000, closure of an irrigation head gate dried up the creek, killing the fish. NMFS and Idaho Fish and Game personnel gathered 51 dead bull trout and 23 rainbow/steelhead, but those numbers represented only a fraction of the dead fish; several hundred were salvaged. The Service hopes to explore the possibility of negotiating a nonadjudicated settlement that will improve conditions for bull trout, contribute to the viability of the species, and avoid litigation.

The illegal taking of the endangered Mariana crow through habitat destruction on the island of Rota, Commonwealth of the Northern Mariana Islands, is being civilly adjudicated. Local officials launched a "beautification project" designed to enhance tourism on the island, but in the process they destroyed a substantial amount of crow nesting habitat. Service agents also investigated another incident involving the endangered Mariana crow. A Rota resident illegally took two of the birds from the wild and confined them in a zoo. The crows were forfeited to the government and returned to the wild. The case is currently undergoing civil adjudication.

Environmental Hazards

The unauthorized killing of migratory birds, which have long been federal trust species, as a result of poisoning, contaminants, and other industrial hazards is a growing environmental threat throughout the Pacific Region. The focus of cases undertaken during FY 2000 included oil spills, pesticide abuse, and cyanide poisoning as well as electrocutions and wind turbine collisions.

On February 4, 1999, a freighter registered in Panama ran aground near Coos Bay, Oregon, and broke in half. Officials estimate that up to 70,000 of the 400,000 gallons of fuel on board were released. Service special agents recovered bird carcasses from the spill site that might constitute evidence of violations of the Migratory Bird Treaty Act and Endangered Species Act. Subsequent laboratory analysis of the dead birds, which included three threatened marbled murrelets, suggested chronic oil toxicosis. Draft results of an Oil Pollution Act Natural Resource Damage Assessment study of seabird mortality resulting from the oil spill estimate that more than 3,500 birds, including 367 marbled murrelets, were killed. Civil charges are being considered.

A central California farmer pleaded guilty in federal court to one count of violating the Federal Insecticide, Fungicide, and Rodenticide Act. The Service, California Department of Fish and Game, and Environmental Protection Agency conducted a joint investigation after state officers responded to a complaint that dead birds had been found in a harvested corn field in Sacramento County. Over 200 dead birds, mostly ducks, were collected at the site. Lab analysis detected the pesticide THIMET 20G in the duck carcasses. Further investigation showed that the farmer had used THIMET 20G on the corn field where the die-off occurred, but evidence proving application contrary to label restrictions could not be developed. Agents were, however, able to establish that the farmer failed to meet federal requirements for storing the pesticide. The farmer paid a fine of \$1,000 plus \$1,000 to California Fish and Game to partially cover the lab analysis costs.

A recent investigation confirmed that eagles and other protected migratory birds continue to be electrocuted in Washington State.



*Efforts to protect eagles and other raptors include partnerships with utilities to identify avian electrocution hazards.
J & K Hollingsworth/USFWS*

The Service issued violation notices to two oil producers for the take of migratory birds at oil production sites in the San Joaquin Valley, California. A third case was referred to the Department of Justice for prosecution. These investigations represent the continuation of an effort to prevent migratory bird mortality that began in the southern San Joaquin Valley in 1998.

Agents began investigating the death of migratory birds at a shutdown gold mine in Mineral County, Nevada. The site had exposed ponds containing lethal levels of cyanide. In addition, unmaintained pond netting had been responsible for trapping and drowning several waterfowl. The investigation is continuing in an effort to establish the level of culpability of the mine's owner.

The death of golden eagles and other raptors at a wind resource area in California remains a serious concern. Seventeen golden eagle carcasses were collected at the site during the reporting period. Almost all of the eagle mortalities occurred when birds collided with operating wind turbines that were generating electricity. Although efforts to reduce electrocution mortality at the site have been somewhat successful, the loss of golden eagles and other migratory birds, especially red-tailed hawks, due to collisions has been an ongoing problem. The Department of Energy is funding studies to identify ways to minimize bird strikes.

A construction firm from the San Francisco area, which had a contract with the California Department of Transportation to repair bridges, paid a \$10,000 fine for the take of barn swallows without a permit. Although state officials explained the requirements of the Migratory Bird Treaty Act to the company, the contractor chose to kill nesting swallows and destroy nests with eggs. A firm employee also paid a fine of \$1,500 and was assessed \$1,500 in restitution.

Two California commercial fishermen charged by the Service with possessing migratory marine birds were found guilty in U.S. Magistrate Court. When California Fish and Game officers boarded each man's boat, they found dead common murrelets (13 on one and 28 on the other). The two fishermen were gill netting for halibut in Monterey Bay. Both admitted to the Service that they caught the birds in their nets and were bringing them into port to dispose of them in a dumpster. They wanted to prevent people on shore from finding the dead birds on the beach and blaming their gill net fishery for the deaths.

Service representatives met with officials from California's major power supplier to review protocols for preventing migratory bird electrocutions and the company's efforts to comply with a 1994 civil settlement. The utility agreed to increase efforts to retrofit distribution lines responsible for the electrocution of migratory birds. Emphasis will be on ensuring that new construction is "bird safe," and that special efforts are taken on state and federal wildlife refuges to protect birds.

The Service spent more than 100 hours investigating bird electrocutions in northern California during the reporting period. Agents opened 10 investigations; eight were closed when the companies involved installed protective devices.

A recent investigation confirmed that eagles and other protected migratory birds continue to be electrocuted in Washington State. In examining these electrocutions and power line strikes, the Service focused on involving the utility companies in a partnership to reduce mortalities. Acting as a liaison between utility companies, the U.S. Attorney's Office, Washington Department of Fish and Wildlife, and non-government organizations, the Service special agent identified unsafe poles and power lines. Corrective measures are being implemented to prevent migratory bird electrocutions. Although the investigation may not result in prosecutions, this proactive effort is saving eagles and migratory birds.

Settlement was reached in an investigation conducted jointly with U.S. Navy enforcement personnel into the theft of government property from Navy buildings located on land that is now a national wildlife refuge.

Other Enforcement Efforts

The Honolulu office of the Division of Law Enforcement is a member of the Hawaii-based Coordinated Group on Alien Species. This partnership among Hawaiian conservation organizations is working to prevent the introduction of invasive species into island ecosystems. Special agents in Honolulu have investigated the illegal possession of reptiles by residents in concert with Hawaii state law enforcement officials. Two of these investigations resulted in state prosecution of the violators.

In April 2000, Service agents participated in a cooperative federal/state/municipal environmental law enforcement operation in the Coachella Valley desert region of southern California. These saturation patrols are conducted twice a year in an effort to pool information and resources from multiple agencies to fight environmental crimes such as wildlife poaching, illegal dumping, and illegal fires. Use of multiple agency resources in the April patrol resulted in five arrests (including one for illegal possession of firearms by a felon), 20 citations for offenses such as burning and dumping, and two recovered stolen vehicles. The patrol also prompted investigation of a possible Lacey Act violation involving reptile collecting, and detected a state violation involving illegal possession of exotic wildlife.

Special agents in the Pacific Region are occasionally involved in non-wildlife related enforcement efforts. For example, settlement was reached in an investigation conducted jointly with U.S. Navy enforcement personnel into the theft of government property from Navy buildings located on land that is now a national wildlife refuge. Three defendants each pleaded guilty in federal court to conspiring to sell stolen government property. One defendant was sentenced to 24 months in prison and 36 months probation. Another will serve 10 months in a treatment center and 36 months probation, while the third defendant was sentenced to one year home detention and 60 months probation. Each defendant paid a \$100 special assessment to the court; together they were ordered to pay \$1,332,926 in restitution for damage to Navy property.

Outreach

Public outreach is an important way of increasing the visibility of the Division of Law Enforcement and deterring wildlife crime. For example, cooperation with the National Park Service in Saipan and the government of the Commonwealth of the Northern Mariana Islands resulted in full Division participation in the Flame Tree Festival. This three-day event, which was attended by approximately 10,000 people, gave the Service a unique opportunity to educate the public about the illegality of conducting commerce in sea turtle products even though the items may have been acquired on neighboring islands outside U.S. jurisdiction. Service representatives also explained the unique ecological niche of the fruit bat, supporting efforts to prevent the local illegal take of this federal trust species.

The Service's law enforcement offices in southern California have joined the computer age by making their presence known on the World Wide Web. The decision to host the sites was prompted by an increase in the number of callers asking whether a web site was available to provide information on jobs, import/export regulations, federal wildlife laws, and hunting and fishing regulations. The sites were designed to help the public understand the role of law enforcement as well as other Service programs; they provide links to other Service sites and to state agencies. The law enforcement sites offer useful information to a variety of audiences, reducing the amount of time employees spend responding to phone inquiries or mailing the same information. The web site addresses are: www.r1.fws.gov/lale/ and www.r1.fws.gov/sdle/.

Designated Port Activity

Los Angeles, California: During FY 2000, staffing at the port of Los Angeles fluctuated between 11 and 14 wildlife inspectors. Once again, declared wildlife shipments entering or leaving the country via Los Angeles topped

Endangered species (including CITES) violations continued to dominate case activity at the port of Los Angeles.



Wildlife inspectors in Los Angeles examine a shipment of live lizards. Los Angeles is a major port of entry for the live animal trade. USFWS

15,000. Inspection of a large volume of live perishable imports continued to drive the Service's activity at the port.

Endangered species (including CITES) violations continued to dominate case activity. Traditional Chinese medicines containing wildlife were detected on a regular basis, although cases involving these products decreased during FY 2000. The Wildlife Task Force, which was started in 1995, was less active than in past years due to the increased workloads of several of the participating federal inspection service agencies. The task force conducted two passenger flight inspections resulting in small cases involving caviar and medicinal products.

The smuggling of sturgeon caviar remained a concern. A Russian man who smuggled 202 113-gram jars of what was mostly beluga caviar out of Russia in August 1999 was sentenced in November 1999 to two months in jail followed by deportation. He had already served four months of detention in a halfway house, so he was actually in custody for six months. An Armenian man who smuggled 20 113-gram jars of caviar and five cans of "red caviar" (salmon eggs) out of Russia in February 2000 paid penalties totaling \$1,250, as did an Armenian woman who smuggled 85 113-gram jars of caviar out of Armenia that same month. An Iranian man who smuggled 2,000 grams of fresh caviar in plastic containers out of Iran in April 2000 was fined \$1,000.

In July 2000, U.S. Customs Service inspectors at the Tom Bradley International Terminal referred a woman to secondary because she looked nervous and had traveled numerous times between Moscow and Los Angeles. When they inspected her luggage, which contained no clothing, they discovered approximately 26 containers of caviar, weighing over two pounds each. Customs detained the individual and contacted Service officers, who interviewed the woman and seized the caviar. The subject abandoned the caviar, but insisted it was for a party and not for commercial use. The caviar was identified as stellate sturgeon, and the woman was indicted for smuggling and making false statements.

In February 2000, Customs inspectors at the international terminal examined the contents of a man's luggage upon his return to the United States from China and found a quantity of Asian medicinals. A physical inspection by wildlife inspectors confirmed the smuggling of 15 vials, each containing five grams of dried bear bile, and 180 vials of liquid bear gall extract. The bear products were seized. The man, who abandoned the products to the Service, was cited for failing to declare wildlife and unlawfully importing CITES species into the United States. He paid \$1,250 in penalties.

In January 2000, the port received information from the Canadian Wildlife Service in Winnipeg that a Canadian tropical fish importer had unlawfully imported live rock, an Appendix II species, in a shipment of fish exported by a supplier in Los Angeles. The shipper, who admitted sending the live rock without CITES permits, paid a \$750 fine for exporting CITES species without a permit and for failing to declare the export. Canadian authorities seized the live rock and fined the Canadian importer.

International trade activity is expanding throughout southern California. A number of outlying airports have started bringing in international cargo, including Ontario, Victorville, and Palm Springs. Other airports, such as Long Beach, San Bernardino, and Bakersfield, are looking into the possibility of handling international air traffic.

Wildlife inspectors in Los Angeles conducted or participated in 37 outreach events during FY 2000. Major events included America's Family Pet Show and Earth Day at Long Beach Aquarium of the Pacific. Numerous school, scout, and wildlife society presentations were conducted throughout the year.

San Francisco, California: The number of shipments inspected at the port of San Francisco increased by approximately 25 percent over the past two

The discovery of two large mounted green sea turtles hidden in a shipment of furniture led to the investigation of a Bay area antique store that had also smuggled in \$75,000 worth of carved elephant ivory.

years. This increase was largely due to the international trade activities of a major private international mail terminal, which handles a large volume of imports from Pacific Rim countries.

The Service continued to work closely with Customs inspectors at the port. Customs staff, for example, discovered two large mounted green sea turtles carefully wrapped and hidden in a shipment of furniture being imported by a Bay area antique store from the Far East. A federal search warrant was obtained and served. During the search, Service officers found 100 smuggled carved pieces of elephant ivory worth more than \$75,000. The store has been charged with smuggling endangered species; plea negotiations are underway.

A sharp-eyed Customs inspector observed that a U.S. citizen returning from a trip to Malaysia had two "unusual bulges" in his trousers. The bulges turned out to be two live star tortoises. The suspect told the Service that he knew importing the animals was illegal, but he "had to have them." In addition to losing the turtles, he paid a \$1,000 fine.



Sea turtle products were among the items commonly seized at ports in the Pacific Region. USFWS

Wildlife inspectors noticed an increased number of live birds being smuggled for the pet trade. Typically, these attempts involve people with small birds concealed in their clothing or baggage. One U.S. citizen returning from Vietnam had four small birds (two dhyal birds and two white rumped shama birds) concealed in his clothing. Another smuggling effort involved two Hill mynas valued at \$800 each that were concealed in specially sewn pockets of the suspect's coat. Inspectors found four European gold finches hidden in small cages concealed in the personal baggage of a smuggler.

Other seizures in San Francisco included Asian arowana, live injurious walking catfish, prohibited seal and walrus products, elephant ivory (worked and raw), leopard skin garments, and a whole leopard skin concealed in a barrel of palm nuts.

Seattle, Washington: The port of Seattle/Tacoma, which is currently staffed by a single wildlife inspector, processed approximately 2,700 shipments during the reporting period. Investigations opened included 36 Endangered Species Act cases (13 of which involved caviar); five Marine Mammal Act cases; and 11 Lacey Act cases (eight of which involved coral).

Portland, Oregon: Two wildlife inspectors stationed in Portland, Oregon, are responsible for processing wildlife imports and exports at the Portland

Common seizures at the port of Honolulu included giant clam shells from Pacific islands, stony coral, and traditional Chinese medicinals.

International Airport and the city's ocean cargo areas. They also monitor wildlife traffic for the U.S. Customs ports of entry at Astoria, Coos Bay, and Medford, Oregon, and Longview, Washington.

During FY 2000, Portland staff handled more than 600 declared shipments. Commercial trade accounted for about 70 percent of this traffic; trophy shipments provided another 20 percent while non-commercial imports and exports made up the balance.

Wildlife inspectors investigated three fishing fly companies suspected of exporting wildlife products without declaring them for inspection. Each of the companies had previously been instructed on regulations governing the import and export of wildlife products. The investigation documented 331 undeclared wildlife shipments. Two of the companies had exported undeclared shipments containing wildlife products requiring a CITES permit. In addition to paying back user fees totaling over \$18,000, the companies also face possible criminal or civil charges.

Honolulu, Hawaii: The port of Honolulu is staffed by four wildlife inspectors, who are responsible for clearing over 3,000 wildlife shipments annually. Live tropical fish typically account for over 40 percent of the declared wildlife shipments passing through this port.

Of the shipments stopped during FY 2000, about 66 percent were from the foreign mail facility, 12 percent from foreign passenger arrivals, 10 percent from air cargo, and 11 percent from ocean cargo. Common seizures included giant clam shells from Pacific islands, stony coral, and traditional Chinese medicinals.

The Service is a member of the Port Quality Improvement Committee, a group representing all state and federal agencies working at the Port of Honolulu. Wildlife inspectors attended 30 committee meetings during the fiscal year and conducted necessary follow-up activities. As part of this endeavor, wildlife inspectors replenished informational materials at the U.S. Fish and Wildlife Service display at Honolulu International Airport, which accounts for the distribution of large quantities of "Buyer Beware" and other Service brochures each year.

Special and Border Ports

Three additional ports of entry in the Pacific Region are currently staffed with wildlife inspectors: Blaine, Washington; Agana, Guam; and San Diego, California. Each of these ports handles significant volumes of wildlife traffic each year. The international airport in Las Vegas, Nevada, is also becoming a point of entry for illegal wildlife products; the Service is working with U.S. Customs to address this problem.

Blaine, Washington: A single wildlife inspector stationed in Blaine, Washington, monitors wildlife entering the country at all Canadian border ports along the Washington state border; the Vancouver, Canada, airport; and the border crossing at Eastport, Idaho. Although staff turnover limited inspection activity at these ports, seizures included parts or products of coral, sperm whale, seal, and leopard as well as caviar.

Agana, Guam: A single wildlife inspector stationed in Agana, Guam, provides wildlife inspection services at two ports of entry, the port of Agana in Guam and the port of Saipan, located in the Commonwealth of the Northern Mariana Islands. Agana, a special port, includes an international airport that handles some 1.5 million visitors per year and an air cargo facility serviced by four major airlines. Seaport traffic includes fishing vessels, cruise ships, and cargo freighters. Saipan is an unstaffed, non-designated port that consists of an international airport and an international seaport. Approximately 500,000 passengers transited the airport in FY 2000.

Wildlife inspection activities are significantly enhanced at both ports by the assistance of Guam customs and quarantine officers and Saipan quarantine

The wildlife inspection staff at San Diego, California, monitors wildlife imports and exports at five ports of entry on the U.S. border with Mexico.



The Service's inspector dog, based in San Diego, helps enforcement officers detect such contraband as smuggled birds, reptiles, and bear gallbladders. USFWS

officers. These officers detect many prohibited wildlife items during the course of performing their territorial and commonwealth duties.

During FY 2000, the two most prevalent seizures at both ports were Asian medicinal products and sea turtle products. The wildlife inspector attended monthly federal inspection service meetings on Guam to coordinate security with other federal and territorial agencies and represented the Service at four law enforcement coordination conferences with the Office of the U.S. Attorney for matters affecting the Commonwealth of the Northern Mariana Islands.

The planned expansion of airports on Rota and Tinian, two nearby islands, to handle direct international flights raises concerns for the future. Monitoring imports at these two remote sites will further strain the Service's ability to control illegal wildlife trade in this part of the world.

San Diego, California: The wildlife inspection staff at San Diego monitors wildlife imports and exports at five ports of entry on the U.S. border with Mexico. These ports of entry include San Ysidro, Otay Mesa, Tecate, Calexico, and Andrade, California. The border inspection staff remained at three full-time wildlife inspectors throughout FY 2000. The Division's "inspector" dog helped police wildlife trade at these border locations.

Wildlife trade violations detected on the southern border during the reporting period included offenses under the Endangered Species Act and CITES treaty (70 percent), Lacey Act (20 percent), and Migratory Bird Treaty Act and Marine Mammal Protection Act (10 percent). Cases involving psittacine birds and the reptilian leather trade continued to provide a significant percentage of Service interdictions at these ports.

In recent years, the majority of people caught smuggling birds into the United States through the California/Mexico border crossings were not associated with commercial trade. Most subjects possessed only a few birds purchased in Mexico as personal pets or gifts for friends and family. Over the past 18 months, however, Service and U.S. Customs agents made 16 felony arrests for bird smuggling along the California/Mexico border. A total of 267 birds valued at about \$80,000 were seized during that time. One subject admitted to Service agents that he had smuggled birds into the United States at least 60 to 70 times before he was caught. Based on information he provided, he may have brought in as many as 1,400 birds valued at over \$280,000.

In August 2000, the Service teamed with 10 federal, state, and municipal law enforcement agencies in San Diego County to conduct Operation Water Watch – an effort to interdict maritime smuggling operations along the southern California coast. The operation used about 70 officers, nine vessels, an airplane, and a helicopter to locate and target vessels returning from international and Mexican waters to the United States. The one-day detail resulted in seven violations issued by the U.S. Coast Guard; 30 warnings and 16 citations issued by California Fish and Game; two failure to report cases by U.S. Customs; one Immigration and Naturalization Service arrest; and an arrest by the San Diego Police Department in an assault case. The joint operation, which was considered a success by all agencies involved, was initiated by Fish and Wildlife and National Marine Fisheries Service agents in an effort to determine what type of wildlife and fisheries violations were occurring in the maritime arena, particularly involving smaller non-commercial fishing boats which are often not inspected when returning from foreign waters.

Efforts are underway to expand international trade along the southern border. Calexico opened a new commercial port of entry, while Brown Field Airport near Otay Mesa is currently expanding to accommodate a large courier trade with Mexico.

More than 21,900 ocotillo plants with a market value of over \$530,000 were illegally taken out of Mexico in 1999.



A Service investigation secured guilty pleas from two men who smuggled thousands of ocotillo plants out of Mexico. Gary M. Stolz/USFWS

Training of other federal agencies continued to be a major focus. Service wildlife inspectors provide routine training for new inspectors assigned to U.S. Customs, U.S. Department of Agriculture, Immigration and Naturalization, and Border Patrol. Wildlife inspectors also continued public outreach efforts, participating in such events as the San Diego Earth Day, the Mira Mar Air Show, and the Science Educators Convention.

Las Vegas, Nevada: Wildlife importation activity at the unstaffed Las Vegas McCarran International Airport has been increasing. Las Vegas is not a designated port of entry for wildlife trade but approximately 90 international flights arrive monthly. After Los Angeles wildlife inspectors conducted a training session for U.S. Customs staff at the airport, seizures of leather products, coral, shell, and other wildlife contraband increased.

Region Two

Law enforcement activities in Region Two help conserve and protect wildlife and fishery resources, including endangered species. The region, which encompasses Arizona, New Mexico, Oklahoma, and Texas, had a force of 24 special agents and 12 wildlife inspectors at the end of the fiscal year. Region Two includes the designated port of Dallas/Fort Worth, the special port of Houston, as well as the staffed border ports of El Paso, Laredo, and Brownsville, Texas, and Nogales, Arizona.

Combating Wildlife Smuggling

A Service investigation of python smuggling focused on two subjects living in Tucson, Arizona, who had been communicating with an individual in Sydney, Australia via the Internet. They set up a scheme to smuggle pythons in "cookie tins" and declare them as gifts or personal items using a worldwide express mail carrier to ship the packages. Working with the carrier, the Service documented a shipment of snakes sent unlawfully from the United States to Australia. Agents notified Australian authorities, and the package was intercepted. After searches in the United States and Australia, all three subjects were indicted in federal court in Tucson for conspiracy to smuggle wildlife into the United States and violate the Lacey Act. The individual in Australia was also charged there for illegal wildlife trade.

In July 2000, one defendant pleaded guilty to a felony Lacey Act charge for the sale of Bredl pythons possessed and transported in violation of U.S. law, and the other pleaded guilty to a felony Lacey Act charge for illegally importing Diamond pythons in violation of Australian law. The first defendant was sentenced to pay a \$30,000 fine. He must also donate \$10,000 to the Arizona Sonora Desert Museum; reimburse the government \$5,000 for the cost of the investigation; serve five years probation, including 90 days in home detention; and perform 800 hours of community service. As a special condition of his probation, he cannot possess, purchase, trade, import, or export any reptiles and may not seek any state or federal falconry permits. The second U.S. defendant was ordered to reimburse the government \$5,000 for the cost of the investigation, serve five years probation, including 90 days in home detention with curfew, and perform 500 hours of community service. During her probation, she cannot purchase, exchange, trade, import, or export any reptiles.

As a result of a cooperative investigation involving the Service, U.S. Department of Agriculture, and U.S. Customs Service, two defendants pleaded guilty in Texas to felony Lacey Act and smuggling charges for the illegal importation of ocotillo plants, a CITES Appendix II cactus. Sentencing was set for November 2000. During a search of one individual's residence, officers recovered a stolen handgun and documents showing that the man had paid a number of Mexican nationals \$2 per smuggled ocotillo plant. More than 21,900 plants with a market value of over \$530,000 were illegally taken out of Mexico in 1999. Two trucks and three trailers were seized from the individual and are subject to forfeiture.

Trafficking in sea turtle eggs threatens the viability of these endangered reptiles. Region Two officers intercepted two smuggling attempts in Houston involving sea turtle eggs collected in El Salvador.

In another plant trafficking case, an individual was indicted in September 2000 on 13 federal felony counts for smuggling, Lacey Act violations, conspiracy, and perjury, while three others were charged with one count each of smuggling, conspiracy, and violating the Lacey Act. One defendant fled to Mexico, and the other three have been held without bond as flight risks. These individuals smuggled thousands of cactus, yucca, and ocotillo plants out of Mexico from April 1999 through January 2000, selling them in Texas, Arizona, and California. One individual obtained false Texas Department of Agriculture certificates of inspection when he lied to state inspectors about the origin of the plants. This man was also indicted for lying to the grand jury when he testified about his plant business.

In August 1998, U.S. Customs Service and Immigration and Naturalization Service inspectors in Douglas, Arizona, apprehended two U.S. citizens who were trying to smuggle 15 live Gila monsters from Mexico to the United States in a private airplane. Special agents arrested the two subjects and seized the reptiles. Both defendants had prior felony convictions for smuggling reptiles in the early 1980s. On March 27, 2000, one individual pleaded guilty to one count of smuggling and one count of conspiracy to smuggle. On March 28, 2000, the second defendant went on trial in Tucson. After two days of testimony by numerous witnesses, the jury found the man guilty of smuggling and conspiracy to smuggle. Both defendants were sentenced in June 2000. One defendant received six months probation and was ordered to pay a \$10,000 criminal fine. Surprisingly, the second defendant received a lesser sentence – six months probation and a \$5,000 criminal fine.

On March 30, 2000, U.S. Agriculture Department airport staff in Houston, Texas, intercepted a U.S. resident alien attempting to smuggle 2,880 sea turtle eggs in from El Salvador. Service investigators learned that another female suspect was involved. When located at the airport and questioned, she admitted owning the smuggled eggs. Agents also discovered that this woman's common law husband and nephew had both been arrested and convicted for smuggling large numbers of sea turtle eggs from El Salvador. On August 8, airport inspectors intercepted a third female suspect smuggling 1,524 sea turtle eggs and 5,000 prescription drugs in from that country. When interviewed by the Service, she admitted that she was the sister of one of the other subjects. She was arrested, and a U.S. magistrate ordered her held in custody without bail. She was indicted by a federal grand jury on one felony smuggling count and remains in jail pending trial.



Trafficking in sea turtle eggs threatens the viability of these endangered reptiles. Service officers in Houston foiled two smuggling attempts involving more than 4,400 eggs. Gary M. Stolz/USFWS

Special agents followed up on a lead from wildlife inspectors regarding a store that was selling pills and plasters advertised to contain tiger bone.



Special agents in Texas investigated a man for killing a tiger, a woman who sold two tiger cubs in interstate commerce, and a Brownsville store selling tiger-bone pills and plasters. Top photo: J&K Hollingsworth/USFWS; bottom photo: USFWS

In Laredo, Texas, the Service investigated an individual who attempted to smuggle three pairs of sea turtle boots from Mexico through the Eagle Pass port of entry. When agents interviewed the subject at his home, he admitted that he had been running an on-going commercial boot smuggling operation. After receiving the man's consent to search, agents seized 246 pairs of boots, 46 belts, 23 vests, three mounted raptors, and a mounted ground squirrel. The leather products were made of exotic wildlife, including sea turtle, crocodile, python, and tegu lizard.

Checks with U.S. Customs and examination of seized business records documented seven instances where the subject had ordered and paid for boots and entered the United States. Agents also found evidence that the subject had been caught violating smuggling statutes in the past. A federal grand jury indicted the man in September 2000 on seven counts of violating the Lacey Act and one count of smuggling.

Service participation in a multi-agency operation at the I-35 Border Patrol checkpoint in Laredo, Texas, resulted in two other boot smuggling cases. A man who was transporting nine pairs of exotic skin boots revealed that he had smuggled and paid to have other boots smuggled from Mexico, and that he had more boots at his home, where agents did indeed find 17 additional pairs. Two other individuals were also caught transporting five pairs of exotic skin boots. Agents learned that both had smuggled the boots from Mexico, and that one had more boots at his residence, where 28 pairs, including some sea turtle boots, were seized.

In September 2000, a fugitive smuggler, who was originally indicted on eight counts for Lacey Act, smuggling, and obstruction of justice violations in connection with snake trafficking, pleaded guilty in U.S. District Court in McAllen, Texas, to one count of felony smuggling. The man, who has agreed to become a government witness for another investigation, could be sentenced to 16 months in federal prison and three years probation. As a convicted felon, he may also be subject to deportation.

Wildlife Trafficking at Home

A six-year investigation into the illegal interstate trafficking of jaguar and ocelot mounts concluded with a seven-day jury trial in Tucson, Arizona. Guilty verdicts were handed down against two defendants charged with three Lacey Act felonies and one Endangered Species Act misdemeanor. Both defendants were sentenced to six months of house arrest and three years of supervised probation, during which they may not hunt or guide. Defense attorneys, however, appealed the convictions.

On August 23, 2000, the Ninth Circuit Court of Appeals upheld the lower court's decision, affirming the Endangered Species Act predicated Lacey Act multiple felony convictions of both individuals. Court challenges during this case were watched closely by Arizona officials since issues were raised about the legality of state undercover operations, Endangered Species Act law, and state laws setting game seasons. The Ninth Circuit judges dismissed all of the defendants' legal arguments as "without merit."

In September 1999, an individual in Texas pleaded guilty to one felony Lacey Act charge for selling two tiger cubs to a buyer in California in violation of the Endangered Species Act. The subject spent several weeks in prison since she could not make the \$10,000 required cash bond. She was sentenced on December 17, 1999, to 180 days of home confinement and three years supervised probation. Another individual was charged in this case for killing a tiger. He failed to pay his fine or appear in court; a warrant has been issued for his arrest.

Special agents followed up on a lead from wildlife inspectors regarding a store in downtown Brownsville, Texas, that was selling pills and plasters advertised to contain tiger bone. In an undercover capacity, an agent purchased some of the products and then identified himself and advised the owner of the violations. A total of 14 boxes of tiger-bone plaster, four bottles

Wolf protection details, consisting of Region One and Two special agents, were conducted during big game hunting seasons from October 1999 through January 2000.



Special agents have supported efforts to reintroduce the Mexican gray wolf to parts of New Mexico and Arizona. Jim Clark/USFWS

of tiger-bone pills, and 15 vials of tiger-bone balm were discovered in the store. The case has been forwarded for civil litigation.

An individual investigated by the Service was indicted on one felony Migratory Bird Treaty Act count for selling mounted waterfowl. A criminal history check revealed that the individual had previously been cited 20 times by Texas Parks and Wildlife officers for selling state-regulated game animals.

In another commercial wildlife trafficking case, a defendant completed three years of probation and finished paying \$3,000 in restitution to the Louisiana Department of Wildlife and Fisheries for a felony Lacey Act conviction involving interstate commerce in illegally taken fish. The individual also had a long criminal history, with over 70 previous state wildlife charges in Louisiana and Texas.

Service special agents worked with the U.S. Border Patrol and Drug Enforcement Administration to investigate two individuals who transported illegal reptiles and drugs from California, Arizona, New Mexico, and Texas to Florida. The pair, who collect live reptiles for commercial purposes, were arrested and convicted. Both will spend 18 months in federal prison for the drug violations.

Supporting the Mexican Gray Wolf Reintroduction Project

Service special agents completed the investigation of those responsible for the death of Mexican gray wolf #493 in 1998. They interviewed potential witnesses and two subjects who eventually admitted to shooting the wolf near Nutrioso, Arizona, and transporting the carcass across state lines into New Mexico. One defendant shot at the wolf, killing the animal; he then transported the wolf in an attempt to conceal evidence of the killing. The other subject, who was a juvenile at the time, witnessed the kill and helped dispose of the carcass. The first defendant was charged with two violations of the Endangered Species Act (take of a Mexican gray wolf and failure to report the take). Both were charged with violating the Lacey Act by transporting a wolf killed in violation of federal law.

The first defendant pleaded guilty to two misdemeanor Endangered Species Act counts and one Lacey Act count and was sentenced on October 20, 2000. He must serve four months in jail, six months of home confinement, and three years probation and perform 50 hours of community service.

In October 1999, special agents investigated the death of Mexican gray wolf #482, an alpha female located after a wolf project team member received a mortality signal via telemetry equipment. Assistance was provided by a recovery team technician, Arizona Game and Fish wildlife managers, U.S. Forest Service officers, and a U.S. Agriculture Department Wildlife Services officer. The Service's Forensics Laboratory examined the carcass and concluded that the animal had been killed by another predator, possibly a cougar.

In March 2000, special agents looked into the death of Mexican gray wolf #620, a male pup discovered lying in the middle of a traffic lane on Highway 191, about 15 miles south of Alpine, Arizona. A passer-by discovered the animal and called the Arizona Game and Fish Operation Game Thief hotline. Assisted by a recovery team technician, agents determined that wolf #620 died of injuries sustained from a collision with a motor vehicle. The wolf had only been released into the wild less than two weeks before the accident.

Wolf protection details, consisting of Region One and Two special agents, were conducted during big game hunting seasons from October 1999 through January 2000. These details started up again in August 2000; staffed by Region Two agents, they will continue through the end of big game seasons in December 2000.

During these details, agents monitor wolf movements and use marked vehicles to provide an overt law enforcement presence. They also meet with

business people, ranchers, local community members, outfitters/guides, landowners, and local law enforcement agencies to brief them on the presence of wolves in the area. There are approximately 17 wolves within the recovery area in Arizona and four wolves in the recovery area in New Mexico. As of the end of FY 2000, no wolves had been lost to illegal take since these protection details began late in 1998.

Migratory Game Bird Hunting Cases

Special agents and Oklahoma game wardens observed six hunters heavily shooting a watershed lake on a private hunting lease near Binger, Oklahoma. The party was contacted at the end of the hunt and all were charged with multiple violations, including a joint over-bag limit of 34 mallards; hunting with unplugged guns; hunting without federal and state stamps/licenses; and wanton waste of wildlife. One subject was arrested and jailed for obstructing an officer in the performance of his duty. A follow-up investigation identified two additional hunters who left mallards at the clubhouse without the required tags. Sixteen federal violation notices were issued, and the subjects paid fines totaling \$9,475. Four defendants also pleaded guilty to Oklahoma charges for wanton waste of wildlife and hunting without state stamps; they were assessed \$1,885 in fines and court costs. A total of 99 fresh duck carcasses were seized at the scene and forfeited when the case concluded.

Special agents along the Texas coast issued over 150 violation notices for illegal hunting activities during the waterfowl season. They also coordinated several task forces to concentrate on suspected "high violation" areas. Common offenses included hunting without licenses or stamps, use of unplugged shotguns and lead shot, over limits, killing non-game birds, untagged birds, and taking double limits of birds.

Service agents and state game wardens concluded an investigation of a plowed wheat field baited with several thousand pounds of waste grain and corn by a farmer in Bryan County, Oklahoma. Ten of the farmer's associates hunted the field on the opening day of dove season. The farmer had offered the baited field to several local hunting guides, but they turned him down because of the potential for baiting violations. Interviews with the farmer's friends and associates who hunted the field revealed that they knew or reasonably should have known that the field was baited. The hunters and farmer were fined a total of \$6,000.



Dove baiting cases included the investigation of two commercial operations in Texas that were using scattered wheat to improve hunting for their clients. Glen Smart/USFWS

Several Service special agents spent the first three days of dove season in Hamilton County working with Texas game wardens on dove baiting complaints. Several state citations were issued, including three for hunting doves over baited fields. Four baited areas were found that were hunted, and the landowners or persons responsible for placing the bait received federal violation notices. Two areas were commercial operations where wheat made to look like a normal agricultural planting was used for bait. Both outfitters admitted that they had directed placement of the bait to improve hunting for their paying clients. During the investigation of one baiting case, officers found marijuana and methamphetamine in the possession of a hunter. The subject was arrested and jailed pending arraignment on state narcotics charges.

Before the opening of the 2000 dove season, agents documented corn in quail feeders and spread on the ground at a ranch near Sierra Blanca, Texas. On opening day, they saw 14 hunters killing doves over this bait. When interviewed, landowners admitted directing the placement of bait. The Service seized 106 doves and documented a number of other violations, including use of an unplugged shotgun, killing of non-game species, and no state licenses or dove stamps.

Service special agents concluded all litigation regarding a multitude of illegal commercial migratory game birds hunts on a ranch in Winkler County, Texas. Fifteen subjects were charged with 44 dove and waterfowl hunting violations as well as non-game migratory bird offenses. These individuals paid \$22,695 in state and federal fines; must perform 450 hours of community

Special agents in central Texas concluded a Lacey Act investigation of a ring of Texas subjects who hunted illegally in Oklahoma with resident licenses and transported two white-tailed deer and one wild turkey in interstate commerce.



Agents investigated a man who caught white-tailed does in Oklahoma and illegally transported them to Texas for use in a breeding operation. J&K Hollingsworth/USFWS

service and serve 8.5 years of active probation; and lost 7.5 years of hunting privileges. The case, which received widespread attention throughout west Texas, is helping deter violations within the commercial hunting guide community.

Big Game Violations

A New Jersey man who killed a buck deer at a Texas game ranch without a hunting license paid fines and restitution of \$4,445.10 for violating the Lacey Act and forfeited his trophy. The subject joined the ranch owner in putting another hunter's tag on the deer, and then gave false information to a state game warden to have the deer scored in the Texas Parks and Wildlife big buck award program.

Special agents in central Texas concluded a Lacey Act investigation of a ring of Texas subjects who hunted illegally in Oklahoma with resident licenses and transported two white-tailed deer and one wild turkey in interstate commerce. The subjects, who confessed when interviewed, received federal and state violation notices, paid fines and restitution totaling \$7,822, and forfeited their trophies.

A man who illegally darted wild white-tailed deer and put them in pens with breeding bucks pleaded guilty to one misdemeanor Lacey Act count for illegally transporting wildlife from Oklahoma to Texas in violation of Texas law. He was sentenced to 90 days of home detention; three years supervised probation; no hunting, fishing, or guiding in any state for two years; and a \$1,000 fine. Texas Parks and Wildlife is considering filing charges for state violations relating to the deer transport scheme.

Wildlife Poisonings

In the Texas panhandle, agents investigated two companies that misused the pesticide aluminum phosphate for prairie dog control, resulting in the take of 11 burrowing owls. The companies have been charged with violating the Migratory Bird Treaty Act and the Federal Insecticide, Fungicide, and Rodenticide Act.

In April, a Service special agent and refuge officer teamed to investigate a report of dead birds in Hargill, Texas. They met with the caller, who had found four dead hawks and a dead dog. The officers recovered six raw meatballs and five whole chicken eggs, possibly injected with poison. They later met with a subject, who admitted setting out these Furadan-laced items to protect a watermelon patch from raccoons and coyotes. Lab analysis confirmed that the raptors died from Furadan poisoning. The subject agreed to pay a fine of \$2,500 and serve one year probation.

Service special agents concluded an investigation into the poisoning of feral hogs and other wildlife with Temik-laced bait stations in Wood County, Texas. During May and July 2000, Texas game wardens and Texas Department of Agriculture inspectors helped them document the carcasses of feral hogs, raccoons, and coyotes at bait stations on a sweet potato farm operated by a father and son. The operators confessed to the unlawful application of Temik and were issued Lacey Act violation notices for acquiring wildlife taken in violation of the Federal Insecticide, Fungicide, and Rodenticide Act. The defendants paid fines totaling \$3,850.

Another poisoning case involved a veterinarian in the Texas panhandle who was killing wildlife with Furadan-treated "bait" carcasses. The defendant paid \$3,000 to the Texas Department of Agriculture for misuse of the pesticide and was fined \$600 for killing six turkey vultures.

Oilfield Task Force Operations

Under a regionwide Environmental Contaminants Program, special agents continued to investigate and prosecute companies responsible for migratory bird mortality in open oilfield pits and tanks. Efforts to protect migratory birds, however, suffered a regulatory setback in Oklahoma. Over Service objections, the Oklahoma Corporation Commission moved to change the

Service staff teamed with Bureau of Land Management special agents and Oklahoma game wardens to conduct ground inspections of oilfields in May 2000. The task force examined 259 sites and documented many uncovered or poorly maintained oil tanks and disposal pits.

mandatory netting rule for oil pits to an advisory rule. The state legislature responded to the Service's letter protesting the proposed rule change by passing an amendment to keep the netting rule intact. The governor vetoed this amendment, and the advisory rule was adopted.

Oklahoma: Despite rule changes in the state, the Oklahoma Oilfield Task Force remained active during the year. Agents concluded all litigation related to oilfield inspections conducted in central Oklahoma in the summer of 1999. Six operators were fined a total of \$4,500.

In October 1999, special agents inspected oilfields in Texas and Beaver counties in the Oklahoma Panhandle. The vast majority of disposal tanks and pits were covered, but 20 well sites with poorly maintained netting were found and nine oil-covered bird carcasses were recovered. Four operators were fined \$3,200. Other operators whose sites were poorly maintained received letters warning them of potential threats to migratory birds.

An agent/pilot conducted aerial surveys of oilfields in north-central Oklahoma and noted netting problems in Kingfisher, Logan, Lincoln, and Payne counties. Service staff teamed with Bureau of Land Management special agents and Oklahoma game wardens to conduct ground inspections in May 2000. The task force examined 259 sites and documented many uncovered or poorly maintained oil tanks and disposal pits as well as leaking tanks and pipes; six dead birds were recovered. Letters were sent to 83 companies informing them of the potential for migratory bird mortality and the associated criminal penalties. Two companies charged with the unlawful take of migratory birds paid fines totaling \$1,400.

The Service conducted follow-up inspections for netting compliance at oil production sites in southern Kingfisher County after the operators had been notified by mail about problems at their facilities. Agents found that all faulty netting had been repaired and uncovered tanks had been netted, rendering them harmless to wildlife. This response represents an excellent return on Service efforts to promote compliance without litigation.

Service special agents also re-inspected well sites throughout Ellis County in western Oklahoma and found that all tanks were either permanently covered or netted. They responded to complaints of migratory bird mortality in other parts of central and western Oklahoma, and four operators were fined \$2,200 for illegal take.



Open oil pits are a death trap for migratory birds. Region Two agents conducted oilfield inspections in Oklahoma, Texas, and New Mexico to identify hazards to birds. USFWS

A special agent/pilot conducted aerial surveillance of northwestern New Mexico oilfields and documented multiple sites with no netting or faulty netting. Ground inspections confirmed several unnetted pits and tanks operated by a company from Farmington.

In June, agents in northeast Oklahoma coordinated and conducted oilfield inspections in Rogers, Nowata, Washington, and Tulsa counties. Teams that included Interior Department Inspector General agents and Oklahoma game wardens inspected 377 sites, 96 of which featured open disposal pits or tanks, and recovered 11 oil-covered birds. This part of Oklahoma is the oldest oil production area in the state, and many operators still use wooden-slat storage and disposal tanks. The majority of these well sites are not "signed," so identifying operators often requires mineral title searches at the county courthouse. Six operators were fined \$4,900 for the take of migratory birds and 22 were notified about open pits and tanks at their facilities.

Texas: In January 2000, the Service received a complaint regarding dead waterfowl smelling like oil. A joint investigation with Texas Parks and Wildlife revealed that a saltwater disposal system was killing migratory birds in an open pit. The company was fined \$1,250 and state charges were filed for civil restitution.

In September 2000, special agents in central Texas coordinated oilfield inspections with the Texas Railroad Commission-Abilene District. They documented multiple unnetted disposal pits and tanks and recovered seven oil-covered bird carcasses as they swept Eastland, Stephens, Shakelford, and Callahan counties. Twenty-nine oil companies had facilities that were potentially harmful to birds. Agents expect to collect more than \$5,000 in fines for bird mortalities and have notified other operators that they need to maintain or install netting.

In northern Texas, special agents concluded most litigation stemming from oilfield inspections conducted last summer. Five producers were issued violation notices for the take of eight migratory birds. To date, three companies have paid fines totaling \$3,500.

Six operators in the northeastern part of the state who were cited for violations last year paid fines totaling \$7,300 and removed the documented hazards. Agents and Railroad Commission inspectors re-examined these 40 well sites to check compliance and inspected several new sites. Remediation efforts had rendered many of the sites harmless to migratory birds, but unfortunately 17 oil-covered bird carcasses were recovered from open pits and tanks. One well site was surrounded by leaking and pooled oil and contained the carcasses of 11 birds, three armadillos, four rodents, one box turtle, and a snake. Operators whose facilities were not in compliance were notified about the hazards; if they fail to take remedial action within a reasonable time, they will be charged with attempting to take migratory birds.

Special agents continued to conduct oilfield compliance inspections in west Texas. The oil-covered carcass of one greater roadrunner was recovered from an open tank, and the operator was fined \$800. Agents also coordinated the remediation of two abandoned well sites in Glasscock County utilizing Texas Railroad Commission funding and personnel and concluded all litigation tied to the recovery of five oil-covered migratory bird carcasses from open pits and tanks operated by two oil producers. The operators paid fines totaling \$2,050 for the deaths of one northern flicker, two meadowlarks, a mourning dove, and a green-winged teal. Agents also documented multiple unnetted tanks and reported these sites to the Texas Railroad Commission, which enforces netting regulations in the state.

New Mexico: A special agent/pilot conducted aerial surveillance of northwestern New Mexico oilfields and documented multiple sites with no netting or faulty netting. Ground inspections confirmed several unnetted pits and tanks operated by a company from Farmington. The violations were reported to the New Mexico Oil Conservation Division, which secured the necessary remediation. Agents also responded to a complaint about migratory bird mortality at a well site in Roosevelt County and recovered the oil-covered carcasses of a barn owl, a mourning dove, and a vesper sparrow from a pit that had faulty netting. The company was fined \$1,025. Agents

In New Mexico, special agents launched an “umbrella” investigation to proactively address migratory bird electrocutions in the state. They coordinated two electrocution seminars in Albuquerque, which were attended by 21 power cooperatives and utilities.



Agents worked with electric power companies in Arizona and New Mexico to prevent the electrocution of raptors and other protected birds. Peter Carboni/USFWS

discovered 27 dead birds in an oil tank on a lease of Bureau of Land Management property near Carlsbad. The oil lease is operated by a company that had prior Migratory Bird Treaty Act violations. The company paid a \$2,459 fine.

Preventing Migratory Bird Electrocutions

Service special agents continued to work with Arizona power companies to prevent the take of migratory birds by electrocution. They met with representatives of a major electric power cooperative to discuss bird guarding and retrofitting options. From these meetings, the cooperative’s environmental planner developed a substation monitoring program that calls for monthly inspections for migratory bird use and removal of food items and ground cover that attract raptor prey, such as rodents and small mammals. The cooperative also plans to train workers on migratory bird issues and encourage them to look for areas with high raptor use.

A Service investigation revealed that power poles near Winslow, Arizona, were regularly killing raptors. The company was advised of the problem and promised to retrofit the line. When the company failed to do so after 30 days, killing more migratory birds, the Service issued a violation notice for \$2,500. The company immediately fixed the problem power poles.

In New Mexico, special agents launched an “umbrella” investigation to proactively address migratory bird electrocutions in the state. They coordinated two electrocution seminars in Albuquerque, which were attended by 21 power cooperatives and utilities. Agents teamed with an Ecological Services biologist to explain federal laws and spotlight successful electrocution prevention programs. The Service is conducting similar efforts in Oklahoma and west Texas, and these enforcement activities have helped reduce bird electrocutions.

Special agents documented numerous raptor deaths from electrocution by power equipment in the Uvas Valley near Hatch, New Mexico. The Uvas Valley is a wintering area for many different raptors, including golden eagles, ferruginous hawks, and Swainson’s hawks. Meetings with the local electric power company secured the retrofitting of power poles in the valley at an estimated cost of \$40,000. The Service has also sent notices to other power companies in southern New Mexico regarding bird electrocutions.

Supporting Wildlife Refuges and Other Service Programs

Region Two law enforcement provided assistance to national wildlife refuges and other Service programs during FY 2000. In southern Texas, for example, agents worked with refuge officers to combat poaching, trespassing, and drug smuggling, recovering more than 4,000 pounds of marijuana along refuge river crossings. In one case, they intercepted 647 pounds of marijuana being smuggled in at the Morillo Banco tract and chased the smugglers back to Mexico. Joint enforcement efforts also involved unlawful hunts and contaminants issues.

The Service closed an investigation prompted by an alarming surge in low-level helicopter flights over Matagorda Island and Aransas National Wildlife Refuges in violation of the Airborne Hunting Act, Refuge Act regulations, federal aircraft ceiling minimums, and harassment prohibitions of the Endangered Species Act. Working with eyewitnesses and conducting surveillance on the refuges, agents determined that two of the helicopters belonged to a company in Lafayette, Louisiana. Because witnesses could not testify that they actually saw wildlife being harassed, charges could not be brought. All aircraft operators using the air space over coastal refuges in Texas, however, were notified of the restrictions on low-level flights.

Assistance to Ecological Service staff in the state included consultation on pesticide, contaminants, and permits issues. Agents also helped the Division with negotiations with the Texas Department of Transportation with respect to National Environmental Policy Act and Endangered Species Act issues.

In Oklahoma, agents worked with state game wardens to investigate the unlawful use of Conibear traps and the take of raptors on property adjacent to the Washita National Wildlife Refuge. The man paid a \$350 fine for killing a red-tailed hawk and was convicted of three state trapping violations, for which he was fined another \$390. He also lost his trapping license.



A trapper operating near Washita National Wildlife Refuge killed raptors, including a red-tailed hawk. Phil Million/USFWS

In Arizona, agents conducted a review of law enforcement issues with staff from the Lake Havasu, Bill Williams, and Imperial National Wildlife Refuges. They assisted Lower Colorado Refuges over the Memorial Day weekend, working with refuge officers on numerous boating violations. Agents also teamed with Ecological Services biologists to investigate the possible “take” through habitat destruction of the endangered cactus ferruginous pygmy owl and endangered Colorado River razorback sucker, but determined in both cases that no violation of the Endangered Species Act had occurred.

Assistance to Other Agencies

Region Two law enforcement staff worked closely with federal, state, and tribal counterparts throughout the Southwest. Agencies benefitting from Service assistance included the U.S. Customs Service, U.S. Department of Agriculture, National Park Service, U.S. Border Patrol, Bureau of Land Management, and U.S. Army Corps of Engineers; state wildlife conservation agencies; and the Navajo, White Mountain Apache, Colorado River, Tohono O’odham, and San Carlos Apache Tribes.

Agents, for example, completed work on a case involving the excavation of Caddo tribal relics at Lake Pat Mayse, which is administered by the Corps of Engineers in Lamar County, Texas. At the request of the Corps and Texas game wardens, the Service investigated violations of the Archeological Resource Protection Act involving three individuals who used a bass boat outboard motor prop to dredge into a submerged Caddo Indian burial ground on Corps property and excavate ceremonial relics. The defendants pleaded guilty and were each sentenced to one year probation, during which they cannot enter any federal or state-owned recreational area, and ordered to pay \$1,466.66 in restitution. The boat, motor, and trailer used to dredge the lake bottom was forfeited to the Service. About 400 projectile points, ceremonial burial pipe pieces, and other artifacts were recovered.

Service agents in Oklahoma helped U.S. Department of Agriculture investigators draft a firearms policy for their officers. In Texas, agents continued to work with park rangers at Padre Island National Seashore, where they helped with patrols and investigations of illegal commercial fishing and deer and nilgai hunting. In Arizona, agents participated in the fifth multi-agency “Viper” Task Force, which focuses on illegal collection of reptiles and amphibians in or near Saguaro National Park.

Wildlife Inspection Activities

Dallas/Fort Worth, Texas: The designated port of entry at Dallas/Fort Worth maintained an active wildlife inspection program throughout the reporting period. Port records document more than 3,500 cleared commercial wildlife entries for FY 2000. The airport, which anticipates continued growth in international flights, is currently building a new \$1 billion international terminal covering 1.75 million square feet. Completion is scheduled for 2004.

One FY 2000 investigation began when Agriculture Department inspectors at the airport detained 18 pounds of Russian caviar, which came into the country in the luggage of two U.S. citizens who failed to declare it. Both subjects received violation notices for illegally importing CITES Appendix II wildlife products. They paid fines totaling \$3,400 and voluntarily abandoned the caviar to the Service.

The Service intercepted the unlawful importation of a threatened Marco Polo sheep from Tadzikistan by a Flagstaff, Arizona, resident. The importer paid a \$5,000 civil penalty.

The inspection program in Houston handled a significant percentage of the wildlife trade occurring in the Southwest.



Wildlife inspectors in Houston uncrate a trophy shipment for inspection. Kimberly Hamilton/USFWS

The Service investigated a nationally known leather company after learning from the Canadian Wildlife Service that the Fort Worth business had exported numerous shipments of CITES-protected wildlife products to Canada in violation of U.S. law. Special agents inspected export records at the company and documented a number of CITES export violations. The company was fined \$5,400.

When wildlife inspectors examined a declared export of 500 raw alligator hides bound for Italy, they determined that 82 were not tagged and in violation of CITES regulations. They seized the untagged alligator skins; the company was fined \$1,000.

Houston, Texas: The inspection program in Houston handled a significant percentage of the wildlife trade occurring in the Southwest. Service inspectors examined and cleared shipments at George Bush Intercontinental Airport and at the Houston sea port, where inspections focused on commercial container shipments. Work there was facilitated by use of a special X-ray machine operated by U.S. Customs. Inspectors also spent time at Hobby Airport examining importations of sport-hunted migratory birds from Mexico.

An alarming number of endangered species parts and products, such as sea turtle eggs, are illegally imported into George Bush Intercontinental Airport. Although the majority of these illegal importations involve small quantities intended for personal use, a burgeoning black market in sea turtle parts and products exists. Two smuggling ventures intercepted in FY 2000, for example, accounted for 4,384 sea turtle eggs.

Inspection staff developed a wildlife import/export reference manual for the other federal inspection service agencies working in Houston. The manual includes color photos of commonly imported wildlife, identification guidance, and phone numbers of Service law enforcement personnel.

Brownsville, Texas: Violations detected at this port of entry primarily involved Endangered Species Act, Migratory Bird Treaty Act, CITES, and Lacey Act offenses. Inspectors stationed in Brownsville routinely presented training sessions to other agencies providing inspection services at border ports. They also trained Border Patrol agents in an effort to enlist their help in enforcing wildlife trade laws.

El Paso, Texas: Service wildlife inspectors examined more than 500 commercial shipments moved through this border port by licensed importers/exporters in addition to monitoring noncommercial wildlife trade. Seizures during the year included 394 pairs of boots made from alligator, python, crocodile, caiman, pangolin, cobra, karung, ostrich, and eel and more than 175 other items, including skins and small products made of elephant, caiman, pangolin, alligator, and ostrich.

Violation notices issued during the year yielded over \$6,000 in fines. Cases generally involved illegally imported live parrots or migratory birds, no import/export licenses, no CITES permits, or failure to declare shipments. One defendant was served an arrest warrant for non-payment, which resulted in a \$1,180 fine.

Laredo, Texas: Service wildlife inspectors at this border port conducted more than 200 commercial inspections and processed numerous seizures. Civil forfeitures produced \$1,000 in fines.

Nogales, Arizona: Service staff stationed in Nogales, Arizona, inspected wildlife imports and exports at that border port and at a number of other locations in the state, including Mariposa Road, Douglas, Naco, Lukeville, Phoenix, and San Luis. Inspections yielded a variety of seizures. Serving all of these ports of entry, however, remained a challenge, and assistance was provided by special agents as needed. September, for example, was a particularly busy month, with declarations collected from nearly 200 dove

Agents in the region helped state conservation agencies train new wildlife officers and improve the skills of veteran staff.



Region Two special agents helped develop a new instructor manual and training modules for the Service's motorboat operator course. USFWS

hunters returning from Mexico in addition to other routine traffic. More than 150 game trophies were cleared at Tucson International Airport during the year.

Inspectors investigated an international company involved in illegal boot trade after they discovered that the company was falsely identifying the leathers in its goods and was importing exotic skin western boots without a wildlife import/export license. The company paid a \$10,000 civil penalty.

Federal and State Training Partnerships

Special agents and wildlife inspectors in Region Two helped improve interagency cooperation by training federal and state counterparts. For example, Service law enforcement staff taught Bureau of Land Management rangers and agents about the Migratory Bird Treaty Act and other wildlife laws at their annual in-service training program. Inspectors in Nogales, Arizona, provided instruction in wildlife trade regulations and species identification as part of the Multi Agency Group Inspection Course on a biweekly basis throughout the year.

Similar training programs were presented by inspection staff to U.S. Customs, Agriculture Department, and Immigration and Naturalization Service personnel at ports of entry throughout the region. During FY 2000, inspectors trained more than 100 new federal officers in Texas alone. They also provided import/export training at Kirkland Air Force Base and were active participants in Port Quality Improvement Committees.

Agents in the region helped state conservation agencies train new wildlife officers and improve the skills of veteran staff. During FY 2000, they served as instructors for new recruits in Arizona and Texas and conducted firearms qualification courses for New Mexico state officers.

Enforcement staff served as instructors for training programs for Division counterparts, refuge officers, and Service managers. At the Region Two Environmental Contaminants In-Service, agents conducted sessions on search and seizure, oilfield enforcement, environmental litigation, and enforcement coordination.

Region Two law enforcement also helped develop new training programs and materials. During the summer, for example, special agents worked with regional boating safety representatives, the Service's national safety office, and the National Conservation Training Center to finalize a new Motorboat Operator Instructor manual and develop accessory modules for the Motorboat Operator Certification Course. These modules, which provide specialized training for specific geographic areas, cover airboat, white water, and moving water operations.

Outreach

Region Two enforcement staff conducted outreach to improve public understanding of wildlife laws and promote increased compliance. Audiences included school and university groups, hunters, guides, taxidermists, and Native American tribes.

Outreach to students, for example, ranged from presentations at middle schools and high schools to seminars and classes at Texas Tech University, the University of Houston, and Oklahoma State University. Inspectors in Houston helped the Safari Club with its annual "Sensory Safari," a special hands-on wildlife conservation program for blind children.

Agents presented a briefing on federal statutes and regulations at the annual meeting of the New Mexico Taxidermy Association and discussed migratory game bird hunting regulations at meetings of waterfowl guides and hunters in Texas. Oklahoma agents focused particular attention on outreach to Native Americans. They presented a wildlife enforcement seminar at the annual conference of the Southwestern Native American Fish and Wildlife Society at Fort Cobb; provided briefings on federal wildlife law enforcement at the

A Service agent and Iowa state conservation officer found that migratory birds were dying from lead poisoning caused by shooting activities at the gun club, which had been in operation since 1969.



A Region Three agent recovers a poisoned goose while investigating lead contamination at a shooting range in Davenport, Iowa. Ed Kocal/Iowa Department of Natural Resources

Creek Nation Tribal conference in Okmulgee; and participated in an Intertribal Environmental Conference as members of a panel examining oilfield pollution issues. Law enforcement staff also met with conservation officers from the Mescalero Apache Reservation in New Mexico to review federal and tribal wildlife regulations and discuss potential areas of cooperation, and participated in the Native American Heritage Celebration in Nogales, Arizona.

Region Three

Known as the "Great Lakes-Big Rivers Region," Region Three borders on four of the five Great Lakes (Superior, Michigan, Huron, and Erie) and is defined by several extensive river systems, including the Mississippi, Missouri, Illinois, and Ohio. The region covers the midwestern states of Illinois, Indiana, Iowa, Michigan, Minnesota, Missouri, Ohio, and Wisconsin. As of September 30, 2000, 23 special agents and nine wildlife inspectors were stationed in the region. Inspection services are provided at the designated port of Chicago and a number of border ports, including Detroit, Port Huron, and Sault Sainte Marie, Michigan; and Minneapolis/St. Paul, Grand Portage, and International Falls, Minnesota.

Protecting Wildlife Habitat and the Environment

Habitat protection is essential to conserving wildlife resources. During 2000, Region Three saw a lead contamination investigation that began six years ago result in the restoration of a marsh that can once again provide waterfowl habitat. Agents also took quick action to prevent the unwitting importation of an invasive species that is already wrecking havoc in some of the Nation's river ecosystems.

The cleanup of a firing range prompted by a Region Three contaminants investigation came to fruition when federal, state, and local officials and members of the public gathered in Davenport, Iowa, to celebrate the restoration of the Nahant Marsh. These marshlands first came to the attention of a Service agent and Iowa state conservation officer in 1994 when they learned that a skeet and trap shooting range was operating near the area, and that large amounts of lead shot were being deposited into the wetlands. The pair began investigating and soon found that migratory birds were dying from lead poisoning caused by shooting activities at the gun club, which had been in operation since 1969.

Faced with the prospect of potential criminal prosecution, the gun club voluntarily entered into agreements turning over ownership of the marsh and club facilities to the City of Davenport. With the assistance of the Service's Ecological Services Division and the Environmental Protection Agency, the marsh and adjacent lands were designated as a Superfund site – one of only two in the United States ever approved based on ecological concerns.

Following a \$2 million cleanup effort involving the removal of 240 tons of lead from the underlying soil and sediment, the marsh has been reclaimed and the former shooting range clubhouse has been transformed into an education and research center for use by local schools and colleges. Nineteen private and public organizations were involved in this effort to restore habitat for migratory birds and clean up the environment.

Prompt action by Service employees and their federal and state counterparts ward off the importation of a potential ecological disaster. In January 2000, the Service's Ecological Services Office in East Lansing, Michigan, contacted special agents, passing on information about a bulb company that had received a large shipment of aquatic plants from the Netherlands, each of which arrived with numerous zebra mussels attached. These small finger-sized mussels, which are native to the Caspian Sea, were first brought into the United States in ballast water taken on by a transoceanic vessel; they rapidly supplant native mussel species and have already caused tremendous

Region Three has placed a high priority on conducting investigations involving environmental contaminants and the misuse of pesticides. This type of wildlife crime can have large-scale impacts on native wildlife populations.

damage to aquatic ecosystems in the Midwest and to commercial facilities, such as power plants and municipal water suppliers, that use surface water.

The resulting investigation, which involved the assistance of multiple state and federal agencies, quickly traced the shipment to an exporter in Holland. The owners of the Dutch company were immediately contacted to determine if additional shipments had been sent to other locations in the United States. The shipment that had already arrived was abandoned, and officials overseas were notified about the injurious nature of these mussels and U.S. policies controlling their importation.

Environmental Contaminants

Region Three has placed a high priority on conducting investigations involving environmental contaminants and the misuse of pesticides. This type of wildlife crime can have large-scale impacts on native wildlife populations.

In October 1999, for example, Service special agents and Illinois Department of Conservation officers responded to a reported large die-off of migratory birds on private lands near Mascoutah, Illinois. Between October 16 and 18, enforcement personnel and biologists collected over 26,000 dead migratory birds from a 13-acre parcel of land. A representative sample of these birds was sent to the Service's Forensics Laboratory, where scientists identified carbamate pesticide poisoning resulting from the ingestion of carbofuran, the main ingredient in the product Furadan, as the cause of death.

Investigators learned that a farmer had planted a winter wheat crop on the land; shortly after planting, he laced additional wheat seed with Furadan and spread it in four rows throughout the field. The man admitted that he knew Furadan was not approved or permitted for use as an avicide or for application to wheat. The resulting death toll included 20,094 red-winged blackbirds, 5,970 brown-headed cowbirds, 887 common grackles, and 10 horned larks – all federally protected migratory birds.

The farmer pleaded guilty in federal court to two charges: unlawful and unpermitted taking of 26,961 migratory birds in violation of the Migratory Bird Treaty Act and application of a registered pesticide classified for



The small dark objects lying on this Illinois field are birds that died from eating Furadan-laced wheat seed. The farmer involved eventually pleaded guilty to the unlawful take of 26,961 protected migratory birds. Tim Santel/USFWS

Each winter, rare trumpeter swans, which are slowly making a comeback from low population levels, can be seen in Illinois, and each year, Service and state conservation officials investigate illegal killings of the huge birds.



In 2000, Service agents in Illinois investigated the shootings of five rare trumpeter swans. Sgt. John Hendrick/Illinois Department of Natural Resources

restricted use in a manner inconsistent with its labeling, a violation of the Federal Insecticide, Fungicide, and Rodenticide Act. On September 13, 2000, the defendant was sentenced to three years probation and fined \$4,000 for the Migratory Bird Treaty Act violation and \$1,000 for pesticide misuse.

Protecting Migratory Birds

On May 30, 2000, Service biologists conducted an on-site survey at Little Charity Island (part of the Michigan Islands National Wildlife Refuge) in Saginaw Bay, Michigan, and discovered a massive slaughter of nesting double-crested cormorants. Service agents, Michigan Department of Natural Resources officers, and officers from the Shiawassee National Wildlife Refuge launched a criminal investigation of the incident. More than 500 nesting cormorants had been killed, about half of the island's breeding population. Preliminary findings indicate that the birds were shot at their nesting sites, many while incubating eggs or brooding young.

Double-crested cormorants were common in the Great Lakes during the 1950s, but over the next decade their numbers were devastated by the effects of toxic chemicals. In recent years, however, cormorant populations have increased dramatically due to bans on such pesticides as DDT, federal protection, and abundant food resources. The investigation into this incident continues.

Each winter, rare trumpeter swans, which are slowly making a comeback from low population levels, can be seen in Illinois, and each year, Service and state conservation officials investigate illegal killings of the huge birds. The year 2000 brought little change in this scenario; five trumpeters fell victim to shootings. In one incident, the individual responsible for killing the bird was fined \$1,000 in state court. State charges are also pending against shooters at a private club in Fulton County, Illinois, where two swans were killed and one injured. In a shooting that occurred in Jacksonville, Illinois, a defendant pleaded guilty in federal court to killing a trumpeter swan and was fined \$250, ordered to pay \$500 in restitution to a wildlife rehabilitation center, and another \$500 to the Trumpeter Swan Recovery Program managed by the Wisconsin Department of Natural Resources.

A cooperative international investigation involving Environment Canada, Manitoba Natural Resources, and Service special agents concluded October 6, 1999, in Manitoba when 13 American hunters from Illinois, Iowa, Michigan, and Ohio were charged with 80 hunting-related offenses. The investigation centered around U.S. hunters and Canadian guides involved in illegal hunting in that Canadian province. Service agents documented numerous violations, including gross over-limits of migratory birds; crippling and failing to retrieve birds; guiding without a valid license; and hunting from boats under power. To date, approximately \$10,000 in fines have been levied, and prosecutions continue. Interagency and international cooperation of this kind serves to protect a wildlife resource that knows no political boundaries.

In another case, an individual who had been the subject of 18 state hunting and fishing related investigations and who was previously convicted for the battery of a police officer was sentenced in federal court in Illinois for violations of the Migratory Bird Treaty Act committed in the fall of 1999. As part of a plea agreement, the subject pleaded guilty to exceeding the daily bag limit of waterfowl by shooting 24 blue-winged teal, transporting improperly identified waterfowl, and possessing lead shot. The man was fined \$5,000. A companion hunter also entered into a plea agreement, admitting that he had exceeded the daily bag limit for waterfowl and transported improperly identified birds; he was fined \$2,500.

In a joint investigation, Illinois conservation police officers and Service special agents observed 11 hunters pursuing mourning doves over an area that had been baited with shelled corn, cracked corn, and wheat. Two of the hunters admitted to placing nearly 200 pounds of corn and wheat on the hunting area before the hunt, and provided sworn affidavits stating that the other hunters knew the bait was present. All of the hunters were charged

Canadian bear hunting guides were at the heart of an illegal black bear parts smuggling operation, which focused largely on collecting gall bladders from bears killed by their clients, many of whom were American hunters.



A cooperative U.S./Ontario investigation resulted in charges against 14 Canadian citizens for trafficking in black bear parts, including these gall bladders. Jim Gale/USFWS

with baiting-related violations under the Migratory Bird Treaty Act; fines in the case totaled \$3,875.

Prosecution of the final defendant in Operation Diver, a 1994 cooperative investigation involving the Service, Minnesota Department of Natural Resources, Environment Canada, and Manitoba Department of Natural Resources, was concluded. This investigation, which targeted illegal commercial waterfowl hunting, revealed a multitude of violations including wanton waste, major over-limits, and guiding without a license. The last defendant, a U.S. citizen and one of the illegal outfitters, was fined \$3,000 and ordered to forfeit a deep freeze, 190 ducks, 2,000 shotgun shells, an airboat, a plucking machine, and over 100 decoys. Ten other defendants involved in this investigation were fined \$32,846 and assessed \$7,000 in Canadian Customs duties; they also forfeited weapons and property valued at \$20,000.

International Wildlife Trafficking

On December 1, 1999, an 18-month joint investigation by Service agents and the Ontario Ministry of Natural Resources ended with the charging of 14 Canadian nationals with 51 offenses related to the illegal commercialization of black bear parts, including the illegal sale of 83 gall bladders. Canadian bear hunting guides were at the heart of this illegal operation, which focused largely on collecting gall bladders from bears killed by their clients, many of whom were American hunters. Prosecutions are pending.

An individual who was returning from an argali sheep hunt in China arrived at Chicago's O'Hare International Airport on Christmas Eve 1998. As he went through U.S. Customs review, a violation alert was noted for him due to previous smuggling activity. A search of his baggage uncovered two black rhino horns, an argali sheep jaw bone, a set of gazelle horns, and a hunting rifle.

Customs officers requested the assistance of Service wildlife inspectors, who interviewed the subject and conducted a computerized search of Service records. This search revealed that the subject had a felony criminal history of wildlife violations, including one case in which he received a 30-month prison sentence and a \$190,000 fine for smuggling endangered species. Service agents were contacted, and the subject was arrested and arraigned in U.S. District Court in Chicago on Christmas Day. As a result of further investigation, the man was charged with four counts relating to smuggling of endangered species and the unlawful possession of a firearm by a convicted felon. In July, he pleaded guilty to smuggling counts for illegally importing the black rhino horns and Argali sheep jaw bone.

Protecting Endangered and Threatened Species

Cooperative efforts with other federal and state enforcement agencies have resulted in enhanced protection for endangered and threatened species in the region. Both arrests and public outreach efforts have played a key role in conserving imperiled wildlife.

A cooperative federal/state investigation of the illegal killing and commercialization of eagles for the Native American pow wow trade that wrapped up in the fall of 2000 provides a good example of successful collaboration in conservation enforcement. As part of this probe, which began in 1998, Service agents and Iowa conservation officers executed three search warrants at residences in the Tama, Iowa, area. Two large suitcases containing leg-hold traps and freshly killed eagle and other raptor parts were seized at one residence. A forensic examination of these wildlife parts revealed that they comprised at least 22 golden eagles, three bald eagles, 41 raptors from eight different species, and eight other birds.

In November 1999, two of the subjects were indicted in federal court on 11 counts of violating the Eagle Protection Act, and arrest warrants were issued for the pair. One of the subjects was arrested while hiding in the attic of a home in Michigan City, Indiana. On September 22, 2000, this individual was sentenced in federal court to 10 months in prison, ordered to pay \$5,000 in



Agents and Iowa conservation officers recovered eagle and raptor feet (top), nine severed bald and golden eagle heads (bottom), leg-hold traps, and other evidence from the residence of a man involved in the illegal killing and commercialization of eagles for the Native American pow wow trade. Iowa Department of Natural Resources

restitution to the National Fish and Wildlife Foundation, and placed on one year of supervised release. The second individual was also eventually arrested, but not before being picked up and charged for drug offenses and driving under the influence. In October, this individual was sentenced to 16 months in prison, ordered to pay \$10,000 in restitution to the National Fish and Wildlife Foundation, and placed on two years of supervised release. The court also ordered forfeiture of the weapon, suitcases, traps, and all the wildlife parts and feathers. On September 29, 2000, a third individual implicated in this investigation was sentenced to pay \$5,000 in restitution and placed on two years probation after pleading guilty to illegally taking and possessing a bald eagle.

All of the restitution monies from this case will be used for eagle research projects. While there is a legitimate use for eagle feathers in Native American religious practice and ceremonies, the kind of black market trade exposed by this investigation severely undermines efforts to conserve eagles and other migratory birds for future generations.

In another case, a subject in Minnesota was sentenced in federal court on June 23, 2000, to pay a fine of \$9,500 and serve two years probation for killing two bald eagles. Service and Minnesota conservation officers investigated the man after receiving an anonymous tip implicating him in the killing of eagles. The subject eventually admitted that he knowingly killed the protected birds because they were allegedly killing ducks that he had been attracting to his yard with feed. After killing the two eagles, the subject burned the carcasses in his wood stove to dispose of them.

Poachers in the region also preyed on protected mammals. In early 1999, for example, enforcement officers received reliable information that a large number of gray wolves – 25 to 35 – had been illegally taken over the past couple of years in northwestern Minnesota. The subjects involved in this organized activity used snowmobiles to ensnare or run the wolves down to the point of exhaustion and then shot them. A joint investigation with Minnesota conservation officers resulted in the recovery of freshly killed wolves and other evidence. The two individuals primarily responsible for the killings were indicted for violations of the Endangered Species Act and for possession of a silencer. On April 19, 2000, the defendants pleaded guilty to one count each of illegally taking a gray wolf. One was sentenced to serve eight days home confinement, pay a \$3,500 fine, complete five years on probation with no hunting or trapping allowed during the first two years, and perform 50 hours of community service with the Society for the Prevention of Cruelty to Animals or the Humane Society of the United States. The second defendant was fined \$2,500 and placed on probation for five years with no hunting or trapping during the first year. After this investigation, the Service set up a telephone hotline to allow anonymous callers to report information about the shooting or killing of wolves.

In September 1999, an individual shot and killed a gray wolf in Carlton County, Minnesota. At the time, the man stated that he knew that the animal was a wolf and that it was protected under the Endangered Species Act. He was issued a violation notice for the unlawful killing of a gray wolf and paid a \$1,500 fine.

On March 14, 2000, an investigation into the illegal sale of endangered species concluded with the payment of a \$1,000 fine by a subject who unlawfully sold a tiger in interstate commerce.

Teaming with Science

In the evening hours of October 29, 1996, a Wisconsin man with 27 prior wildlife convictions and revoked hunting privileges used a spotlight and a .22 caliber rifle to kill a trophy white-tailed buck during the bow season. Early the next morning, the man hauled the animal in his truck to Michigan, bought a nonresident hunting license, and proceeded to stage the “hunting” of the deer on videotape. He registered the “take” in Michigan, and then returned to Wisconsin with his “Michigan” deer.

A conviction based on a new scientific technique that allows the geographic fingerprinting of an animal through strontium isotope analysis extends a long-lasting benefit to wildlife protection. Dead deer now, in fact, do tell tales.



Analysis of the strontium isotope content of this deer's antlers helped the Service prove that the animal was illegally taken in Wisconsin. Ed Spoon/USFWS

Another individual tipped off Wisconsin conservation wardens and Service agents, who opened an investigation. Despite the fact that investigators secured evidence through witness statements and search warrants and convened a federal grand jury, the subject steadfastly denied any wrongdoing.

Officers continued to look for a way to improve the corroborating evidence in the case. They turned to the Geology and Geophysics Department at the University of Wisconsin, where a scientist used an analysis of the strontium isotope content of the deer's antlers to establish a geographic fingerprint of the region where the animal lived. Tests performed by the geologist proved that the subject's deer was identical with deer living in the Portage, Wisconsin, area and conclusively proved that the deer did not come from Michigan.

Faced with this evidence, the subject pleaded guilty. He was sentenced to 30 days imprisonment and fined \$2,000. He must serve five years probation during which he is prohibited from hunting or fishing, and must perform 1,000 hours of community service in the field of resource and wildlife management.

The importance of this conviction goes beyond the sentencing and its deterrent effect. It extends a long-lasting benefit to wildlife protection by proving the value of a new scientific technique that allows the geographic fingerprinting of an animal through strontium isotope analysis. Dead deer now, in fact, do tell tales.

Other Key Investigations

In August 1999, a radio station in Davenport, Iowa, organized a promotional event at the Princeton Beach area of the Upper Mississippi River National Wildlife Refuge in Scott County without obtaining authorization for the activity. The event attracted several hundred boaters on the remote beach, and ended up with unruly crowds strewing refuse, debris, and uncollected trash on the beach. The refuge manager and Service agents pursued the matter in federal court, and the radio station was charged with a one-count violation involving littering on the refuge. On June 6, 2000, the station pleaded guilty and was sentenced to pay a \$200 criminal fine and \$9,800 in restitution to the refuge and broadcast ten 30-second public service announcements dealing with environmental issues affecting the Upper Mississippi River National Wildlife Refuge.

On November 22, 1999, in U.S. District Court in Illinois, a subject who was initially convicted for the illegal take and sale of freshwater mussels received a 93-month jail sentence for violating the Federal Witness Retaliation Statute by assaulting a witness who had testified against him. Part of the sentence will run concurrently with his initial sentence of 31 months in prison for the poaching and illegal sale of mussels. At the time of the original sentencing, the subject was also ordered to pay \$28,839 in restitution to the Illinois Department of Natural Resources. On October 13, 2000, the defendant appealed his conviction on the witness retaliation charge, but the appellate court upheld the lower court's decision.

Inspection Activities – Chicago

Service wildlife inspectors and special agents in Chicago team to combat illegal wildlife trade at Region Three's only designated port. Violation notices issued during the past year yielded over \$15,000 in fines for unlawful imports and exports of wildlife.

Inspectors, for example, intercepted a shipment of venomous reptiles imported from Indonesia in violation of IATA (International Air Transport Association) requirements listed on the accompanying CITES permit. The animals involved included a taipan, spitting and king cobras, and a viper that had escaped from its enclosure. The importer, who arrived in a passenger car, was planning to remove the dangerous reptiles from their shipping crate and transport them to Wisconsin secured only in cloth bags. The airline agreed to

The port of Minneapolis/St. Paul has become a gateway for hunters returning from Canada, particularly Saskatchewan – a province that has experienced dramatic increases in both waterfowl and big game hunting over the past couple of years.

pay a heavy fine for the violation, and the importer abandoned the inhumanely shipped animals.

Several years ago, a Chicago area lawyer returning from Cameroon imported two Olive Ridley sea turtle shells, six hinge-back tortoise shells, two elephant ivory carvings, eight pairs of elephant ivory earrings, nine monitor lizard skin wallets, and nine elephant ivory walking canes in his baggage. Not only had the importer failed to declare the wildlife on his Customs form, but after the first few items were discovered, the man denied having additional items and claimed that they were for personal use only. The items were seized and abandoned, but further investigation revealed that the lawyer intended to sell the wildlife articles at a relative's store. The importer moved from the Chicago area before criminal charges were filed, but he was located this past year in Atlanta, Georgia. He was interviewed and issued violation notices totaling over \$4,600. After the fines were paid, several of the wildlife items were donated during African-American history month to the DuSable Museum of African-American History in Chicago.

Wildlife inspectors at O'Hare International Airport are actively involved in public outreach. U.S. Customs passenger service representatives schedule an average of 10 tours each month at the international facility – tours which typically include presentations by Service inspection staff. Participation in these tours, which reach about 300 people each month, provides an opportunity to teach thousands of international travelers about wildlife protection laws each year.

In addition to providing educational programs at the airport, Chicago's wildlife inspectors also conducted outreach in the community, meeting with a number of different groups. In FY 2000, they provided presentations for local schools, scout troops, and colleges and participated in a number of special programs, including Gang Resistance Education and Career Awareness programs, Take Your Child to Work Day, and a job shadowing program called Expanding Horizons.

A special three-month exhibit on the Service wildlife inspection program was featured at the Lizzardo Museum of Lapidary Art in Elmhurst, Illinois. The exhibit received considerable coverage in local newspapers and was spotlighted in community calendars. Wildlife inspectors also gave a special presentation on wildlife trade and conservation issues to interested museum goers.

Inspection Activities – Border Ports

On October 4, 1999, a Chinese national disembarking from a flight from Beijing, China, at Detroit Metropolitan Airport was stopped at the security checkpoint and was found to have four vials of a bear gall bladder product. After being interviewed through an interpreter, the individual stated that he had also given six vials of the same product to a Chinese flight attendant aboard the same flight. This transfer occurred after the attendant advised the man that it was illegal to import bear gall, but that it was also very valuable in the United States. The attendant was identified, but denied talking to the passenger or taking anything from him, an action that would have violated airline rules. A Service investigation revealed that the attendant did acquire six vials of bear gall product from the passenger, and that the product was made from Asiatic black bear, a CITES Appendix I species. This individual paid a \$1,500 fine for submitting false documents and accounts and unlawfully importing wildlife into the United States.

The port of Minneapolis/St. Paul has become a gateway for hunters returning from Canada, particularly Saskatchewan – a province that has experienced dramatic increases in both waterfowl and big game hunting over the past couple of years. During the 1999 Saskatchewan big game season, "Operation Distant Check" was implemented at the Minneapolis/St. Paul port, teaming Service special agents, wildlife inspectors, and Saskatchewan conservation officers in an effort to interview and inspect hunters returning to the United States from Canada.

Partnerships with state agencies are also an important part of the Service's law enforcement mission in Region Three.

In addition to the outreach benefits achieved, 22 individuals were cited in federal court for violations including failure to declare wildlife, overlimits of wildlife, and other Lacey Act offenses. To date, over \$18,500 in fines have been collected for these violations. In addition, Saskatchewan officers were able to interview returning U.S. hunters and identify Canadian violations involving Canadian guides, outfitters, and residents. Numerous offenses occurring in Canada were documented and will be pursued in the Canadian court system.

Enforcement Assistance and Training

This past year saw Region Three enforcement staff handle a record number of requests for assistance from other Service regions and foreign governments. These activities included executing search and seizure warrants, interviewing witnesses and suspects, and working cooperative investigations. Such joint efforts illustrate the improved effectiveness achieved when enforcement groups work together to combat wildlife crime – an activity that is increasingly becoming national and global in scope.

Partnerships with state agencies are also an important part of the Service's law enforcement mission in Region Three. On a number of occasions during the fiscal year, for example, Service agents supported enforcement task force activities organized by the Missouri Department of Conservation and the Missouri Highway Patrol. During two of these operations, 47 wildlife violations and 17 non-wildlife offenses were documented.

Regional agents are involved in a range of training activities, sharing their expertise and conducting outreach with other Service programs and other federal and state agencies. For example, the Service agent in Iowa again provided instruction at the Iowa Law Enforcement Academy, teaching courses about the Service and the laws it enforces. This agent has taught more than 1,520 new law enforcement officers since this program began.

In October 1999, an overview of the Division's three-year freshwater mussel investigation was presented to about 40 state and federal wildlife biologists at the region's Annual Endangered Species Coordinator's meeting.

In November 1999, Service agents presented two days of training to the Illinois Department of Natural Resources recruit training class for conservation police officers. Topics included federal court procedures, sentencing guidelines, environmental investigations, and federal laws. Similar presentations were also made this past year at the Missouri Department of Conservation.



A Region Three wildlife inspector talks with two law-abiding hunters returning to Michigan from Canada on opening day of the waterfowl season in southern Ontario. USFWS

Sentencings in cases involving the unlawful commercial exploitation of coral, reptiles, and other species reaffirmed the Nation's resolve to protect natural resources around the world.

In addition to these instructional assignments, special agents taught staff with the Division of Refuges and a number of state agencies about weapons handling and trained instructors for these groups on how to teach courses on non-lethal firearms techniques.

Region Four

The Southeast Region covers 10 states (Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, South Carolina, and Tennessee), the Commonwealth of Puerto Rico, and the U.S. Virgin Islands. The population of the region exceeds 55 million. The Southeast is home to more than 335 species of fish, wildlife, and plants that are protected by the federal government as threatened or endangered.

At the end of FY 2000, a total of 39 special agents and 14 wildlife inspectors were stationed in Region Four. The region maintains staffed inspection facilities at the designated ports of Miami, New Orleans, and Atlanta and at the special port of Tampa.

Combating Illegal Trade

Service special agents and wildlife inspectors in the Southeast continued their efforts to combat the illegal wildlife trade. Sentencings in cases involving the unlawful commercial exploitation of coral, reptiles, and other species reaffirmed the Nation's resolve to protect natural resources around the world. Service officers broke up black market operations involving wild birds and sea turtle eggs while intercepting a growing number of smugglers bringing contraband caviar into the country. Successful interdictions of illegal trade are described below as well as in the section on wildlife inspection activities that begins on p. 55.

In December 1999, a Florida man and his company were sentenced in U.S. District Court in Tampa in the first successful U.S. felony prosecution ever for illegal coral trafficking. This individual will serve 18 months in prison followed by two years of supervised release and pay a \$5,000 fine and a \$200 special assessment for his role in a smuggling operation that used false declarations, invoices, and shipping documents to circumvent U.S. and Philippine laws as well as international trade restrictions that protect corals and other marine species. The company was fined \$25,000, sentenced to five years probation, and ordered to pay a special assessment of \$800. Although the owner challenged the severity of the sentence, it was upheld by the 11th Circuit Court of Appeals in August 2000.

This case, which was investigated in cooperation with the U.S. Customs Service, documented a multiyear conspiracy to smuggle protected corals and seashells into the United States from the Philippines. The probe of the Florida company and its overseas supplier began in 1997 when a Service wildlife inspector in Tampa discovered a large cache of coral concealed among legal products in a 40-foot cargo container. Species included protected



Interception of this 400-box shipment of protected corals by a Service wildlife inspector led to the Nation's first federal felony convictions for coral trafficking. USFWS

In July 2000, Service officers in Atlanta picked up two "mules" working for a smuggling ring who tried unsuccessfully to bring 2,403 sea turtle eggs into the United States from El Salvador via Hartsfield International Airport.



Service officers in Atlanta and Miami foiled commercial-scale smuggling attempts involving sea turtle eggs. USFWS

organ pipe, staghorn, blue, branch, brush, finger, brown stem, mushroom, and feather corals as well as seashells such as giant clams.

A Service investigation of two cruise line employees (a comedian and a dive instructor) involved in the smuggling of rare and protected West Indian reptiles ended in Florida with a sentencing in federal court in November 1999. The comedian will serve 14 months in prison while the dive instructor will spend two years in jail. After their release, both will be placed on supervised probation. The two took CITES Appendix I iguanas from the wild, selling them as "captive bred endangered species" at about \$1,000 per animal. In one instance, they stole 20 highly endangered *Cyclura rileyi* from the Bahamas. None of these irreplaceable animals survived the ordeal. In court, prosecutors argued that although science could not predict whether the loss of so many rileyi would doom the species in the future, it could be said with scientific certainty that the loss of so many members of such a small population greatly reduced the genetic diversity of the wild population, placing the species at substantially greater risk of extinction.

In March 2000, a Florida reptile dealer pleaded guilty to conspiring to smuggle protected wildlife valued at more than \$120,000 from Haiti and Peru for commercial markets in the United States. The man, who had been in business since 1992, admitted that between 1994 and 1995 he successfully used the pretense of operating a "breeding farm" in Peru to smuggle an array of species, including caiman, dwarf caiman, frog-headed turtles, galliwasp, giant tree frogs, gibba turtles, green anacondas, Haitian boas, Haitian dwarf boas, Haitian vine boas, mata mata turtles, red-tailed boas, rhinoceros iguanas, twistneck turtles, white-lipped mud turtles, and yellow-footed tortoises. In September, he was sentenced to serve 15 months in jail followed by two years of supervised probation.

A Region Four investigation into the international commercial trade in reptiles resulted in a unique sentence, which was handed down in Florida in June. The reptile dealer involved admitted lying on his CITES permit application to disguise the illegal origin of the animals imported, thus violating the Endangered Species Act. He was fined \$5,000, placed on two years probation, and ordered to publish a full-page advertisement in *Reptiles* magazine apologizing for his conduct and informing others about his conviction and the penalties imposed. The judge instructed him to include the following statement in the ad: "The truthfulness and accuracy of the information submitted by importers and exporters of wildlife is essential to attaining the goals set by CITES and the Endangered Species Act."

In July 2000, Service officers in Atlanta picked up two "mules" working for a smuggling ring who tried unsuccessfully to bring 2,403 sea turtle eggs into the United States from El Salvador via Hartsfield International Airport. The eggs were ultimately bound for commercial markets in Los Angeles, but extra efforts to interdict sea turtle egg trafficking there by Service wildlife inspectors and special agents prompted the smugglers to try their luck using other airports for this illegal trade. The ring first attempted to enter via Houston, where two female subjects were stopped in March transporting 2,888 eggs into the country. Since it was too "hot" in Los Angeles and Houston, the ring sent a pair of couriers to Atlanta with four suitcases full of sea turtle eggs; they were caught at the airport by Service wildlife inspectors and arrested by special agents.

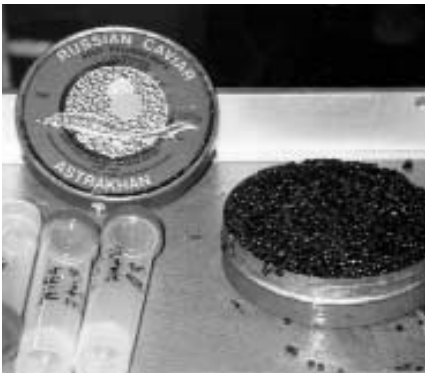
The smugglers, both citizens of El Salvador, told investigators that they were paid \$24 per dozen for the eggs and admitted that they had both made 12 previous trips to the United States, bringing in about 200 dozen eggs at a time hidden in their luggage. The two subjects, who were jailed while waiting for their court appearance, pleaded guilty to smuggling, making false statements, and Lacey Act violations. Sentencing is scheduled for January 2001.

In Miami, a Nicaraguan citizen was arrested in December 1999 for smuggling 1,100 sea turtle eggs hidden in the bottom of plastic buckets

similar to a child's beach pail. The buckets had been made to appear as if they were holding Christmas gifts. The subject's daughters run a restaurant in Miami and the eggs were bound for their establishment. The Service investigation revealed that the man made 10 trips from Nicaragua to the United States in 1999 alone. He admitted smuggling eggs "to make some money." The man served six months in prison before being deported to Nicaragua.

Agents in Miami were able to make a case against a bird smuggler even though the subject deliberately let the evidence fly away. In December 1999, the U.S. Coast Guard reported that they had encountered a smuggler off the Florida coast who may be dealing in illegal birds. When Coast Guard officers stopped the man and boarded his sailboat, they found boxes of Cuban cigars and a cage full of birds. The subject, however, successfully diverted their attention, opened the cage door, and released the birds. When a Service agent arrived on the scene, he retrieved 21 feathers from the bottom of the cage for submission to the Forensics Laboratory (which identified them as feathers from Cuban melodious finches) and skillfully elicited a confession from the man, who admitted that he was bringing the birds into the United States. The agent also found one zebra corydoras, three king helmet, and six hawkwing conch shells on the smuggler's boat.

On March 15, 2000, a federal grand jury indicted the subject on four felony counts, including one Lacey Act count predicated by violating the Trading with Enemies Act for the finches, one Lacey Act count predicated by violating the CITES treaty for the sea shells, and two counts related to smuggling cigars. The man was arrested by the Service on March 29. After negotiating a plea agreement, he was sentenced to serve 4-1/2 months in prison, complete a year of probation, and forfeit his boat to the U.S. Customs Service.



Service officers stopped a number of individuals smuggling caviar into the country via Miami. Six air passengers were arrested for this offense in one three-week period alone. USFWS

In April, the Service learned that a person in Miami was selling Cuban Amazon parrots, a highly endangered bird listed as Appendix I under the CITES treaty. A special agent called the smuggler covertly and arranged to "buy" two young parrots for \$1,900. During the conversation, the subject admitted to smuggling in six parrots within the past three to four days and selling the other four within the previous hour. He also admitted to past smuggling activities, explaining that he typically brought in up to seven Cuban Amazons at a time and that he would make additional trips to Cuba if he had the customers. He cautioned the agent not to tell anyone about the transaction since it was illegal. The agent met with the smuggler, received the two baby parrots, and promptly arrested him. The man was charged with two felony Lacey Act and two Endangered Species Act violations. After pleading guilty to one felony Lacey Act felony, the subject was sentenced to serve five months in prison followed by two years of probation.

April proved a popular month for caviar smuggling in Miami. On the nights of April 19 and 20, agents arrested four individuals from the Czech Republic bringing in loads of illegal sturgeon roe. The first two tried to smuggle 165 pounds of illegal Russian caviar; the second pair were caught with 183.7 pounds. Each was charged with two felony Lacey Act counts, one felony count of smuggling and one count of providing false information to the government. All were held without bond.

Two days later, agents caught a fifth smuggler attempting to illegally enter the country with 100 pounds of Russian caviar. Since this individual was a U.S. citizen, he was not arrested. The caviar, however, was seized, and the subject was interviewed and released pending further investigation and indictment. He subsequently fled the area.

In May, agents arrested a Polish woman who had over 88 pounds of Russian caviar in her suitcases falsely labeled as "lumpfish." This woman and the four other foreign nationals apprehended for caviar trafficking in Miami in April all served time in prison for their smuggling activities and were deported upon release.

A joint two-year federal/state undercover investigation into the poaching and illegal commercial sale of white-tailed deer culminated in May 2000 with the arrest of 12 individuals. . .

The investigation documented the killing of large numbers of deer, ranging from fawns and does to trophy bucks, for the commercial market.



A joint federal/state investigation in Louisiana and Mississippi uncovered large-scale illegal take of white-tailed deer for the commercial market. USFWS

In Puerto Rico, agents investigated an Indonesian businessman after receiving information indicating that he was illegally importing sea turtle products and redistributing them throughout the Caribbean. A covert contact traced the turtle products back to their source and provided probable cause for obtaining a federal search warrant. When the warrant was executed in January, agents and Puerto Rico Department of Natural Resources rangers found and seized a significant amount of jewelry made from sea turtle shell. They also discovered copies of federal wildlife import/export and endangered species laws and regulations.

Safeguarding U.S. Wildlife Resources

A joint two-year federal/state undercover investigation into the poaching and illegal commercial sale of white-tailed deer culminated in May 2000 with the arrest of 12 individuals under federal indictment for Lacey Act violations. An additional 22 individuals will be prosecuted in state court as a result of "Operation Cold Storage," a team effort involving the Service, the Mississippi Department of Wildlife, Fisheries and Parks, the Louisiana Department of Wildlife and Fisheries, and the U.S. Attorney's Office.

The investigation documented the killing of large numbers of deer, ranging from fawns and does to trophy bucks, for the commercial market. The deer were killed with the aid of spotlights and in closed season from public roads or on private lands by trespassing; the animals were then transported to markets in interstate commerce. One group of poachers exposed during the investigation killed as many as 750 deer illegally in southwest Mississippi over the past five years. Of the 750 deer, only about 200 were retrieved; the remaining wounded animals were left to die and rot.

In June, seven of the 12 individuals facing federal prosecution in the case pleaded guilty to felony Lacey Act charges. Four admitted to making illegal sales of deer and three admitted that they conspired to unlawfully purchase deer. One subject also pleaded guilty to being a convicted felon in possession of a firearm (he had a record for armed robbery). At sentencing, the district court judge emphasized that he viewed this type of wildlife crime as a serious offense and that only strict enforcement of wildlife laws will allow future generations to enjoy the resources we take for granted today. All defendants will spend time in federal prison, with jail terms ranging from three to 33 months. Upon release, each will complete three years supervised probation during which all hunting is prohibited.

In Louisiana, the Service completed a multi-year joint investigation with the Louisiana Department of Wildlife and Fisheries into the illegal take and interstate sale of oysters. This investigation tracked the sale of 21,000 sacks of oysters valued at more than \$470,000. The oysters were illegally taken from polluted or closed waters, out of season and/or without licenses from Louisiana, and were then sold to consumers in Alabama, Florida, North Carolina, and Virginia from November 1996 to January 1997. The case resulted in a 16-count federal grand jury felony indictment against a Louisiana seafood company and its three owners, who insisted on a jury trial in federal court. In September 2000, after six days of testimony and about six hours of deliberation, the jury found the company and the principal owner guilty on 14 counts of Lacey Act violations while the second owner was found guilty of 15 Lacey Act violations and one count of obstruction of justice. During the trial, charges were dismissed against the third owner. Sentencing is scheduled for December 2000.

A North Carolina nursery owner pleaded guilty in November 1999 to a felony violation of the Lacey Act for his role in a conspiracy with international plant dealers in the Netherlands to smuggle Venus flytraps illegally taken from the wild in North Carolina to the European market. The carnivorous Venus flytrap is a species of state concern that cannot be exported from the United States without a CITES permit. An investigation conducted by Service agents in Maryland, North Carolina, and Georgia in cooperation with the U.S. Customs Service documented smuggling attempts at Baltimore-Washington International Airport in January 1996 and Atlanta's

Efforts to protect the Nation's endangered manatees were a major focus for Region Four law enforcement during FY 2000.



Service patrols to protect endangered manatees enforce boating speed limits. An agent spots a violator during one of 18 major task force operations conducted during FY 2000. Top photo: Jim P. Reid, USFWS; bottom photo: Frank Kuncir/USFWS

Hartsfield International Airport in December of that year involving some 14,000 illegally acquired Venus flytraps. The nursery owner, who supplied false documents for each shipment misidentifying either the species or the origin of the plants, awaits sentencing.

Over the past two years, special agents in North Carolina devoted considerable investigative effort helping agents in Region Five combat the illegal international commercial trade in juvenile eels (elvers) taken from rivers and streams along the Eastern seaboard for export to Asian markets. The five major subjects have been sentenced, bringing the investigation to a close. The defendants were convicted of a total of five felony counts and three misdemeanor counts of violating the Lacey Act. They were sentenced to a combined total of 22 months in prison, six months house arrest, 15 years probation, and \$8,000 in fines.

In South Carolina, a subject caught robbing sea turtle nests who was in possession of 114 loggerhead eggs was sentenced in federal court to 10 months house arrest and two years probation.

The poaching of hawksbill and other sea turtles for the restaurant trade remains a problem in Puerto Rico, where local fishermen are reportedly getting \$25 per pound for turtle meat and \$2 each for eggs. Two individuals who were caught taking and trafficking in endangered sea turtles in 1992 were sentenced for a second offense in March 2000. This time, the judge sent them both to prison for up to six months, stating "the court understands that a message needs to be sent to society, if someone kills or harms any of these species the court will not be lenient and will use all in its power to protect the ecosystem."

In November 1999, a subject who sold 350 ducks to undercover Service and Louisiana Department of Wildlife and Fisheries officers was sentenced to spend 30 days in jail followed by 30 days home detention and must pay a \$1,000 fine and \$3,783 in restitution. He also lost his hunting privileges for a year and may not possess a firearm during this period.

Protecting Endangered Manatees

Efforts to protect the Nation's endangered manatees were a major focus for Region Four law enforcement during FY 2000. Service patrols to enforce boating speed limits in Florida coastal waters are beginning to turn the tide for this imperiled marine mammal.

Only some 2,500 manatees still live in the state's coastal waters and rivers. Death by boat strike is a significant cause of manatee mortality, and boating is "big business" in Florida. In 1996, there were 714,000 registered boats in the state, and 60 out of 416 manatee deaths (14 percent) were attributed to boat strikes. In 1997, the percentage of boat-related mortalities rose to 22 percent (54 deaths out of 246). In 1998, boat-related mortality increased to 27 percent (66 out of 243) and jumped to 33 percent in 1999 (82 deaths). The state of Florida currently estimates that registered boats number over 800,000; adding transient craft brings the total number of boats using Florida waters each year to at least a million.

In an effort to reduce manatee mortality, the Service and the state of Florida established boating speed zones in areas utilized by manatees where boat strike deaths were frequent. Over the past several years, Region Four law enforcement has organized and conducted task force operations to enforce boating speed limits in manatee protection zones and raise public awareness of efforts to protect these endangered animals from boat strikes. Because boat strikes had been responsible for an increasing percentage of manatee deaths since 1996, the Region increased the frequency of speed zone enforcement patrols in 2000, conducting 18 major task force operations.

Service special agents charged 1,563 boaters with violating manatee zone speed limits while refuge officers cited another 35, bringing the total to 1,598, well up from the 799 boaters charged by the Service in 1999. The U.S. Coast



Waterfowl and dove seasons find agents in the field, enforcing regulations that safeguard legitimate hunting opportunities. USFWS

Guard referred an additional 750 speed zone violation cases to the Service for prosecution, also up from the 623 case referrals logged the previous year. Although law enforcement officers cited more boaters for speeding in 2000 (2,348 compared to 1,422 in 1999), there was a noticeable improvement in overall boater compliance. The number of manatee deaths caused by boat strikes dropped from 82 to 72, a 12-percent decrease.

Migratory Game Bird Hunting Cases

Migratory game bird hunting is a popular and sometimes profitable sport in the Southeast. Region Four special agents routinely apprehend hundreds of hunters and landowners each year violating federal hunting regulations. FY 2000 was no exception.

During the 1999-2000 waterfowl season, for example, special agents in Arkansas, Louisiana, and Mississippi apprehended hunters committing 206 Migratory Bird Treaty Act violations while state officers reported an additional 890 offenses in Louisiana, 550 in Arkansas, and 375 in Mississippi, bringing the total number of violations for the three states to 2,021. Shooting before or after legal hours was the most common violation (274), with use and possession of toxic shot ranked second (203) and taking more than the limit third (175). Officers cited 136 people for baiting offenses and 83 for hunting after the season had closed.

In September 2000, a subject in New Orleans who was a multiple wildlife law violator had his day in court after being caught taking ducks after hours last waterfowl season. The U.S. magistrate fined the poacher \$3,000 to be paid in full immediately and remanded him to the custody of U.S. Marshals to serve six months in jail. Wildlife charges are pending against this man in Minnesota; after he gets out of jail in Louisiana, he faces a second trial there.

In Arkansas, five duck baiters who were caught and charged last season for baiting violations responded to a seven-count criminal information by entering guilty pleas. The individual who placed the bait was ordered to pay \$4,000 restitution to the National Fish and Wildlife Foundation, serve four years of probation during which he cannot hunt waterfowl, and perform 40 hours of community service at the White River National Wildlife Refuge. Three of the hunters were each sentenced to pay \$2,000 restitution to the Foundation, serve two years probation with no waterfowl hunting, and complete 40 hours of community service. The fifth defendant will complete two years probation without hunting waterfowl and perform 80 hours of community service.

In June, the Service closed an investigation in Florida involving 21 hunters caught on a baited dove field where millet had been piled along a disced strip. The group paid fines totaling \$19,675. Six of the hunters had also exceeded the daily bag limit, six violated tagging regulations, and one hunter had taken more than two days worth of doves.

In Louisiana, a father and son team of hunters went before the 5th Circuit Court of Appeals to challenge an adjustment of their probation from convictions for violating the Migratory Bird Treaty Act. As a condition of their probation, they had been ordered not to hunt "anything at all." After they went dove hunting in Mexico, the District Court "adjusted" their probation by extending the hunting bar to 2001. The defendants challenged the order, arguing that they could not be prosecuted under the Migratory Bird Treaty Act for acts committed in Mexico. The Court of Appeals ruled that judges have the authority to impose conditions of probation that limit convicted defendants' ability to conduct otherwise legal activities (such as hunting) and that it is not outside the court's authority to bar such activities whether they occur in the United States or other countries.

An Alabama man convicted in 1999 of exceeding the bag limit for doves who was banned from hunting for a year was sentenced for a subsequent violation in 2000 involving placement of bait and hunting doves in the closed season. He was fined \$2,500, ordered to serve one year probation with no hunting to

In Arkansas, the Service worked with the Environmental Protection Agency (EPA) and the Arkansas Game and Fish Commission to investigate the take of migratory birds in open oil pits.



This oil-covered wood duck managed to struggle out of an Arkansas oil pit before dying in the nearby woods. Kevin Wood/USFWS



Many of the problem oil pits discovered in Arkansas are the size of small lakes. Kevin Wood/USFWS

follow the first year-long ban, placed under 60 days curfew, and prohibited from owning firearms. After sentencing, however, the man proceeded to violate these terms, ignoring his curfew and appearing in public with a gun. The judge ordered him to spend one month in jail and serve an additional year of probation.

In April 2000, two dove hunters in Alabama who pleaded guilty to placing bait were each fined \$3,500 and lost their hunting privileges for a year. In North Carolina, a federal judge accepted guilty pleas from five waterfowl hunters charged with baiting violations in November 1999. Two were fined \$500. The three remaining hunters had prior convictions for the same offense. They were each fined \$2,000, placed on five years probation, and banned from hunting during that period.

In Georgia, agents discovered a baited duck pond and apprehended the landowner and seven others hunting ducks over bait. The owner pleaded guilty to directing the placement of 1,000 pounds of corn in the pond. He was sentenced to pay a \$5,000 fine and serve one year probation without hunting anywhere in the United States.

In January, an Alabama judge sentenced six hunters cited for violations on the opening day of the dove season. The men were apprehended at a commercial hunting facility that had been convicted of baiting the previous season. Although the club changed management, agents continued to receive reports of frequent overbagging and bait. They booked a hunt and observed a group of six hunters committing numerous offenses including overlimits, failure to retrieve doves, and take of non-game species. Fines assessed ranged from \$285 up to \$2,705; each individual was banned from hunting for either one or two years.

A closed season waterfowl hunting case was adjudicated in November 1999 in Washington, North Carolina. In February of that year, a special agent and refuge officer spent a freezing 24 hours on an offshore island staking out an area reported to be the scene of post-season duck hunting activities. They apprehended four commercial hunting guides from Cedar Island. The U.S. magistrate judge fined the men \$2,000 each and revoked their hunting privileges for three years – a sentence he said would have greater impact than jail time given the subjects' love of the sport.

October marked the opening of the 1999 dove season in Florida. Hunting over bait was a frequent occurrence; agents found fields baited with millet, commercial bird seed mix, cracked corn, milo, and combinations of these grains. Based on opening weekend alone, charges were filed against 65 hunters for taking doves by the aid of bait and five individuals for placing bait. A total of 385 illegally taken doves were seized. Other violations documented included overlimits, unplugged shotguns, no hunting licenses, take by use of motor vehicle, wanton waste, and possession of untagged birds. The final weekend of the season yielded two baited fields with the usual mix of milo, cracked corn, and millet; 32 hunters were apprehended.

Environmental Contaminants

In Arkansas, the Service continued working with the Environmental Protection Agency (EPA) and the Arkansas Game and Fish Commission to investigate the take of migratory birds in open oil pits. In October 1999, for example, this federal/state task force reported having documented 63 hazardous sites, 18 of which visibly contained dead birds. At one site, agents found a flock of six live wood ducks trapped in the oil. The oil pit inspection team also identified 19 possible violations of the Clean Water Act.

The average size of the open oil pits discovered by this effort in Arkansas, which began in the spring of 1999, exceeded that of pits previously investigated by the Service in the West and Southwest. Some actually approached the size of small lakes. One pit near Felsenthal National Wildlife Refuge, for example, covered 10 square miles.

Efforts continued in the state to identify problem sites and promote producer compliance. In July, an agent/pilot who was flying oil pit surveys spotted a "live" oil spill polluting five acres of wetlands. The Service notified EPA, which fined the oil company \$137,500.

Oil producers were notified concerning problems at their sites and were advised to take corrective action to prevent the unlawful take of migratory birds. In December 1999, however, a number of noncompliant producers whose pits contained dead birds were charged with violating the Migratory Bird Treaty Act. Some paid fines of \$250 per bird recovered, but three producers elected to take their cases to court.

At arraignment, the U.S. district judge warned the assistant U.S. attorney trying the cases that he would have a hard time convicting the producers, citing *Newton County Wildlife Association v. U.S. Forest Service*, an 8th Circuit ruling that maintained that the Migratory Bird Treaty Act applies only to "hunters and poachers." Although Department of Justice attorneys advised that a verdict based on the *Newton County* decision could be successfully challenged on appeal, the Service agreed to the dismissal of the cases in question because of unrelated problems. The birds involved were so badly decomposed at the time of recovery that the Forensics Laboratory could not positively identify a cause of death. The defendants were expected to argue that the carcasses had been thrown into the pits; in that event, the judge would probably find for the defendants based on insufficiency of evidence, ruling out a government appeal.

Although other districts (notably the 10th Circuit in *U.S. v. Moon Lake Electric Cooperative*) have upheld the applicability of the take prohibitions of the Migratory Bird Treaty Act to situations involving industrial activities, the U.S. Attorney for the District of Arkansas decided that that office would decline to prosecute oil pit cases, even when cause of death evidence is available. The Service and Justice Department are working to identify alternative actions that would secure the needed remediation (for example, seeking civil injunctive relief ordering producers to "cease and desist" from taking birds).

Despite these legal obstacles, efforts continued in the state to identify problem sites and promote producer compliance. In July, an agent/pilot who was flying oil pit surveys spotted a "live" oil spill polluting five acres of wetlands. The Service notified EPA, which fined the oil company \$137,500. The firm also paid the salaries plus "per diem" travel expenses of all EPA employees and contractors who worked to clean up the site.

Region Four special agents conducted a number of other investigations involving environmental contaminants, many focusing on the deliberate misuse of agricultural pesticides. Cases included four separate investigations in Alabama where Furadan and Temik (two controlled pesticides) had been used to set up poisoned bait sites; two instances in Louisiana where Furadan-soaked grain was placed around commercial crayfish ponds to kill migratory birds; and the poisoning of two bald eagles in Florida.

The Service also probed wildlife poisoning activities at several quail plantations in Georgia. In August 2000, the first of these operations being investigated for killing migratory birds, endangered species, and other wildlife by distributing eggs poisoned with agricultural pesticides pleaded guilty to one count of misuse of a registered, restricted use pesticide. The owner and manager of the Worth County plantation admitted to knowingly injecting liquid Furadan into chicken eggs to poison predators he believed to be threatening the quail population on the hunting preserve. He was fined \$500.

A second south Georgia quail plantation that used Furadan-injected eggs for predator baits and its owner each pleaded guilty to one count of violating the Federal Insecticide, Fungicide, and Rodenticide Act and one count of violating the Endangered Species Act. In this case, the poisoned baits killed federally protected alligators as well as other wildlife. The plantation and owner were each fined \$5,500, bringing the penalty total for this case to \$11,000. Two more plantations await sentencing.

In November 1999, special agents completed two separate investigations supporting Canadian efforts to manage and conserve black bear resources in Québec.

Other Significant Investigations

In July 2000, the Service completed an investigation of the Arkansas Highway and Transportation Department's destruction of active migratory bird nests on bridges and culverts. This effort prompted the state to issue a policy to all highway workers and contractors prohibiting the demolition of these structures during migratory bird nesting season.

Lacey Act investigations in the region included two cases in Mississippi that both wrapped up in December 1999. In the first case, a Mississippi resident who was guiding and outfitting in Alaska without a license pleaded guilty to a felony violation of the Lacey Act for illegally taking caribou. The guide was sentenced to spend four months under home detention, serve one year active probation during which hunting is prohibited, and pay a \$5,000 fine. As a convicted felon, he may no longer legally possess a firearm.

In the second case, two Mississippi residents were convicted of violating the Lacey Act by purchasing and transporting 31 white-tailed deer from Michigan to Mississippi in violation of state laws established to prevent the introduction of diseases such as tuberculosis and brucellosis, which threaten native wildlife populations, livestock, and human health. The subjects were fined \$5,000 each and placed on one year of probation.

In November 1999, special agents completed two separate investigations supporting Canadian efforts to manage and conserve black bear resources in Québec. In one case, a county sheriff's deputy and a female commercial hunting guide were sentenced in that province to pay \$2,200 each for illegally killing a black bear in September 1998 and smuggling the hide and head into the United States. The two were also barred from hunting in Canada for two years. In the second case, a special agent worked with Canadian authorities to investigate a North Carolina hunter who went to Québec and killed a black bear in closed season. The subject pleaded guilty to Lacey Act charges in Asheville and was sentenced to 14 months in jail (suspended), fined \$2,000, and banned from all federal lands, including U.S. Forest Service and National Park Service property in the Great Smoky Mountains.

Supporting Wildlife Refuges

A joint effort by a special agent and refuge officer to investigate a poacher taking wild turkey on Roanoke River National Wildlife Refuge in North Carolina wrapped up in September 2000 when the subject pleaded guilty. He was sentenced to pay a \$1,025 fine, serve a year of supervised probation without hunting, and forfeit his gun and all hunting equipment to the Service.

Service agents teamed with refuge officers to ensure the successful prosecution of a former refuge system employee and his companion who were caught illegally hunting deer on Mississippi Sandhill Crane National Wildlife Refuge near Biloxi, Mississippi. The defendants pleaded guilty and agreed to pay a \$1,000 fine, serve one year of unsupervised probation, and forfeit the rifles used, which were valued at \$1,500 to \$2,000 each. In August, however, the judge rejected part of the plea agreement, substituting one year of supervised probation without hunting for the original unsupervised period.

In Mobile, Alabama, the Service's case against a "creeper" operating on Bon Secour National Wildlife Refuge came before a federal judge in August 2000. A Service agent had responded to a request for assistance from the refuge manager to deal with a man who was leaving sexually explicit and offensive notes on the vehicles of female visitors. When the agent apprehended the subject, he was carrying marijuana on his person and in his vehicle. The judge sentenced the man to one year of supervised probation including periodic drug testing and counseling and fined him \$500 plus a \$25 special assessment for the narcotics violation.

In June 2000, special agents in South Carolina responded to a request for assistance from Savannah Coastal Refuges staff and teamed with refuge officers to apprehend persons soliciting and committing homosexual acts in visitor areas on Pinckney Island National Wildlife Refuge. Of the 18

The port of Miami handles thousands of cargo shipments each year that require Service inspection. More than 90 percent of these shipments typically contain live wildlife, making Miami one of the busiest ports in the Nation for inspection of live animals.



Inspector removes bagged reptiles from shipping crate. The port of Miami, which has long been a major center for the live reptile trade, noted an increase in venomous shipments in 2000. USFWS

individuals charged with indecency and disorderly conduct, 16 paid tickets for \$150 each; the other two opted for trial in federal court.

Wildlife Inspection Activities

Miami, Florida: Millions of international travelers and significant amounts of commercial cargo move through Miami International Airport each year. The area is also home to three nearby seaports that handle both freight and cruise lines as well as a new international airport in Fort Lauderdale. The port of Miami handles thousands of cargo shipments each year that require Service inspection. More than 90 percent of these shipments typically contain live wildlife, making Miami one of the busiest ports in the Nation for inspection of live animals. Reptiles, including many venomous specimens, and invertebrates account for a large portion of this trade.

Service inspection of commercial shipments during FY 2000 documented violations ranging from false declarations and fraudulent permits to inhumane transport and outright smuggling. Wildlife inspectors also intercepted shipments attempting to enter or leave the country without Service clearance – shipments that in some cases contained illegal wildlife.

In February, for example, wildlife inspectors received an anonymous tip late on a Friday afternoon that an illegal shipment of tropical fish was coming through on its way from South America to Asia. Just before closing time, a “document runner” for a major Florida aquatic dealer showed up requesting that a shipment of “clown suckers” be cleared. A physical inspection of the 30 boxes of fish revealed that 25 contained CITES-protected arapaima. This South American fish and its Asian cousin the arawana are both bonytongue species; known as “dragonfish,” they are collected as harbingers of good fortune in Asia. Since 2000 was the Chinese Year of the Dragon, they were fetching top dollar. On a normal market, a 10 to 13 centimeter arapaima sells for \$500, making the value of the seized shipment at least \$750,000. When notified, the government of Colombia confirmed that the export documents used were fraudulent. Inspectors arranged for the Miami Seaquarium to provide temporary care for the seized arapaimas until Columbian Airlines could fly the fish back to their country of origin. The Colombian CITES Management Authority arranged for the arapaimas to be released into their native Amazon waters.

Careful review of declarations and shipping documents led to a number of key seizures. While examining the papers accompanying an importation of 400 pounds of conch, a Service inspector noticed some discrepancies in the permit from the Dominican Republic. After interviewing the importer, brokers, and ocean cargo company, the inspector concluded that the export had occurred in violation of the laws of the Dominican Republic. That country refused to accept a re-export, so the shipment was seized and later destroyed.

During the inspection of a commercial shipment of tropical fish and coral from Indonesia, inspectors discovered a mismatch between the species imported and the species listed on the Service declaration and Indonesian CITES permit. The importer was forced to abandon a large quantity of coral and was fined for the infraction. A careful review of documents also helped inspectors prevent the commercial importation of a number of catfish listed under the Endangered Species Act. Inspectors seized the fish, which were coming in from Thailand, and referred the case for further investigation. In another case, inspectors worked with Customs officers to intercept a shipment of fish falsely declared as clothing at the airport’s international mail facility.

In FY 2000, Miami remained a hub for the live reptile and amphibian trade, both legal and illegal. Inspectors and agents, for example, teamed to examine a commercial shipment coming in from Madagascar after they learned that Kenyan frogs may have been unlawfully included in the cargo. They successfully located and seized the smuggled animals.

For the fourth year since becoming a designated port in 1996, Atlanta handled an increased number of both commercial wildlife shipments and international air travelers. Last year, for example, inspectors processed some 1,700 wildlife imports and exports; that total climbed over 2,000 in FY 2000.



An Atlanta wildlife inspector examines an incoming shipment. Kimberly Hamilton/USFWS

During the last four months of the reporting period, Service staff noticed a marked increase in the import and transit of venomous reptiles through Miami International Airport. The inspection of one such shipment showed that more snakes were being brought in than allowed under the export permit. The reptiles were seized and later abandoned to the Service.

While examining a large commercial importation of reptiles, two wildlife inspectors noticed that more turtles were in the shipment than documented on the invoice and that many had shells less than four inches in length, a violation of Food and Drug Administration health and safety regulations. In another portion of the shipment, airline industry shipping standards for reptiles and humane transport regulations had been ignored. The importer abandoned the shipment to the Service.

Toward the end of the reporting period, the senior resident agent began a volunteer pilot program to inspect exports leaving in the early hours of the morning (before normal working hours). During one of the two "mini" blitzes conducted, Service officers caught a shipment of various marine species being exported without clearance. The animals were seized by the Service and later abandoned by the subject.

During FY 2000, international air travelers working on their own or as couriers for others remained a significant conduit for contraband items. A number of individuals, for example, were apprehended smuggling commercial quantities of caviar into the country on passenger flights (see p. 48). Service officers arrested six people for this offense (including four Czech nationals and a citizen of Poland) within one three-week period alone, seizing nearly \$1 million worth of caviar.

Inspectors also stopped a number of individuals smuggling sea turtle eggs into the United States from Central America and the Caribbean; five seizures were made for which agents issued violation notices. Interceptions also included a case involving a Nicaraguan national smuggling some 1,100 sea turtle eggs; he was initially noticed by Agriculture Department technicians when they X-rayed the "Christmas gifts" he was bringing into the country (see p. 47).

Service inspectors teamed with Agriculture and U.S. Customs counterparts to deal with a man who came through the passenger terminal with a commercial quantity of wild birds from Colombia. Although the subject had not tried to smuggle the birds, he did not have a Service wildlife import/export license or the necessary permits needed under the CITES treaty and Colombian law. The birds were seized by the Service.

Other illegal trade interdictions involving air passengers included the detection of a suitcase full of live birds smuggled from Russia; apprehension of a female subject who had a Cuban parrot chick stuffed in each cup of her bra; and the interception of a man concealing 45 red-footed tortoises in his parachute pants. Service staff arranged for these tortoises to be returned to the wild in Barbados.

Atlanta, Georgia: For the fourth year since becoming a designated port in 1996, Atlanta handled an increased number of both commercial wildlife shipments and international air travelers. Last year, for example, inspectors processed some 1,700 wildlife imports and exports; that total climbed over 2,000 in FY 2000. The city's location makes it a primary distribution point for the Southeast and the logical port of entry for live wildlife and wildlife products destined for the region from Central and South America, Africa, Europe, and Asia. The volume of wildlife trade and passenger traffic will continue to grow; the city is constructing a new international terminal capable of handling 15 million passenger arrivals per year compared to 3.5 million today, building a new runway, and constructing numerous new cargo warehouses.



Service wildlife inspector checks an export of skins going out of New Orleans. Kimberly Hamilton/USFWS

During FY 2000, wildlife inspectors intercepted illegal wildlife trade on over 130 occasions. Interdictions tied to the inspection of commercial cargo included a case involving a tropical fish importer who tried to bring in 460 live frogs from Paraguay which had been illegally collected from the wild and exported out of that country without a permit. In addition, the importer was not one of the 14 businesses registered in Paraguay and authorized to export commercial shipments of wildlife. The species of frog involved is highly prized in the pet trade because of its unique coloration and limited supply; the street value of the shipment was estimated at about \$12,000. So little is known about this species that the Service is helping the Paraguayans determine the animal's correct taxonomic classification.

Inspectors and agents in Atlanta teamed to handle 15 cases involving the illegal importation of sea turtle eggs from El Salvador. In one major smuggling incident that was linked to criminal activity in Los Angeles and Houston, the Service arrested two El Salvadoran citizens for attempting to smuggle over 2,300 eggs (see p. 47).

Wildlife inspectors devoted special effort to dealing with new passenger and freight arrivals from South Africa. In January 2000, they began to monitor a new daily flight from that country that brings in some 300 passengers and 30 tons of cargo each trip. Inspectors soon observed problems involving the illegal importation of African elephant ivory products and Hartmann's zebra rugs. In fact, on the very first flight, inspectors and agents stopped a professional hunter from Zimbabwe importing five raw elephant ivory blocks packed in his elephant skin briefcase. The hunter stated that he was bringing the blocks to a neurosurgeon in Mississippi who planned to make them into knife handles. The lead was followed and the Mississippi man was issued a violation notice.

Most of the elephant ivory products seized were purchased by U.S. hunters. Inspectors actively pursued closing down this trade and began an operation focused on interdiction of illegal products and education of the hunting community. During a seven-month period, they recovered illegal elephant ivory products from personal baggage more than 40 times. Most of the time elephant ivory was not declared or it was declared as hippo or warthog ivory. In three criminal cases, importers were issued violation notices for deliberate smuggling; they had concealed statues and carvings in their boots, gun cases, and other inconspicuous places within their baggage. Inspectors noticed a significant decrease in the number of seizures since the operation began, and in the last two months of the effort only one case was made. Several overseas stores were the main suppliers of the illegal ivory products; they are now reportedly refusing to sell ivory to Americans.

New Orleans, Louisiana: At the designated port of New Orleans, wildlife inspectors handled more than 600 shipments requiring inspection, including the export of thousands of live turtles bound for pet and food markets in Asia. Imports entering the country at New Orleans included large numbers of feather masks.

Tampa, Florida: Inspectors at the special port of Tampa processed more than 1,000 wildlife shipments in FY 2000; most of this traffic involved commercial shipments. Seizures made during the year typically involved violations of foreign law cited under the Lacey Act and violations of the CITES treaty handled under the Endangered Species Act. The two wildlife inspectors at this port conducted an active outreach program, providing educational programs or training to more than 8,400 individuals. Venues for Service presentations on wildlife trade issues included National Refuge Week, the Florida Bird Festival, the Florida State Fair, Earth Day at McDill Air Force Base, and the National Reptile Symposium.

Activity at Other Ports of Entry: Two other locations in Region Four that handle significant international trade, passenger traffic, or mail shipments have no assigned Service inspection staff. The Federal Express hub in Memphis, Tennessee, handles more than 100,000 imports and exports per

Caviar trafficking remained a significant problem in the Northeast Region. The year saw court action in two major cases, one in New York and one in Baltimore, Maryland.



Agents in New York broke up a smuggling ring that used airline employees to bring in suitcases packed with illegal roe. USFWS

day, making Memphis the world's largest cargo airport. While the volume of wildlife trade is not known, U.S. Customs Service inspectors and the Service special agent assigned to western Tennessee typically make three to four seizures per week. Contraband from one three-month period, for example, included crocodile, lizard, sea turtle, cobra, and ostrich skin boots from Mexico as well as caviar and zebra skin rugs.

The United Parcel Service hub in Louisville, Kentucky, handles a smaller volume of traffic than Memphis but presents similar challenges for wildlife trade control. In November 1999, for example, an Asian business owner from Pella, Iowa, imported 89 two-headed geckos from Thailand, falsely labeled as toys. He was fined \$1,000 and forfeited his shipment to the government.

Outreach and Training

Region Four law enforcement staff actively pursue public outreach, contacting thousands of individuals during FY 2000. General programs were conducted on federal wildlife laws for school, community, and scout groups, while more targeted information was presented to hunters, brokers, and other audiences, including law enforcement students at Mississippi State University and Louisiana State University. Special agents presented classes on federal wildlife laws to new recruits with state wildlife agencies as well as training to state conservation officers at their annual "in service" refreshers and conducted a motorboat operator certification course for Service employees from the Divisions of Refuges and Ecological Services.

Region Five

Region Five – the Northeast Region – is one of the most densely populated parts of the country. It includes the states of Maine, New Hampshire, Vermont, Connecticut, Massachusetts, Rhode Island, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, and West Virginia, as well as the District of Columbia. As of September 30, 2000, 32 special agents were located in this region and 22 wildlife inspectors staffed the designated ports of New York/Newark, Baltimore, and Boston, and the border port of Buffalo.

Combating Illegal Wildlife Trade

The Northeast Region contains several major ports of entry as well as a significant stretch of the Nation's shared border with Canada. International wildlife trafficking is a frequent focus of the Service's investigative work in this part of the country. Cases in FY 2000 involved contraband commodities that ranged from caviar, wild birds, and protected fish to native salamanders, elephant ivory, and shawls made from the hair of endangered Asian antelopes.

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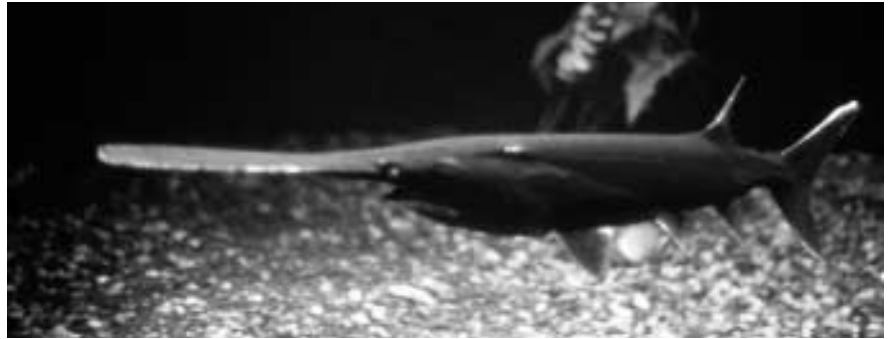
On June 6, 2000, the owner of a Connecticut company specializing in the importation of caviar was sentenced by a federal judge in Brooklyn in a landmark case supporting sturgeon conservation. The defendant had been found guilty in November 1999 after a three-week trial that produced the first federal conviction for caviar smuggling in the United States since new global protections for sturgeon went into effect in April 1998. The judge, wanting to send a clear message to anyone dealing in black market caviar, handed down a sentence requiring the man to spend 20 months in federal prison, pay a \$25,000 fine, forfeit \$70,000 in illegally obtained monetary assets from smuggled caviar, and abandon 2,000 pounds of caviar worth more than \$2 million.

On July 21, 2000, the president of a U.S. caviar company, his corporate officer and sales manager, and the president of a food company based in the United Arab Emirates each pleaded guilty in federal court in Maryland to a multiyear caviar smuggling scheme. The plea agreements called for the defendants to serve prison terms of 41, 21, and 15 months respectively. The

Investigators uncovered numerous wildlife and customs violations, including the smuggling of black market caviar into the United States with the use of forged Russian caviar labels. The company also . . . used false documents to sell paddlefish roe as Russian caviar.

U.S. business involved, which advertised itself as one of the largest caviar importers in the country, also pleaded guilty to 22 federal charges and agreed to pay a \$10.4 million criminal fine, the largest ever in a wildlife trafficking prosecution.

The plea culminated a 22-month multiagency probe into the black market trade in Russian and domestic caviar. The investigation, which involved the Service, the Federal Bureau of Investigation, the U.S. Customs Service, and the Food and Drug Administration, began after Service wildlife inspectors at Baltimore-Washington International Airport observed adhesive type caviar labels on tins of imported caviar.



Region Five agents exposed a black market caviar scheme that involved the fraudulent sale of roe from U.S. paddlefish as Russian caviar as well as international smuggling. Galen Buterbaugh/USFWS

Investigators uncovered numerous wildlife and customs violations, including the smuggling of black market caviar into the United States with the use of forged Russian caviar labels. The company also forged Russian health certificates to accompany fraudulent international shipments of caviar and used false documents to sell roe from paddlefish, a protected species native to the United States, as sevruga caviar from Russia. Those involved in the smuggling scheme committed mail fraud; prepared double invoices for caviar imports to avoid government scrutiny, understating the value and lowering the amount of duty owed to U.S. Customs; and smuggled caviar through Miami to avoid Service scrutiny in Maryland.

During the investigation, Service agents successfully cultivated relationships and contacts in Russia. Both Russian government officials and private citizens provided testimony instrumental in the successful prosecution. The Service's National Fish and Wildlife Forensics Laboratory also played a critical role in identifying the types of caviar being sold.

On February 10, 2000, an owner of a Canadian aviary dealing in exotic birds pleaded guilty to two felony charges in U.S. District Court in Buffalo, New York, related to the illegal importation of birds from Canada. The charges, which included violations of the Wild Bird Conservation Act and making false statements, stemmed from a joint investigation by the U.S. Fish and Wildlife Service and the Canadian Wildlife Service.

During the investigation, U.S. and Canadian authorities discovered that exotic finches from various countries in Africa were being taken from the wild and allegedly laundered through several European countries. The birds, which were imported into Canada in violation of Canadian law, were then sold to individuals and stores around the United States and exported in violation of both Canadian and U.S. law.

The aviary owner pleaded guilty to illegally importing birds on 14 different occasions between March and July 1999. In June 2000, the defendant was sentenced to six months in prison on each count to run concurrently. The court also fined her \$7,500, which will be secured from the cash bond she posted as bail.

The Service's multiyear investigation secured a plea from a company based in Bombay, India, which admitted to smuggling shahtoosh shawls into this country in violation of the Endangered Species Act and CITES – which bans the commercial trade of Tibetan antelope and products made from it.



The Service documented the smuggling of more than 300 shahtoosh shawls – a luxury fashion item made from the hair of the endangered Tibetan antelope. Lavonda Walton/USFWS

In a landmark case, importers of shawls made from the hair of the rare and highly protected Tibetan antelope (a CITES Appendix I species) entered guilty pleas in federal court in Newark, New Jersey. The case represented the first criminal prosecution in the United States for the illegal sale of smuggled shahtoosh shawls, a high-priced fashion item.

The Service's multiyear investigation secured a plea from a company based in Bombay, India, which admitted to smuggling shahtoosh shawls into this country in violation of the Endangered Species Act and CITES – which bans the commercial trade of Tibetan antelope and products made from it. Guilty pleas were also entered by the president and marketing director of a New Jersey company; the pair acknowledged violating the Endangered Species Act by exporting nearly 100 of these smuggled shawls to France.

Between September 1994 and March 1995, the Indian company smuggled over 308 shawls into the United States. The New Jersey company and its principal officers operated as that firm's U.S. agent for importing, exporting, and distributing the shawls. In addition to violating the CITES treaty and Endangered Species Act, the companies declared the shawls to U.S. Customs as woolen (cashmere), significantly understating their value, and paid only \$1,041 in import duty. Based on a realistic wholesale or "at cost" value of \$246,400 for the shawls, the firms owe nearly \$32,000 in unpaid duty.

Both individual defendants face up to six months imprisonment and \$25,000 in fines. The corporate defendant could be fined as much as \$500,000. The investigation was a cooperative effort involving Service agents, U.S. Customs agents, and the French Customs Investigative Division.

Worldwide publicity from this investigation provided possibly the best outreach, successfully making the plight of the Tibetan antelope known in the United States and other markets for shahtoosh. Petitions from various conservation organizations, along with this publicity, helped prompt a Service proposal to officially place the Tibetan antelope on the U.S. endangered species list.

On December 1, 1999, a U.S. District Court judge in New York sentenced a Malaysian citizen for illegally trafficking in Asian arowanas, known as dragon fish, which he brought into the United States for customers in Manhattan. He was sentenced to serve 10 months in prison and one year supervised release, and to pay a \$200 special assessment fee. Upon completion of his sentence, the man will be transferred to the Immigration and Naturalization Service for deportation.

In October 1999, a noted author and expert in the amphibian trade was apprehended at Newark International Airport while attempting to smuggle illegally collected salamanders to Great Britain. The defendant, a British resident and citizen, traveled to the United States to give a presentation at International Amphibian Day in Maryland, after which he collected salamanders illegally in Maryland, California, and Oregon. Service agents and U.S. Customs inspectors stopped the man when he attempted to board a plane at the Newark airport. Officers seized 60 salamanders, and the defendant paid \$3,200 in fines for violating the Endangered Species Act and Lacey Act.

After a five-day surveillance by Service and U.S. Customs special agents and an officer from the New York Department of Environmental Conservation, a citizen of the Ivory Coast went to a British Airways cargo facility at John F. Kennedy International Airport to claim his smuggled elephant ivory. The subject's vehicle was stopped shortly after he picked up the ivory and attempted to leave the airport. Arrested for smuggling ivory, the subject was in possession of 72 ivory carvings worth over \$100,000. When interviewed in French, the man admitted that he is an ivory carver and has an ivory shop in the Ivory Coast.



Investigations of unlawful commercialization of wildlife included a federal/state case involving a Virginia waterman selling striped bass, oysters, and sturgeon. USFWS

Wildlife Profiteering

The unlawful commercialization of wildlife is a threat to U.S. species. The Service works closely with state wildlife enforcement counterparts to combat this type of wildlife crime. Fisheries resources were the target in three FY 2000 cases.

In December 1999, a Virginia waterman, caught up in an undercover fisheries investigation, pleaded guilty in state court for his role in the sale of striped bass, oysters, and sturgeon to an undercover Virginia Marine Resources Commission officer. The individual had unlawfully sold about 98 sturgeon, some in interstate commerce. He was sentenced to serve one year in prison and pay \$8,800 in fines; he also lost his commercial waterman's license. This unprecedented state sentence was the result of state prosecutors working with federal prosecutors and a team of Commission, National Marine Fisheries, and Service agents to deter commercial seafood violations.

In November 1999, an individual associated with a seafood company was sentenced in federal court in Norfolk, Virginia, after pleading guilty to buying glass eels in interstate commerce. He was sentenced to pay a \$3,000 fine, complete three years probation, and serve six 48-hour periods of jail time.

In August 2000, two seafood companies pleaded guilty in federal court in Norfolk for transporting illegal, undersized and/or dark sponge blue crabs in interstate commerce. The two companies each agreed to pay a \$4,000 fine. Trucks from each company had been inspected as they crossed the state line, heading from Virginia's eastern shore for Maryland.

Protecting Migratory Birds

Commercial exploitation is also a threat to migratory birds. Region Five special agents investigated the unlawful take and sale of protected species as well as illegal hunting activities and other violations of the Migratory Bird Treaty Act.

On December 11, 1998, special agents in Wilmington, Vermont, found what they believed to be approximately 100 woodcock, a popular game bird native to the state, in the freezer of a popular inn. The birds had been labeled in packages as woodcock, geese, partridge, duck, Mexican big ducks, white-winged doves, and mourning doves. When agents visited the inn during the investigation, the owner showed them several hunting pictures, stating "we shot it because it moved" and "if it flies, it dies." According to reports, the owner admitted to shooting the birds himself and had been selling them as \$9 appetizers on the inn's gourmet menu.

In August 2000, the owner of the inn, who had violated the Migratory Bird Treaty Act and the Lacey Act, pleaded guilty to unlawfully possessing the birds. He will serve five years of probation, during which time he cannot obtain a hunting license in the United States, and pay a \$1,000 fine. He must also pay a \$25,000 civil penalty and contribute another \$25,000 to the National Fish and Wildlife Foundation's American Woodcock Conservation Fund for use in restoring woodcock habitat.

On March 17, 2000, the first sentencing hearing in Virginia under the baiting provisions of the Migratory Bird Treaty Reform Act occurred in U.S. District Court in Richmond. The defendant was sentenced to pay a fine of \$5,000 and serve three years probation, during which time he may not possess a firearm.

In May 2000, a Richmond, Virginia, man was sentenced in federal court after his earlier conviction for several migratory bird hunting violations. The judge ordered the man to pay a \$1,000 fine for hunting without a license, a \$1,000 fine for hunting without a federal duck stamp, a \$1,000 fine for hunting a baited area, and a \$2,000 fine for hunting with lead shot.

A farmer who claimed he wanted to control starlings pleaded guilty to one count of killing migratory birds by use of poison. Over 800 birds died, almost all red-winged blackbirds; only 11 starling carcasses were found.

In August 2000, a Virginia man and his son had their day in court after being charged with a variety of Migratory Bird Treaty Act offenses in a 17-count criminal information. Charges included placing bait, hunting by aid of bait, using lead shot, no federal stamps, and hunting before legal hours. The father, who was accused in most of the charges, decided to plead guilty and was fined \$6,000 and ordered to perform 150 hours of community service. The son, who also pleaded guilty, was fined \$2,000. Both men lost their hunting privileges for three years.

Four chimney service companies in northern Virginia all agreed to pretrial diversions to settle charges that they often destroyed chimney swift nests and sometimes left the chicks to die while performing chimney maintenance or responding to homeowner complaints. The Service investigated the companies after several wildlife rehabilitators complained of receiving chimney swift chicks for care during the nesting season. The four companies agreed to conduct educational training for their employees concerning the federal protections afforded all migratory birds, serve probationary terms, and collectively contribute \$13,000 to rehabilitation organizations.

Environmental Contaminants

In November 1999, a coal mining company pleaded guilty in federal court in Virginia to two counts of violating the Clean Water Act for its role in the spill of millions of gallons of coal slurry into the tributaries of the Powell River in October 1996. More than 11,000 fish were killed, and the contaminated water flowed through a critical habitat area of two federally threatened fish species and eight species of endangered freshwater mussels. The company will pay a criminal fine of \$85,000 and more than \$1.5 million in restitution, and will be on active probation until all monies are paid. The company will also contribute \$15,000 to the National Fish and Wildlife Foundation for use in helping the Lenowisco Planning District improve water quality and sewage disposals systems for the town of St. Charles and surrounding areas. These efforts will also improve the water quality of the Powell River tributaries that serve as endangered species habitat.

In September 2000, a farmer pleaded guilty in federal court in Roanoke, Virginia, to one count of killing migratory birds by use of poison. The man had laced grain with famphur and spread it around his silos to eliminate "a starling problem." Over 800 birds died, almost all red-winged blackbirds; only 11 starling carcasses were found. The farmer was ordered to pay a \$1,000 fine and \$5,000 in restitution.



A Virginia farmer who claimed he was using poison to control starlings killed over 800 federally protected red-winged blackbirds. J&K Hollingsworth/USFWS

Once again, the combined designated port of New York, New York/Newark, New Jersey remained the country's busiest port of entry for wildlife and wildlife products. Significant amounts of traffic were also processed by Service inspectors in Baltimore, Boston, and Buffalo.



Other Investigations

On December 6, 1999, a New York man pleaded guilty to one misdemeanor count of illegal commercialization of endangered wildlife in New York state court. He was required to pay a \$3,000 fine, received one year probation, and forfeited items valued at \$12,000 to the Service and the New York Department of Environmental Conservation. The contraband items included an Amazonian feather headdress, necklaces made from macaw feathers, monkey teeth, and elephant ivory pieces. During the investigation, the defendant offered to sell the headdress to special agents for \$2,500, admitting that it was made from feathers from endangered macaws and had been smuggled out of Brazil.

Agents apprehended a citizen of the Ivory Coast who smuggled in 72 ivory carvings worth over \$100,000. Service officers at JFK International Airport stopped a man smuggling 57 elephant ivory carvings covered with a sand and clay substance to hide their true appearance. A third ivory case involved unlawful sale in New York state. Ed Grace/USFWS

On July 28, 2000, an individual in Scranton, Pennsylvania, was fined \$5,000 for the illegal take of a trophy white-tailed deer in New York and subsequent transport to Pennsylvania in violation of the Lacey Act. The man shot a legal 10-point white-tailed buck in the fall of 1998 and then filed a false statement to obtain a second New York deer tag. He attached the second tag to a 17-point white-tailed buck killed in December 1998. New York law allows the take of only one white-tailed buck per license year.

Inspection Activities

Wildlife inspectors in Region Five were responsible for monitoring about 30 percent of the Nation's wildlife trade in FY 2000. Once again, the combined designated port of New York, New York/Newark, New Jersey remained the country's busiest port of entry for wildlife and wildlife products. Significant amounts of traffic were also processed by Service inspectors in Baltimore, Boston, and Buffalo.

Policing the illegal wildlife trade involves interdicting shipments of injurious species as well as protecting endangered species from global trafficking.



During one five-day period in October 1999, wildlife inspectors in New York intercepted five large shipments of mitten crabs, an injurious species that disrupts aquatic ecosystems. USFWS

New York, New York: The Service's New York law enforcement office reported that a compilation of calendar year 1999 data shows that the wildlife inspectors at the Valley Stream office, which monitors wildlife trade at John F. Kennedy (JFK) International Airport, seized over \$1 million worth of wildlife items imported or exported in violation of U.S. law.

Policing the illegal wildlife trade involves interdicting shipments of injurious species as well as protecting endangered species from global trafficking. In October 1999, for example, inspectors at JFK conducted a week-long undercover operation targeting the illegal importation of injurious species entering the country outside of normal wildlife inspection channels. They intercepted five late night shipments containing over 5,600 live mitten crabs that were being imported in violation of the Lacey Act and injurious species regulations. The shipments had been declared as seafood intended for human consumption, and as such, would typically not be flagged for Service inspection.

A common Asian food item, mitten crabs are native to Chinese and Korean rivers that feed into the Yellow Sea; they cause large-scale disruption when introduced into other aquatic ecosystems. They damage plants, block fish passage, divert water, and obstruct levees; they interrupt the natural functioning of biological communities and are a threat to agriculture and commercial and sport fisheries. Listed as injurious in 1989, mitten crabs have already gained a foothold in California, where they are established in the San Francisco Bay and Sacramento-San Joaquin Delta.

The five shipments of mitten crabs seized in New York, which were worth more than \$111,000, were re-exported. The Service's work on this case helped educate the airline involved about the ecological threat presented by these crustaceans, prompting a company pledge to refuse all future shipments.

Unusual interceptions during FY 2000 also included a case that resulted in the repatriation of a baby chimpanzee. In December 1999, wildlife inspectors responded to a call for help from the Delta Terminal at JFK. A Russian citizen and an American had brought a live baby chimpanzee into the United States. The pair claimed that poachers in Liberia had killed and eaten the mother chimp and were about to eat the baby when they happened along. They supposedly bought the chimp from the poachers for \$175 to save it and bring it home as a pet. Liberia then issued a permit in violation of the CITES treaty. The couple were stopped by three separate French Customs officers during their layover in France, all of whom allegedly stated that it was permissible to take the chimp to America. The Service and the U.S. Public Health Service seized the animal, later returning it to a chimp conservation facility and refuge in Africa.

Significant quantities of elephant ivory were involved in two smuggling incidents at JFK International Airport. On December 26, 1999, 12 full African elephant tusks and 14 ivory statues were imported from Cameroon. Entry documents claimed that the items were antiques with a declared value of about \$54,000. Physical inspection of the shipment, however, revealed that the items were covered with ocher, an earthy clay substance used traditionally in Africa. The ocher stained the ivory, making it look older.

Over the course of the next three months, the importer persisted in submitting affidavits, certificates of authenticity, and documents of true origin allegedly substantiating the antique age of the ivory (over 100 years old). Some of the ivory was sent to a carbon dating lab for analysis. New techniques developed a few years ago have made it possible to identify the age of ivory in terms of whether the material dates to before or after the first nuclear explosion in 1945. On April 28, 2000, the lab reported that the ivory had come from an elephant that had died in 1954. The importer immediately abandoned the items.

Wildlife inspectors in New Jersey monitor trade at both the international airport and ocean port in Newark.



Inspectors in Newark, New Jersey, examine shipments at the city's ocean port as well as at the international airport. USFWS

In September 2000, a New York special agent and wildlife inspector responded to an alert from U.S. Customs about a potential ivory smuggler at the International Arrivals building at JFK. They found that the suspect had smuggled 57 elephant ivory carvings from the Ivory Coast. The carvings, valued at more than \$100,000, were covered with a sand and clay substance to hide their true appearance. The carvings and method of concealment were similar to those documented in a case involving another individual previously arrested at the airport.

Routine inspection activities in New York also yielded a variety of wildlife seizures. During one week in October 1999, for example, inspectors intercepted two Siberian weasel coats, three kilograms of caviar, two pairs of whipsnake shoes, five duiker skins from a trophy shipment, and 16 live Bell's hingeback tortoises and 25 forest hingeback tortoises imported in violation of CITES. The shipment of tortoises originated in Benin and indicated that the animals were ranch raised. After examination by experts at the New York Conservation Society, it was determined that the tortoises had been collected from the wild.

Seizures from another week that same month included one lechwe skull, cape, and back skin and 211 varanus items imported in violation of CITES; five ivory carvings in violation of the African Elephant Conservation Act; a live orange-winged Amazon parrot in violation of the Wild Bird Conservation Act; two pieces of leather coral from a tropical fish importer who violated his restricted license; and a leopard skin and skull in violation of the Endangered Species Act. Seizures from one week in December 1999 included two pairs of varanus shoes; 150 live undersized turtles shipped inhumanely; six python pieces; two skirts with python trim; 10 pairs of snakeskin shoes; 14 alligator watchstraps; and a crocodile skin. Two elephant tusks imported in violation of the African Elephant Conservation Act were also seized.

Newark, New Jersey: Wildlife inspectors in New Jersey monitor trade at both the international airport and ocean port in Newark. Like their counterparts in New York, they seized a variety of wildlife products imported or exported in violation of U.S. or international laws during FY 2000.

During one week alone, for example, New Jersey wildlife inspectors seized 119 butterflies and insects imported from Peru in violation of the Lacey Act; two endangered zebra skins, one stuffed turtle, and an iguana imported from Ecuador also in violation of the Lacey Act; and two kilograms of coral imported for bone replacement without a CITES permit. Another typical week's "haul" from March 2000 included one pound of African gray parrot tail feathers, two live African gray parrots, an alligator watchband, a python handbag, two crocodile belts, and a pair of python boots.

Inspectors working the airport seized 42 500-gram tins of caviar found in unclaimed baggage. During a random inspection, they discovered a Chinese medicinal shipment containing dried geckos in a soup mix that had not been declared to the Service. During one week in July 2000, inspectors seized 12 coral and sea shell handicrafts, one alligator belt, and eight jars of caviar imported in violation of CITES. They also found an undeclared shipment containing turtle jelly in a Chinese medicinal shipment, monkey heads, and one vulture head along with undeclared shell products imported from Nigeria.

New Jersey wildlife inspectors helped arrange the placement of more than 60 illegally collected U.S. salamanders, which a well-known British expert had attempted to smuggle to the United Kingdom through Newark International Airport (see p. 60). Humboldt State University in Arcata, California, accepted the entire shipment and agreed to care for the salamanders until they could be permanently transferred to the university for scientific and educational purposes. California state law prevents such wildlife from being returned to the wild.

The seizure inventory from a week in August gives a representative snapshot of inspection efforts at the port of Buffalo and of the range of laws enforced by the Service; seizures included 24 bottles of seal oil capsules imported in violation of the Marine Mammal Protection Act, one owl's foot banned under the Migratory Bird Treaty Act, and two elephant ivory bracelets imported in violation of the African Elephant Conservation Act.

Boston, Massachusetts: Although the designated port of Boston handles significantly less wildlife traffic than New York/New Jersey, inspectors there also routinely intercept illegal wildlife products. For example, during one week in March alone, Service staff seized five sea turtle shell and ivory pieces for CITES violations; eight pieces of coral for CITES and Lacey Act violations; eight stuffed birds for import violations under CITES and two U.S. bird protection laws; and one kilogram of caviar.

Buffalo, New York: Inspectors at the border port of Buffalo monitor wildlife trade moving between the United States and Canada. High-dollar value seizures in FY 2000 included the interception of 2,585 pounds of frozen lake sturgeon imported into the United States without a CITES permit. The shipment had a declared value of \$8,800. Inspectors in Buffalo seized a full mounted lynx trophy imported from Canada in violation of CITES and investigated several shipments of tanned deer skins exported to Canada by an American company that failed to obtain Service clearance. The seizure inventory from a week in August gives a representative snapshot of inspection efforts at the port and of the range of laws enforced by the Service; seizures included 24 bottles of seal oil capsules imported in violation of the Marine Mammal Protection Act, one owl's foot banned under the Migratory Bird Treaty Act, and two elephant ivory bracelets imported in violation of the African Elephant Conservation Act.

Training Partnerships

During FY 2000, Region Five law enforcement staff provided training to other federal and state agencies and to outside groups involved in wildlife trade or other federally regulated activities involving wildlife. These programs helped strengthen existing enforcement partnerships and promote compliance with federal wildlife protection laws.

In January 2000, for example, a wildlife inspector from Buffalo, New York, provided training to newly hired U.S. Customs inspectors as part of a local training program developed by representatives of federal inspection service agencies at the port of Buffalo. In that same month, a New Jersey wildlife inspector conducted a training class for new U.S. Department of Agriculture inspectors at Newark International Airport. Wildlife inspectors in Baltimore, Maryland, provided training to Customs inspectors and National Guard personnel who staff the international mail facility in Sterling, Virginia.

A Pennsylvania special agent taught a segment on federal wildlife laws and regulations to new officers in the Pennsylvania Game Commission's 25th class of wildlife conservation officers at the Ross Leffler School of Conservation in Harrisburg. The Service has secured increased cooperation from state officers as a result of this and prior training sessions.

A special agent from Harrisburg, Pennsylvania, conducted a seminar for the Pennsylvania Taxidermists Association at their annual meeting in State College, Pennsylvania. The presentation, which discussed legal requirements related to tagging and possession of migratory birds, was attended by 50 to 60 taxidermists and was well received. Some of those in attendance expressed an increased willingness to report potential violations.

In December 1999, a wildlife inspector from the New York office presented a workshop on wildlife protection laws at the American Museum of Natural History in New York City. Department curators and field researchers were provided with compliance and regulatory information regarding museum specimen exchanges and overseas collecting.

Public Outreach

Public outreach remained an important part of the region's law enforcement mission during FY 2000. Programs targeted such audiences as students, scouts, Native Americans, and the general public. Enforcement staff also worked with two public institutions to support wildlife education efforts.

Events for students and scouts included a presentation on wildlife trade given by a Massachusetts wildlife inspector as part of a "Take Your Child To Work Day" at the federal courthouse in Boston; small water craft training for girl scouts in Maryland; and an endangered species workshop for boy scout troops from Nassau and Suffolk Counties, New York.

A Virginia special agent represented the Service during portions of the annual Virginia Council on Indians Conference in Richmond. The agent and the deputy chief from the Virginia Department of Game and Inland Fisheries fielded questions from the 100 Native Americans in attendance about federal and state laws controlling wildlife.

In May 2000, a Buffalo, New York, wildlife inspector was interviewed by a reporter for "Science Today," a TV program that airs on a local cable station. In addition to the interview, the inspector also presented an outreach program covering wildlife inspection, wildlife laws, and endangered species to 150 high school students, which was recorded for the cable broadcast.

A Massachusetts wildlife inspector represented the Service at a ceremony opening a new exhibit at the New England Aquarium, which highlights Lake Victoria and its surrounding environment. Staff at the port of Boston spent many hours over the summer inspecting fish and insects imported by the museum from Uganda for public display.

In April 2000, a wildlife inspector in Buffalo participated in a news conference held to highlight the donation of 2,600 pounds of lake sturgeon to the Buffalo Zoo. The Service seized the sturgeon because of a CITES violation. Law enforcement staff arranged the transfer after learning from zoo officials that the sturgeon would provide a wonderful source of food for the polar bears there. The Region Five External Affairs Office helped secure media coverage of the event, which was featured by all the local news channels, the *Buffalo News*, and the Associated Press.



A joint Service/state investigation that uncovered large-scale commercial trafficking in white-tailed deer (top), walleye (bottom), and other fish was the largest undercover effort of its kind ever conducted along the Missouri River in Nebraska and Iowa. Mark Webb/USFWS

Region Six

Region Six contains some of the Nation's most rugged and varied terrain. As of September 30, 2000, 20 special agents and three wildlife inspectors were employed to handle the Service's law enforcement activities in the states of Colorado, Wyoming, Utah, Montana, North Dakota, South Dakota, Nebraska, and Kansas, and at the non-designated ports of entry at Golden, Colorado, and Pembina, North Dakota, and the border port of Great Falls, Montana. The region is also home to the National Eagle and Wildlife Property Repositories, which were managed by the regional law enforcement office during FY 2000.

Commercialization of Native Wildlife

Unlawful commercial exploitation remains a threat to wildlife resources in Region Six. During FY 2000, for example, the Service completed the covert portion of "Operation Fish Tale," a 2 1/2-year probe of illegal fish and deer trade along the Missouri River corridor between Nebraska and Iowa. The investigation, the largest undercover effort of its kind ever conducted in this part of the country, started as a joint endeavor with the Nebraska Game and Parks Commission, Nebraska State Patrol, and Omaha Police Department. Before it was over, assistance had also been received from the Iowa Department of Natural Resources and from conservation officers from Missouri, South Dakota, and Montana.

Throughout the course of the investigation, thousands of pounds of legal and illegal fish were purchased and resold – much of it in interstate commerce – along with the whole carcasses or parts of 51 white-tailed deer, other small mammals, and hundreds of pounds of illegally taken freshwater turtles. In July 2000, six individuals were indicted on felony Lacey Act charges in Omaha, Nebraska, and dozens of others have also been charged through either federal violation notices, Nebraska state charges, or Iowa state charges. Six federal search warrants were served on residences and

Guides and outfitters arranged illegal hunts in which they and their clients took more than the legal limit, tagged animals with tags belonging to others, falsified hunting license applications and records, and killed game during closed seasons.

businesses, where officers seized many boxes of business records along with one vehicle, rifles, and fishing gear. Disposition of charges is pending.

A meat processing plant in Rapid City, South Dakota, was charged with violating the Lacey Act by engaging in the illegal interstate transportation and sale of deer meat. The deer, which were taken in Wyoming and South Dakota, were sold by the South Dakota wholesale meat processor as finished meat products (jerky, summer sausage, and salami) to retail processors in Wyoming. South Dakota officers seized over 10,000 pounds of meat, much of which came from legally killed big game. The owner of the meat processing plant paid \$8,902 in penalties. Twelve other subjects, all Wyoming meat processing plant owners, each paid a \$350 fine for misdemeanor Lacey Act offenses.

Illegal Guiding and Hunting

Preventing the illegal take of game resources has long been a priority for wildlife law enforcement in the West. During FY 2000, Region Six investigators teamed with state and tribal counterparts to conserve game species and protect hunting and fishing opportunities. Crimes probed ranged from dove baiting and license fraud to large-scale poaching and interstate wildlife trafficking.

A major investigation into illegal guiding and outfitting in Wyoming, which documented the unlawful killing of 67 deer and 17 antelope by 64 hunters in 19 different jurisdictions, is near completion. During the course of the probe, the Service and Wyoming Game and Fish identified numerous individuals who came to Wyoming from other states as well as from Puerto Rico, British Columbia, and El Salvador to illegally kill big game. Guides and outfitters arranged illegal hunts in which they and their clients took more than the legal limit, tagged animals with tags belonging to others, falsified hunting license applications and records, and killed game during closed seasons. An out-of-state taxidermist helped orchestrate the violations. Charges include felony and misdemeanor violations of the Lacey Act as well as state offenses. To date, 25 subjects have pleaded guilty and over \$80,000 in fines and \$60,000 in restitution have been paid.

A case involving the illegal take of wildlife in violation of state law provides an excellent example of how effective enforcement partnerships allow the Service to help states protect their wildlife resources, even when no federal laws are violated. During the summer of 1998, 34 antelope and deer were killed with the aid of a spotlight in northwestern Colorado. The animals were not eaten, nor were trophy parts removed. Mature animals as well as fawns



An investigation of illegal guiding and outfitting in Wyoming documented unlawful take of antelope and deer by 64 hunters. Jack Woody/USFWS

A joint investigation with the Colorado Division of Wildlife uncovered an organized poaching ring operating in the Evergreen, Colorado, area. The 10 defendants would kill elk illegally during closed seasons or without valid licenses and transport the animals to California, Idaho, and Washington.

were shot. In some cases, the animals were only wounded and escaped to die slowly. Enforcement officers had few leads for identifying those responsible for the slaughter.

When a potential suspect was eventually located in North Dakota, a Service special agent conducted what turned out to be a crucial interview. The suspect confessed and implicated his two accomplices, admitting that they would drive around and shoot animals for “fun.” All of the defendants were convicted in Colorado state court of between 10 and 27 counts of willful destruction of big game. These felony convictions resulted in one defendant being sentenced to serve a year in jail, pay \$17,075 in fines and fees, perform 1,000 hours of community service, complete 10 years of supervised probation, and lose his hunting privileges for life. A second defendant, who also lost his hunting privileges for life, must serve six months in jail, pay \$10,075 in fines and fees, complete two years of supervised probation, and perform 480 hours of community service. The third subject was sentenced to serve one year in jail, pay \$16,076 in fines and fees, perform 480 hours of community service, complete 10 years of supervised probation, and lose his hunting privileges for life.

A joint investigation with the Colorado Division of Wildlife uncovered an organized poaching ring operating in the Evergreen, Colorado, area. The 10 defendants would kill elk illegally during closed seasons or without valid licenses and transport the animals to California, Idaho, and Washington. One subject pleaded guilty to three class-five state felonies (forgery) related to the wildlife violations and one class-five felony related to an investigation conducted by the Jefferson County, Colorado, Sheriff’s Department. He also pleaded guilty to three charges of illegal possession of elk. He was fined \$20,000 and imprisoned for two years with probation to follow. Charges against other subjects, which include illegal take and unlawful sale of wildlife, are pending.

A Montana individual who was illegally booking archery hunts in the state without the required outfitting license ended up committing felony mail fraud. A Texas hunter who booked such a hunt failed to draw a nonresident elk archery license. The unlicensed outfitter conspired with another Montana outfitter to provide the Texas hunter with an illegal outfitter-sponsored Montana resident license. Both the illegal license application and license were sent through the U.S. mail. The Texas hunter illegally killed a bull elk on the fraudulently obtained resident elk license. The hide was shipped in interstate commerce to the hunter in Texas, violating the Lacey Act. After a lengthy trial in U.S. District Court in Montana, the unlicensed outfitter was convicted of felony mail fraud, conspiracy, and the Lacey Act violation. The Texas hunter was convicted of felony mail fraud. Sentencing is scheduled for early 2001.

A joint federal/state investigation of several Kansas and Oklahoma residents who illegally guided a group of Texas hunters to shoot doves over baited fields along the Kansas/Oklahoma border resulted in the biggest fines ever for dove baiting in Kansas. Agents worked with officers from the Kansas Department of Wildlife and Parks and the Oklahoma Department of Wildlife Conservation to investigate a hunt that occurred on fields that had been heavily baited with milo in the days leading up to the opening of dove season. Since the violations were not detected until after the hunt, skillfully conducted interviews with the defendants were needed to obtain admissions from all that they knew the bait was present. The five Texas hunters each paid \$500 for hunting over a baited area and failing to tag their birds. The main guide paid a \$4,000 fine and lost his hunting and guiding privileges for one year. The second guide/outfitter paid a \$2,500 fine and also lost his rights to hunt and guide for a year. A third guide, who was the least culpable with respect to the baiting, paid a \$1,000 fine and lost his rights to hunt and guide for six months. A fourth guide paid \$500 for transporting illegally taken birds.

An Alabama poacher went home with the biggest fine ever imposed in Montana for a wildlife violation, as a result of a joint investigation with Montana Fish, Wildlife and Parks. . . . The man paid Montana outfitters over \$60,000 for illegal hunts involving mule deer and other game.



A joint federal/state investigation of illegal hunts in Montana involving mule deer and other big game species resulted in guilty pleas from 23 subjects. Gary Zahm/USFWS

A licensed lion outfitter in Montana conspired with an Illinois resident to falsely obtain resident Montana licenses through the mail. The Illinois man then killed a mountain lion in Montana using the illegally obtained license and had the animal shipped back to his residence in violation of the Lacey Act. Under a plea agreement, each defendant was sentenced in U.S. District Court in Montana to pay fines of \$3,500 plus restitution of \$500 to the state of Montana. Both were placed on probation for three years. During this time, they may not possess firearms or hunt, fish, trap, guide, outfit, or accompany anyone involved in such activities anywhere in the world. The mountain lion hide and skull were forfeited to the Service.

An Alabama poacher went home with the biggest fine ever imposed in Montana for a wildlife violation, as a result of a joint investigation with Montana Fish, Wildlife and Parks. The defendant, who pleaded guilty to seven misdemeanor violations of the Lacey Act, is the co-founder of a successful engineering company. The man paid Montana outfitters over \$60,000 for illegal hunts that spanned four years and acknowledged unlawfully killing one white-tailed deer, three mule deer, and three antelope – all bucks. He was fined \$50,000 and ordered to pay another \$50,000 in restitution to the state of Montana. He also lost his hunting and fishing privileges worldwide for three years.

Additional defendants, consisting of guides, hunters, and taxidermists, were charged in the 28-count federal felony indictment and in state court. Offenses cited included hunting without licenses, hunting with illegally obtained licenses, and taking more than the limit. Evidence amassed at the outfitter's Montana ranch included videos of the hunts, a log of the animals killed, and payments for the hunts. To date, 23 subjects have pleaded guilty to state and federal wildlife charges. A total of \$130,000 in fines and restitution has been assessed; 373 months of hunting, fishing, and trapping privileges have been revoked; and 39 illegal animal mounts have been seized.

A film processor in California called the local game warden and reported that he had developed a roll of film containing several photographs of a man holding a dead golden eagle on the side of a highway. Some of the photos also showed two men and a boy posing with an antelope apparently killed on a hunting trip. Service special agents in California and Utah were contacted and successfully identified the individuals. One was a hunting guide from Utah. The other man and boy seen posing with the dead antelope were California residents.

Interviews revealed that the hunting guide allowed the boy, who did not have a hunting license, to shoot the antelope and then tag it with his (the guide's) own antelope tag. The guide charged the father an extra \$1,000 for allowing the son to kill the antelope illegally in addition to the \$5,000 the man had already paid for a legal, but unsuccessful mule deer hunt in the same area. The guide transported the unlawfully shot antelope into Nevada and ultimately back to a Utah taxidermist.

Service agents seized the trophy from the taxidermist because it had been illegally transported in interstate commerce in violation of felony provisions of the Lacey Act. The guide pleaded guilty and was sentenced in federal court in Utah to pay a \$3,000 fine and \$400 in restitution, perform 200 hours of community service at the direction of the Utah Division of Wildlife Resources, and serve two years probation during which time he may not guide or hunt. The father and son agreed to abandon the antelope trophy and avoided charges by cooperating in efforts to prosecute the guide.

Unlawful hunting by two Native Americans in Glacier National Park resulted in the felony conviction of one individual. Working with the National Park Service, special agents investigated two members of the Blackfoot Tribe who shot and killed three bighorn sheep in the park in northern Montana. One hunter killed two of the sheep, one in excess of the legal limit. The two hunters moved the horns and cape of one of the sheep from the park and left the other bighorn ram inside the park boundaries.



Agents pursued a Lacey Act case involving a Missouri resident who illegally killed a bull moose in Wyoming while hunting with a friend's resident license. Ronald Bell/USFWS

The pair did not contest that the location of the kill site was inside the national park. One defendant even admitted that he has walked the entire north-south edge of the park and is very familiar with the boundary locations. The Blackfoot Tribe, however, is claiming that aboriginal and treaty rights allow them to hunt within the confines of the park. The two hunters were charged with conspiracy and felony violations of the Lacey Act. A jury found the hunter who admitted being familiar with the park boundary guilty of two Lacey Act felonies. The second hunter, who was less familiar with the park, was acquitted because the government could not prove he knowingly committed the violations. The judge refused to hear arguments maintaining that tribal members can legally hunt in the park, noting that enabling legislation clearly says that Glacier National Park is closed to all hunting. Sentencing is set for February 2001.

A resident of Missouri who went on a big game hunt in Wyoming wanted to shoot a moose, but he could not obtain a nonresident moose license. Instead, he used a resident license belonging to a friend who lived in Wyoming. The hunter illegally killed a bull moose, had it mounted by a Wyoming taxidermist, and then had it transported back to his residence in Missouri in violation of the Lacey Act. The moose meat was divided among the defendant and several hunting companions. Based on information received by Service agents and Wyoming Game and Fish, a federal search warrant was executed at the hunter's insurance business where he had hung the moose mount with other trophies. The moose and other evidence were seized, and the hunter confessed to illegally killing the animal. The defendant pleaded guilty and was ordered to pay a fine of \$10,000 and \$5,000 in restitution to the state of Wyoming. The person who provided the illegal license has been interviewed and also confessed to the crime. Disposition of his case is pending.

A traffic accident in Kansas led to federal charges involving the illegal possession and transport of wildlife parts. A Kansas resident overturned the pickup truck he was driving along Interstate 70 in the state. When Kansas State Patrol officers arrived at the scene, they discovered several animal parts and notified the Kansas Department of Wildlife and Parks. Because the driver's belongings included several migratory bird parts, state conservation officers contacted the Service. The driver had accumulated the wings and feathers of hawks, owls, pelicans, and song birds along with the skins of several mammals, including an illegally possessed black bear. Leg-hold traps were also found in the truck.

The driver eventually admitted to the violations and was charged with interstate transportation of protected species and illegal possession of migratory bird parts including an eagle feather. He paid \$1,500 in federal violation notices and identified the individual in California from whom he had obtained the eagle feather. That person was fined \$250 via a federal violation notice for the illegal possession and gift of the feather. Although these individuals claimed to hold Native American religious beliefs, neither was a member of a federally recognized tribe.

Safeguarding Endangered Species

The number of grizzly bears killed by humans in Montana and Wyoming is on the rise. Grizzly bear numbers are increasing, and the animals are expanding their range. During the reporting period, dry weather conditions and food shortages resulted in more man-bear confrontations than in previous years. Many bear mortalities were the result of self-defense killings and others were due to mistaken identity by black bear hunters. Some, however, were intentional illegal shootings.

Special agents responded to all bear mortalities to determine cause of death and conduct investigations when illegal take was indicated. They also joined law enforcement personnel from state conservation agencies, the National Park Service, and U.S. Forest Service to conduct backcountry horse patrols. These patrols focused on contacting hunters and other individuals to ensure they understood how to avoid attracting grizzly bears and what to do if they encountered one.



Efforts to protect grizzly bears included backcountry patrols and classes to help guides and outfitters recognize the animals and avoid confrontations. LuRay Parker/ Wyoming Game & Fish

Agents continued to take the lead in providing formal training to guides and outfitters on bear identification, understanding bear behavior, mitigating bear attacks, appropriate food storage techniques, and use of pepper spray. In association with guide and outfitter organizations, they trained seven groups during FY 2000. A team from the University of Florida was brought under contract by the National Conservation Training Center to study the bear avoidance outreach program set up by Region Six agents.

Region Six special agents have played a key role in preventing illegal killing of wolves – a species that the Service has worked hard to reintroduce to parts of its habitat in the West. Although wolf populations continue to grow and packs have expanded their ranges so that some now live totally outside of Yellowstone National Park, no wolves were illegally killed in Montana or Wyoming during FY 2000 – thanks in part to Service law enforcement.

In addition to investigating possible wildlife crimes involving wolves, agents have used non-traditional law enforcement tools to support the recovery of these endangered animals. They conducted intensive ground telemetry monitoring of several packs in Wyoming at a time when the wolves were most vulnerable to human interference. Agents have contacted and built a rapport with the landowners who must deal with wolves. In addition to many public appearances, they participated in the Predator Symposium in Billings, Montana, and the annual Interagency Wolf Conference in Chico Hot Springs, Montana. They also helped members of Congress and their staffs to better understand the issues associated with the wolf reintroduction program.

Agents assisted biologists by helping locate several “lost” wolves and discovered two new packs. These discoveries were extremely important since wolf recovery team staff in Wyoming has been cut by 50 percent. To enhance hunter awareness of wolves, agents distributed over 9,000 wolf information pamphlets to individuals who drew Wyoming hunting licenses in areas occupied by the animals. These pamphlets provided information on wolf identification and asked hunters to report any wolf sightings to Service officials.

Service law enforcement personnel also assisted in testing non-lethal ammunition to control problem or habituated wolves. They trained Service biologists in the use of non-lethal munitions and helped write and implement policies and permits allowing public distribution of this ammunition.

Agents personally investigated all reported wolf mortalities. These efforts allowed timely verification of cause of death, greatly assisting the wolf recovery program by answering questions and preventing rumors. Wolf mortalities were tied to altercations with a moose, a mountain lion, a vehicle, and a legally placed M-44, a poisoning device used for predator control.

Service efforts to uphold the Endangered Species Act in Region Six also involve habitat conservation. The Preble’s meadow jumping mouse, for example, inhabits a very specialized and limited area of watercourses that run off the front range of the Rocky Mountains, extending from southern Colorado into Wyoming. The tiny mouse, which hibernates seven or eight months out of the year and is most active at night, serves an important role as an indicator of the health and condition of the rivers, streams, and other waterways throughout its range. Expanding human populations and land use practices along the front range drainages have led to the decline of the species.

In 1998, the Preble’s meadow jumping mouse was listed as a threatened species. Since then, Service special agents have spent a considerable amount of time addressing the sensitive habitat issues that prompted this listing. In one case, a residential developer south of Denver, Colorado, began grading and installing water and sewer hookups on property identified as Preble’s meadow jumping mouse habitat. When the developer learned about the negative impact on mouse habitat, he contacted an environmental consultant to help negotiate a settlement. The developer agreed to a restoration ratio of



Agents investigated a developer near Denver who proceeded with construction work on property occupied by the threatened Preble’s meadow jumping mouse. USFWS

The largest steel mill in Utah uses a mixture of water and oil to lubricate roller bearings.... Unfortunately, this toxic liquid serves as a deadly attractant to migrating birds, and many die each year after being exposed to the oil.



Service special agent retrieves dead birds from an oil pit at a Utah steel mill investigated for illegal take of migratory birds. USFWS

3 to 1 and a habitat enhancement and creation ratio of 6 to 1. In addition, the defendant paid a \$1,000 civil penalty for unlawful take of a threatened species.

Combating Environmental Contaminants

During FY 2000, Region Six continued its successful efforts to protect migratory birds from oilfield hazards. Agents inspected oil pits in northern and western North Dakota for threats to birds. Working in cooperation with the North Dakota Office of Industrial Commission's Oil and Gas Division, the Service identified and examined problem sites where there had been a history of migratory bird take or unclean operations. Several operators who had problems in the past and whose operations remained hazardous were issued federal violation notices for killing migratory birds. Complaints from the U.S. Forest Service and South Dakota Game, Fish and Parks identified additional repeat violators in that state, who also received federal violation notices.

Although oilfield compliance in Wyoming continues to improve, migratory birds are still dying from encounters with open oil pits in the state. Sixty-nine birds were recovered from a set of pits owned by one oil company. The operator cleaned up the pits and paid a \$5,650 fine. At another location, 14 migratory birds were recovered from a pit owned by another oil company; that firm agreed to clean up the site and pay a \$1,167 fine. Several similar cases are still under investigation.

The largest steel mill in Utah uses a mixture of water and oil to lubricate roller bearings that roll steel into the appropriate form. The water and oil mixture is then drained off into a series of pits and canals, where the oil is eventually recovered and recycled. Unfortunately, this toxic liquid serves as a deadly attractant to migrating birds, and many die each year after being exposed to the oil. Service special agents first documented the problem of migratory bird deaths in these pits some 15 years ago; at one point, the use of streamers and cannons to scare birds away was believed to have resolved the problem.

In the fall of 1999, however, additional bird deaths were documented. Agents found the remains of great blue herons, common snipe, and American avocets in the pits. Although technology is available that could prevent such bird mortalities, it had not been used at the steel mill. Federal charges were filed for the unlawful take of migratory birds. The company paid fines totaling \$750 and agreed to erect exclusion nets over the oil-covered pits and canals or eliminate them completely to prevent future bird deaths. Agents are monitoring the company's progress.

Service special agents investigated the derailment of a large locomotive belonging to a major western railroad company that spilled over 1,500 gallons of diesel fuel into Mill Race Creek near Provo, Utah. The spill not only violated the Clean Water Act, but also killed numerous ducks and other migratory birds in violation of the Migratory Bird Treaty Act. Working with the Service's Division of Ecological Services, agents recovered live and dead ducks from the creek over the course of several days. The violations were referred to the Department of Justice's Environment and Natural Resources Division after diesel fuel was confirmed as the cause of death. The company signed a consent decree to settle this case out of court along with several other claims related to environmental damage. The Omaha-based railroad agreed to pay an \$800,000 fine for seven train derailments that spilled oil and other hazardous pollutants, killing migratory birds in Utah and Colorado. The company must also undertake specific measures to prevent environmental damage in the future.

Service agents in Colorado investigated the unlawful killing of two bald eagles and five golden eagles through secondary euthanasia poisoning. A licensed veterinarian euthanized two mules with pentobarbital but did not properly dispose of them. The eagles fed on the carcasses and died of secondary poisoning. Under a settlement negotiated by the Service and the

Special agents in Region Six continued to carry out their two-prong approach to reducing mortalities of eagles and other raptors caused by power line electrocutions. This approach involves both education and investigations.



Agents in Region Six combat such threats to eagles as power line electrocutions and poisonings. Tom Smylie/USFWS

Solicitor's Office, the veterinarian and rancher will jointly pay \$20,000 in penalties for Eagle Act violations. Of that amount, \$5,000 will go toward a civil penalty assessment while the remainder will be used to develop and implement an educational program to heighten the awareness of veterinarians and ranchers who unwittingly kill wildlife when they use drugs to euthanize livestock but fail to bury or burn the carcasses.

Preventing Bird Electrocutions

Special agents in Region Six continued to carry out their two-prong approach to reducing mortalities of eagles and other raptors caused by power line electrocutions. The first phase involves educating the industry about the threat to avian species, the laws protecting eagles and migratory birds, the retrofitting technology available to make power lines "bird friendly," and the benefits of working with the Service to avoid mortalities.

During FY 2000, for example, agents in Colorado not only worked with the industry but also provided guidance to Service personnel on how to monitor and assist utilities in addressing this problem. The Region helped develop and distribute an award-winning video that discusses the importance of migratory birds from both a species conservation and ecosystem perspective and shows examples of power line design problems, including facility locations that entice birds to perch or nest. In addition to describing the laws protecting eagles and migratory birds, Service Director Clark appears in the video to explain the agency's commitment to work with industry to solve the problem. Agents have teamed with rural utility services, industry consultants, the Western Area Power Administration, North American Falconers Association, Audubon Society, and other groups to prevent raptor electrocutions. This initiative has been made part of the Service's national outreach strategy, and the National Conservation Training Center and University of Florida Environmental Education Center are working to develop an electrocution prevention course that will be taught Service-wide.

The second part of the Division's strategy to curtail eagle electrocutions involves investigating utility companies that repeatedly ignore the problem. Fortunately, efforts to secure voluntary compliance are often successful. Under a partnership with the Colorado Rural Electrical Association, 27 member utility companies have indicated a desire to enter into a Memorandum of Understanding (MOU) to cooperate with the Service. This MOU will provide for the development of avian protection plans to identify problem lines, prioritize retrofitting needs, and set reasonable deadlines for completion of the work. Holy Cross Electric of Colorado earmarked \$1 million for protecting migratory birds, marking the first time a company has agreed to fund such efforts without court intervention.

In 1999, however, another utility operating in Colorado became the first company to be criminally convicted of Migratory Bird Treaty Act and Eagle Protection Act violations in connection with bird electrocutions. Agents made numerous unsuccessful attempts to get the utility to reduce eagle mortalities before the criminal charges were filed in federal court. Under a plea agreement, the company must pay \$50,000 in fines and \$50,000 in restitution, which will go to Colorado State University researchers who will test the mitigating measures implemented by the utility and develop a Service-wide eagle electrocution reporting system. The company is serving a 36-month probationary period and has already spent approximately \$330,000 to retrofit its lines and structures.

In North Dakota, a Service special agent has been working with the Department of Energy's Western Area Power Administration, Edison Electric Institute, a local rural utility service, and the Avian Power Line Interaction Committee to eliminate migratory bird mortalities caused by power distribution lines along the perimeter of Audubon National Wildlife Refuge. Reports dating back to the 1960s document hundreds of line strike deaths involving collisions as well as electrocutions. Work on this project includes the development of a bird activity monitoring system, which will be placed in locations around the refuge where large numbers of bird collisions

The Service agent in South Dakota continued to receive numerous complaints about eagle killings and participated in and conducted several investigations involving the illegal take of eagles and migratory birds.

have occurred. The results of this monitoring initiative and other research being conducted in conjunction with this project will be published, providing guidelines that can help utilities protect birds nationwide.

Enforcing the Eagle Protection Act

Power lines and euthanized livestock were not the only threats to eagles encountered by Region Six agents during FY 2000. The deliberate illegal take of these protected birds remained an enforcement problem in the region. Cases during the reporting period included shootings, poisonings, and even the unlawful collection and possession of live birds.

The Service agent in South Dakota, for example, continued to receive numerous complaints about eagle killings and participated in and conducted several investigations involving the illegal take of eagles and migratory birds. One case, which began in Iowa, involved two Native American brothers who were eventually indicted in federal court in South Dakota for killing eagles on the Rosebud Indian Reservation.

One was sentenced to serve 10 months in prison and pay \$5,000 in restitution for killing two eagles. The other brother fled before he was sentenced, so a federal warrant was issued for his arrest. After being taken into custody, this individual was sentenced to serve 16 months in federal prison for two counts of killing golden eagles. He also will complete two years of supervised release after serving time in prison and must pay \$10,000 in restitution.

This case yielded a significant ruling with respect to interpreting the Eagle Protection Act. The district court judge decided that the first eagle killed represented a first conviction, which under the Eagle Act is always automatically a misdemeanor violation. But the judge ruled that the conviction for the second killing was a "subsequent conviction" under the Eagle Act, and would thus be considered a felony offense.

The case also highlighted the importance of inter-regional cooperation to the Service's law enforcement mission. It involved the work of special agents in seven states belonging to three different Service management regions.

Operation Good Shepherd is an ongoing investigation into the illegal poisoning of eagles by sheep ranchers in northwest Colorado. Agents began looking into this situation when several informants reported that a prominent rancher was instructing his herders to poison eagles and other predators and then hide the carcasses. The workers were shown how to lace dead animals, including deer, with highly toxic chemicals; these poisoned "baits" would kill birds that fed on them.

The investigation expanded when allegations were received that horses were being stolen out of the wild and converted to personal use in violation of the Wild Horse and Burro Act and Lacey Act. Agents also learned that false reports of bear damage may have been submitted to the Colorado Division of Wildlife so monetary damage claims could be collected on sheep mortalities that were not related to bear kills.

The Service was planning a long-term, possibly covert investigation to document the full scope of criminal activity when agents became aware that the sheep rancher was physically abusing his herders. The herders, who were immigrants from Peru, do not speak English and live in wagons in remote locations with their flocks. In addition to physical and verbal abuse, the rancher allegedly deprived them of food, held their passports "hostage," and paid them less than minimum wage. Due to these civil rights violations, the FBI, Department of Labor, and Immigration and Naturalization Service were brought into the investigation. In addition to the Eagle Act violations, the rancher is under investigation by these other federal agencies for involuntary servitude and obstruction of justice offenses.

Service special agents and conservation officers from the Utah Division of Wildlife Resources investigated sites in north central Utah where several

Again this year, law enforcement staff saw an increase in the volume of wildlife and wildlife products crossing the 850-plus miles of international border policed by the Service in Region Six.

golden eagles were found poisoned. The property was owned by a well-known sheep rancher. Nearby residents had complained to local wildlife officials that their dogs were becoming sick or dying from unknown causes. Investigators located sites where deer carcasses had been laced with a restricted-use pesticide known as Temik (Aldicarb). Remote cameras were set up that collected video footage showing defendants tending to the bait sites and removing dead eagles. The landowner pleaded guilty in federal court to one count of violating the Eagle Protection Act.

In a second Utah case, Service agents and state conservation officers teamed to investigate a sheep rancher who put poison on deer carcasses to kill coyotes, but inadvertently killed four bald eagles. The defendant was charged in federal court with violating the Eagle Protection Act, the Migratory Bird Treaty Act, and the Federal Insecticide, Fungicide and Rodenticide Act by using a pesticide in a manner inconsistent with its labeling to lace the deer carcasses. He admitted that he used the federally registered pesticide Temik to bait deer carcasses in an attempt to kill coyotes preying on his sheep. While this type of "predator control" does little to reduce coyote numbers, it can have a devastating impact on local bald eagle populations. The rancher pleaded guilty to violating the Eagle Protection Act and was sentenced to pay a \$1,000 fine and serve six months of supervised probation.

A Wyoming logger was apprehended for possessing two young golden eagles as pets. After cutting down a tree that contained an eagle nest, the man realized that it contained two downy eagles. He thought it would be "neat" to keep them as pets, so he took them home to raise them. Not only did the logger violate federal laws that prohibit the take or possession of eagles, he had no knowledge of raptor care. For example, he fed the birds dried dog food. The U.S. Attorney's Office and local prosecutor agreed that state charges would be filed against the man. He was fined \$1,020 and ordered to serve 90 days in jail.

Monitoring Wildlife Trade

Again this year, law enforcement staff saw an increase in the volume of wildlife and wildlife products crossing the 850-plus miles of international border policed by the Service in the region. The 34 Customs ports in this part of the country handle a constant flow of wildlife imports and exports, which include such items as personally owned pets, reptiles, sport fish, circus animals, waterfowl, taxidermy shipments, furs, and hunting trophies. Commercial wildlife traffic in particular is on the rise, with Service staff in North Dakota alone processing over 1,000 commercial shipments last year.

As traffic grows, the number of violations detected has also increased. In FY 2000, wildlife inspectors and special agents along the U.S.-Canada border addressed over 225 illegal imports and exports with almost half resulting in the issuance of federal violation notices. The wildlife inspector in Denver intercepted additional illegal imports.

Two seizures made at the border resulted in investigations involving the illegal take and smuggling of bald eagles. During a two-day border blitz at Portal, North Dakota, in October 1999, the wildlife inspector spoke with 600 hunters entering the country from Canada and detected 27 Lacey Act/Migratory Bird Treaty Act violations. In one case, 110 ducks were seized for a major overlimit and the individuals involved were fined \$2,250. Another October 1999 border blitz by a North Dakota agent in Pembina resulted in the issuance of 35 federal notices for Migratory Bird Treaty Act violations. Offenses included importing overlimits of birds, failure to have species identification, and importing birds belonging to others.

A wildlife trade case in Colorado involved a taxidermist who unlawfully imported wolves and bears from Canada via the U.S. mail, and then mounted and sold the trophies overseas. The taxidermist knew that Colorado does not have a U.S. Customs mail facility, and that inspection by the Fish and Wildlife Service would be difficult. The Service's Office of Management

As a result of the enforcement efforts of inspectors and agents in Region Six and the rest of the country, the National Wildlife Property Repository received 311 boxes of forfeited and abandoned wildlife property in FY 2000.



Wildlife items seized by the Service are stored at the National Wildlife Property Repository near Denver; some of these materials are used to support conservation education. USFWS

Authority referred the case to the Colorado inspection staff when the taxidermist applied for an export permit. The taxidermist paid fines for the violations.

Special agents and wildlife inspectors along the border continued to conduct outreach and cooperate with Canadian wildlife agencies on a variety of enforcement issues. Wildlife inspectors also presented numerous educational programs to schools and community groups and provided training classes to the U.S. Customs Service and other government agencies. For example, staff in North Dakota participated with U.S. Customs in training 115 North Dakota Air Defense military customs officers, who are tasked with enforcing Customs and Service laws when troops return from overseas. A presentation on wildlife laws and regulations was also given to 76 members of the Manitoba Lodges and Outfitters Association.

As a result of the enforcement efforts of inspectors and agents in Region Six and the rest of the country, the National Wildlife Property Repository received 311 boxes of forfeited and abandoned wildlife property in FY 2000. Staff at the Colorado-based facility completed 126 transfers of property for educational use to Service field offices, state conservation departments, and public institutions.

Local outreach continued to be a major part of the Repository's mission. Staff participated in several conservation programs, including National Wildlife Refuge Week and the Rocky Mountain Arsenal Eagle Festival. The facility hosted over 8,000 visitors during these and other events. Over 300 local citizens also participated in a special "Open House" tour.

Assisting Native American Tribes

There are 42 Native American tribes in Region Six with reservations covering almost 20 million acres. Service special agents spend a considerable amount of time assisting tribes with wildlife-related issues. They coordinate investigations into illegal take of wildlife; meet with tribes and state officials to broker or mediate issues, especially in the land ownership/wildlife management arena; assist with the development and implementation of cooperative agreements; address a variety of hunting issues, especially those involving migratory game birds; assist with prosecution of non-Indians hunting on Indian lands; and help develop and implement tribal game and fish codes.

Law enforcement training is a major continuing area involving Service assistance. In May 2000, for example, Region Six special agents presented a 40-hour wildlife enforcement training course at the Standing Rock Reservation in Fort Yates, North Dakota. The training agenda covered authority and jurisdiction on Indian land, an overview of federal wildlife laws, conducting interviews and interrogations, firearms training, crime scene analysis and evidence collection, orienteering, officer survival, report writing, investigative techniques for wildlife crime, and field exercises. Participants included 41 tribal game wardens representing 17 tribes. In February, agents had attended the Native American Fish and Wildlife Society's Regional Conference.

In response to a request from the U.S. Attorney's Office in South Dakota, a Service agent assisted with the prosecution of several individuals for violating the Archaeological Resources Protection Act on the Crow Creek and Standing Rock Indian Reservations. The violations involved the removal of almost 70 pieces of Native American artifacts from public land. Two subjects were each fined \$500 and both were ordered to pay the Standing Rock Sioux Tribe \$500 in restitution. Another subject was fined \$500 for removing pottery from a site on the Crow Creek Reservation.

Wildlife inspectors also deal with issues that affect the Native American community. In September 2000, for example, the inspector in Montana facilitated the repatriation of 22 medicine bundles that contained eagle feathers and other religious items. The medicine bundles were returned to



The National Eagle Repository fills requests from Native Americans who need eagles or eagle parts for religious purposes. USFWS

the Mookaakin Cultural and Heritage Society Blood/Kainai of the Blackfoot Confederacy in Canada. The transfer was conducted under authority of the Native American Graves Protection and Repatriation Act of 1990.

In FY 2000, the National Eagle Repository sent the largest number of whole eagles to Native Americans since it first started operating. Items distributed included 1,063 whole eagles and 425 eagle parts or loose feathers. The Repository continued to receive a steady flow of requests, logging some 1,109 this year. Of these, 189 were for bald eagles, 525 for golden eagles, and 395 for either. Of the 1,291 whole eagles received, 769 were bald eagles and 522 were golden. The Repository also received 149 eagle parts with 122 coming from bald eagles and 27 from golden eagles. The average number of loose feather orders filled increased from 15 to 21 per month.

Wetland Easement Enforcement

Region Six has over 21,500 contracts covering more than 1.3 million acres of wetland easements, making enforcement of these easement contracts a priority for the Division of Law Enforcement. Service special agents continued to work closely with refuges and wetland management districts to identify wetlands that have been drained, filled, or burned in violation of easement contracts and secure appropriate penalties. Agents in North and South Dakota have approximately 50 open investigations involving wetland easement violations. First-time offenses are normally disposed of through agreements to restore the wetland. Federal charges are only filed if the first-time offender refuses to restore the wetland or if there are repeat violations involved. The government prevailed in all of the cases closed in FY 2000 in which wetlands were illegally drained, filled, or burned, and the wetlands were restored to their original condition. In response to the Johansen decision handed down by the 8th Circuit Court of Appeals in 1996, the Service has mapped wetlands from all pre-1976 easement contracts where violations have been documented.

International Training

Region Six special agents maintained their record of assisting foreign countries by providing training in wildlife law enforcement techniques. One agent, for example, completed a three-week assignment as part of a Service team that traveled to Tarangire and Lake Manyara National Parks in Tanzania to provide law enforcement training to park rangers there. Subjects covered included the handling of firearms, investigative interviews, and crime scene investigation. This agent is scheduled to travel to Cambodia in December 2000 to assist with similar training.

Another agent conducted a three-week training program at the Galapagos Islands National Park in Ecuador. Participants included park enforcement officers along with several other government enforcement officials. A third agent traveled to Kenya to provide training to officers assigned to a special trans-boundary antipoaching and smuggling task force.

These training programs represent a special challenge for they must address commercial poaching and other potentially deadly enforcement problems, but agent/instructors must depend on interpreters to communicate complex enforcement principles and guidelines. Subjects typically covered include contacting subjects in the field, evidence collection and handling, crime scene investigation, search and seizure, interviewing techniques, courtroom presentations, and forfeiture procedures. Planning and organizing these programs also present obstacles to overcome, from dealing with multiple layers of local officials to arranging for advance translation of classroom handout materials. The training programs, which were primarily coordinated through the Department of Interior International Affairs Office, were well received by the participating officers.

Region Seven

Region Seven – the state of Alaska – encompasses 586,000 square miles, an area one-fifth the size of the lower 48 states. It has 33,904 miles of coastline,

Region Seven special agents remained a formidable force for combating illegal commercial big game guiding in Alaska. Much of the hunting done in the state occurs on federal lands, making commercial guiding violations a major investigative priority in the region.

twice the length of the Nation's east, west, and Gulf coasts combined. Some 77 million of the National Wildlife Refuge System's 93 million acres are located here. The state contains species found nowhere else in the United States as well as a variety of ecosystems. Ten special agents were responsible for enforcing federal wildlife laws in Alaska during FY 2000. The region also has two wildlife inspectors based in Anchorage – one of the busiest ports in the United States for wildlife trade.

Illegal Guiding

Region Seven special agents remained a formidable force for combating illegal commercial big game guiding in Alaska. Much of the hunting done in the state occurs on federal lands, making commercial guiding violations a major investigative priority in the region.

The investigation of a loosely knit group of hunting guides who operated illegally out of a private in-holding within Lake Clark National Park continued, keeping agents in Alaska and other regions busy throughout the year. The case, which began with the surveillance of a cabin on the in-holding, broke wide open when the owner's disgruntled employees turned over 21 home videos to agents – videos depicting dozens of illegal hunts for moose, caribou, sheep, black bear, and grizzly bear.

Agents painstakingly identified hunters in the videos one at a time, then located and interviewed them. Nearly all denied any wrongdoing until shown the videos. So far, 13 individuals from four states have pleaded guilty to Lacey Act and Airborne Hunting Act violations. Total penalties include \$73,500 in fines, \$18,850 in restitution to the state, 18 years of probation, and forfeiture of nine firearms, two bows, and 16 trophies.

One of the three ring leaders of the illegal guiding operation was killed in an airplane crash early in the investigation. The other two entered into a mutual defense agreement. After viewing a portion of an evidence video, however, one turned against the other, agreeing to plead guilty and testify against his former partner. This individual will pay a \$50,000 fine, serve four months of home confinement followed by three years of probation and forfeit his Piper Super Cub aircraft, which was used in many of the violations.

A Fairbanks big game guide who arranged for his clients to illegally kill sheep, grizzly bear, and moose in the Brooks Range pleaded guilty to four Lacey Act counts. As part of the plea agreement, the guide forfeited a Piper



Agents patrolled the Yukon River, from the Bering Sea to the Canadian border, to enforce subsistence fishing regulations. Wally Soroka/USFWS

Region Seven special agents have been working closely with Alaska electric utility companies, trying to eliminate eagle and raptor electrocutions. Approximately 100 eagle electrocutions were documented statewide in the past year.

Super Cub aircraft he used during the illegal hunts to the state of Montana. Region Seven agents seized the airplane last year when they found it hidden on a Montana ranch owned by one of the guide's relatives.

Another Alaskan big game guide, who works out of Anchorage, was convicted of Lacey Act violations last year and sentenced to a year in prison. Although he is appealing that conviction, he lost his Piper Super Cub airplane after a civil hearing. At the same hearing, the Service was ordered to return a Cessna 185 to the guide. Both planes had been seized by agents during the investigation. The Piper was used during the illegal hunts, but the Cessna was only used to transport the hunters to the guide's camp.

Protecting Eagles and Other Raptors

Region Seven special agents have been working closely with Alaska electric utility companies, trying to eliminate eagle and raptor electrocutions. Approximately 100 eagle electrocutions were documented statewide in the past year. Many occurred in a handful of coastal communities where eagles congregate around fish processing plants. To address the problem, agents helped set up and conduct a raptor electrocution workshop, which was held in Seward in April. Representatives from most of Alaska's utility companies participated.

In one raptor electrocution case, agents responded to complaints about a woman who, against advice, had fed eagles for several years, causing them to congregate in a residential neighborhood. Several had been electrocuted when perching on power poles. When visited by an agent, the woman, who was obtaining poultry scraps from local grocers to feed the eagles, became argumentative and refused to curtail her activity. As the agent left the property, he found a freshly electrocuted eagle nearby, still clutching a turkey drumstick in its burned talons. Confronted with this evidence, the woman broke down in tears; she vowed never to feed eagles again and cleaned up the food scraps.

Policing Subsistence Hunting and Fishing

Agents who were conducting spring waterfowl hunting patrols on the remote Yukon/Kuskokwim Delta averted a potentially violent confrontation that developed when they met two hunters using lead shot. Both hunters, who were on snowmachines, refused to identify themselves and physically tried to prevent the agents from examining their shotguns.

As the agents tried to document the violations and collect evidence, the two men signaled other hunters in the area, who converged on the agents, brandishing rifles and shotguns and making verbal threats. The agents returned to their helicopter. The pilot, sensing the gravity of the situation, had already started the engine and was ready to lift off as soon as the agents were safely aboard. The agents were, however, able to take photographs of the violators. One of the hunters has been identified. Agents are still trying to identify others involved in the incident.

Helicopter patrols in the area were curtailed a few days later, when CB radio conversations were intercepted describing plans to shoot the helicopter down with high-powered rifles. Those involved in the plan were never identified.

In another potentially dangerous assignment related to subsistence hunting, a team of three special agents was dispatched to the village of Gambel after Service biologists monitoring the walrus harvest there were threatened. The biologists were evacuated from the village, and the agents partially took over their role collecting biological data while enforcing provisions of the Marine Mammal Protection Act.

Although groups of armed angry hunters confronted the agents on several occasions, most villagers were friendly and appreciated the agents' presence. Gambel is located on the northwest tip of St. Lawrence Island, in the middle of the Bering Sea, nearly on the Russian border.

Agents documented numerous cases of illegal fishing, seizing gill nets and hundreds of pounds of illegally taken salmon.



Agents talk to resident during special detail to monitor subsistence walrus harvest in the village of Gambel, on the northwest tip of St. Lawrence Island. Gary Young/USFWS

In October 1999, new regulations expanding federal subsistence fisheries management in Alaska went into effect, bringing the federal government into compliance with a court decision that called for expanded federal jurisdiction over subsistence fisheries in waters within federal conservation units. Region Seven's agents were tasked with enforcing these regulations, which govern subsistence fishing from rivers and lakes within and alongside more than 200 million acres of federally managed lands in the state, including Alaska's 77 million acres of refuge system property.

While subsistence fisheries occur throughout Alaska, agents focused attention on the Yukon River drainage. Alaskan agents, bolstered by counterparts detailed from other regions, patrolled the Yukon by boat and aircraft from the Bering Sea to the Canadian border, a distance of 1,200 miles. The effort was made more difficult by record poor runs of chinook and chum salmon, which resulted in emergency closures of fisheries up and down the river.

Agents documented numerous cases of illegal fishing, seizing gill nets and hundreds of pounds of illegally taken salmon. They also documented cases involving illegal commercialization of subsistence-taken fish. Hundreds of pounds of seized salmon were donated to charity.

Other Investigations and Training Efforts

A Pennsylvania hunter facing federal charges related to illegally taking two brown bears in Russia and importing them through Anchorage was re-indicted by a federal grand jury on three felony counts of filing false accounts of imported wildlife under the Lacey Act and one felony count of perjury. The man pleaded guilty, paid a \$15,000 fine, was placed on three years probation, and forfeited the two bear trophies. The new charges were brought after agents obtained a video showing the hunter shooting two different bears that were "herded" toward him by a helicopter.

Agents conducted a sensitive investigation involving government employees who were removing artifacts from ancient midden sites on remote islands that are part of the Alaska Maritime National Wildlife Refuge. Artifacts, including stone seal oil lamps, stone net weights, and tools and jewelry made from bone and ivory, were recovered. Two subjects paid fines via Notices of Violation. Many of the artifacts are now on public display at the federal building and courthouse in Anchorage.

The volume of wildlife shipments passing through Stevens International Airport in Anchorage continued to grow astronomically.

Agents in Fairbanks investigated the shooting of approximately 40 ravens last winter not far from the city landfill. Agents believe that shooters positioned themselves in the flight path that the birds took between the landfill where they fed and their nightly roosting site, shooting the birds as they passed. Agents pursued several leads and asked the public for assistance through radio and television news broadcasts, but the case remains unsolved.

Agents helped Service refuge officers and the U.S. Attorney's Office prepare a refuge trespass case for formal trial in U.S. District Court in Anchorage. The defendant, who claimed to be a member of the Freeman organization of Montana fame, refused to enter a U.S. magistrate's courtroom, claiming he did not recognize the federal government's authority. The magistrate entered a not guilty plea on his behalf and scheduled the case for trial in the higher court. One week before trial, the defendant paid his \$100 ticket.

As part of a national initiative to provide wildlife law enforcement training to foreign countries, an Anchorage agent spent three weeks in Tanzania instructing park rangers in crime scene investigation, patrol techniques, map and compass navigation, and GPS use. Later in the year, a Fairbanks agent provided similar training to local wildlife enforcement officers on the Galapagos Islands with an emphasis on marine enforcement techniques. Both training sessions were funded by the U.S. Agency for International Development and the Partnership for Biodiversity.

Wildlife Inspection Activities

Wildlife inspectors conducted a check station on the Alaska Highway at the Alaska/Canada border. Although both outbound and inbound vehicles were checked, most of the traffic consisted of hunters returning to the lower 48 from Alaskan hunting trips. Of the 1,194 vehicles contacted, 254 (21 percent) contained some type of wildlife; 18 violations were documented.

The volume of wildlife shipments passing through Stevens International Airport in Anchorage continued to grow astronomically. Two major international mail companies have opened shipping hubs at the airport, and business from the Pacific Rim countries continued to expand. In the past year, wildlife imports increased by more than 32 percent, with inspectors processing more than 3,500 shipments. Based on 1999 statistics, Anchorage was the tenth busiest port in the United States for volume of wildlife. The Service is in the process of making Anchorage the Nation's 14th designated port.

The influx of American hunters traveling to Russia each spring to hunt Russian brown bears continued in 2000. In May, wildlife inspectors contacted 164 hunters returning to the United States via the airport in Anchorage; they inspected 160 brown bear trophies and documented 21 violations. Inspectors continued to receive reports of widespread illegal hunting practices in Russia, including the use of helicopters to take bears and bribes to get Russian officials to allow illegal activities.

A major international mail company was issued 10 violation notices after repeatedly failing to declare wildlife shipments through its Anchorage hub. The company paid \$2,500 in fines for violating the Endangered Species Act. Managers are working to improve their monitoring and reporting of wildlife shipments.

Thanks to the attentiveness of the law enforcement support assistant at the Anchorage import/export office, U.S. Customs seized 5 1/2 pounds of the drug ketamine, commonly referred to as the date rape drug. The support assistant, formerly a customs inspector, was searching international express mail manifests for wildlife shipments when he spotted two suspicious entries and tipped off Customs. This seizure represented the first time that Customs officials have encountered the drug in powder form. They valued the two shipments at over \$60,000.



A wildlife inspector in Anchorage checks a shipment of antlers. USFWS



IV. Office of Law Enforcement Highlights

During FY 2000, the headquarters-based Office of Law Enforcement provided overall program direction and guidance for Service law enforcement that allowed the Division to work more effectively within the agency; improve coordination with state, federal, tribal, and private partners in this country; and strengthen its leadership role in global wildlife law enforcement. The Office's contributions included investigative success in combating illegal reptile trade, bird smuggling, and commercialization of Native American cultural artifacts; extensive international liaison efforts and the presentation of wildlife law enforcement training in Africa; and participation in national and Service initiatives involving such issues as coral reef protection, migratory bird management, and delisting of the bald eagle.

Most importantly, however, the Office continued its efforts to address long-neglected resource issues that threaten the viability and very existence of the law enforcement program. The Branch of Technical and Field Support spearheaded this undertaking with support from Branch of Investigations staff.

Restoring Wildlife Law Enforcement

The Office of Law Enforcement worked successfully with Service and Department budget officials and the Office of Management and Budget to develop a FY 2001 funding proposal that would begin to address the Division's pressing resource needs. Law enforcement budgets since the mid-1980s had failed to keep up with the Division's increased conservation responsibilities and its increased personnel and operating costs. Funding shortfalls had affected the Division's ability to protect wildlife, serve the public, and ensure the safety of its officers. Only 201 special agents were on the job at the end of FY 2000 because the Division could not afford to field a fully staffed law enforcement program. New officers were last hired in 1998, vacancies created by retirements or attrition were left unfilled, and the force in place operated at less than full capacity because adequate funds were not available for case work, travel, gasoline, and safety equipment.

The budget that President Clinton sent to Congress in February 2000 called for the first significant increase in funding for federal wildlife law enforcement in over a decade. It proposed increases that would allow the Service to begin restoring its enforcement capability. Funding was requested to fill high-priority agent vacancies; meet basic safety, equipment, and operational needs; purchase mission-essential scientific equipment at the National Fish and Wildlife Forensics Laboratory; and replace 37 aging vehicles used to support law enforcement operations.

In the fall, Congress passed an Interior Department appropriations bill that provided \$48,259,000 for Service law enforcement in FY 2001 – a budget that includes \$7 million to hire new agents and supplement operational funding; \$360,000 to staff Anchorage as a designated port; and a one-time increase of \$2 million to replace aging enforcement vehicles and obsolete equipment at the Forensics Laboratory. This increase will allow the Division and the Service to begin the multiyear process of rebuilding the agency's wildlife law enforcement program.

International Liaison and Training

The Office of Law Enforcement worked successfully to support global wildlife conservation and improve coordination and liaison with the international law enforcement community. Staff from the Branch of Investigations provided training assistance to international groups and effectively represented the United States at international forums addressing wildlife conservation and law enforcement issues.

Liaison Accomplishments

In April 2000, a senior wildlife inspector served as a member of the U.S. delegation to the 11th Conference of Parties (COP) conducted under the Convention on International Trade in Endangered Species (CITES). Her

Service coordination with INTERPOL, which facilitates the global exchange of information about crimes that transcend national boundaries, yielded support for wildlife investigations and improved understanding of wildlife issues within the global law enforcement community.

participation helped ensure that law enforcement issues were appropriately considered during the group's negotiations of new global wildlife trade controls. The Washington Office also represented the United States at a meeting of wildlife law enforcement representatives from CITES member countries, which was convened in conjunction with the COP by the North American Wildlife Enforcement Working Group.

A six-member Service delegation, which included high-level law enforcement staff, forensic specialists, and the Russia/China desk officer from International Affairs, visited Russia on a factfinding tour to learn more about the Russian caviar industry. Illegal trade continues to threaten the viability of Caspian Sea sturgeon species. Trade monitoring efforts in the wake of the 1997 CITES listing that extended new protections to these fish have revealed problems involving smuggling, permit fraud, and product mislabeling. The Service visit included observation of sturgeon netting in the Volga; tours of a caviar processing facility, caviar packaging plant, fish hatchery, and government-run research laboratory; and meetings with government and industry officials and scientists.

The Deputy Chief participated in INTERPOL meetings in France and Norway. Service coordination with this group, which facilitates the global exchange of information about crimes that transcend national boundaries, yielded support for wildlife investigations and improved understanding of wildlife issues within the global law enforcement community.

In December 1999, a Branch of Investigations senior special agent represented the United States at the Fourth Meeting of the World Customs Organization Working Group on CITES Enforcement in Brussels, Belgium. Approximately 35 countries or international organizations participated in the conference, which focused on improving cooperation and information exchange with respect to the illegal international trade of elephant ivory, sturgeon, reptiles, and Tibetan antelope.

Wildlife trade issues were also a concern at a Caribbean Customs Law Enforcement Conference, held in Dominica in November 1999. A senior special agent participated in the meeting, which focused on improving cooperative enforcement efforts in the region. In that same month, a senior wildlife inspector, who is co-chairing an interagency coral trade working group, attended the first International Marine Ornamentals Conference in Hawaii. The meeting focused on helping the industry improve the collection, culture, and conservation of coral reef species and other marine ornamentals for which the United States remains a major consumer nation.

In October 1999, Law Enforcement and International Affairs staff represented the United States at an international workshop convened to identify measures to protect and conserve the Tibetan antelope, an imperiled species prized for its wool. The meeting, which was sponsored by the CITES Secretariat, World Wildlife Fund, and Chinese CITES Management Authority, was held in Xining, China, on the edge of the Tibetan Plateau. Discussions focused on the illegal trade in shahtoosh shawls, a luxury high-fashion item, and its potentially devastating effect on China's Tibetan antelope population. Participants, which included representatives from the governments of China, India, Nepal, Italy, France, the United Kingdom, and Hong Kong as well as nonprofit global conservation groups, drafted a declaration and action plan that addressed the roles of range, producing, and consumer countries.

International Training

In August 2000, Service special agents, wildlife inspectors, and scientists from the Office of Law Enforcement, the regions, and the Forensics Laboratory participated in a "trophy" seminar in Monterey, Mexico, sponsored by the Commission for Environmental Cooperation's North American Wildlife Enforcement Group (NAWEG). The U.S. delegation provided overview briefings on such subjects as CITES trade controls for trophy species, inspection procedures, fraud and smuggling techniques,

Poaching and illegal trade are among the most serious threats to wildlife in Africa today, where conservation concerns include the slaughter of elephants for their ivory, the near extinction of the rhino, and increased trafficking in chimpanzees, gorillas, and other primates for the bush meat trade.

species identification, and forensic analysis in addition to covering U.S. laws and regulations for the more than 70 participating wildlife law enforcement officers from Canada, Mexico, and the United States.

In July 2000, special agents from the Branch of Investigations and Region Six presented law enforcement training to 25 criminal investigators from 11 African nations participating in the Lusaka Agreement Task Force. The task force was established in 1997 to carry out the provisions of the Lusaka Agreement on Cooperative Enforcement Operations Directed at Illegal Trade in Wild Fauna and Flora. Officers assigned to this unique investigative unit may cross national boundaries to pursue poachers of African wildlife. Poaching and illegal trade are among the most serious threats to wildlife in Africa today, where conservation concerns include the slaughter of elephants for their ivory, the near extinction of the rhino, and increased trafficking in chimpanzees, gorillas, and other primates for the bush meat trade. The training provided by the Service covered procedures for law enforcement operations ranging from road blocks and arrests to raids and undercover investigations. The instructors reviewed techniques for collecting evidence, analyzing crime scenes, interviewing witnesses, and preparing courtroom testimony.



Agents from the Washington Office and Region Six traveled to Kenya to present law enforcement training to officers from the Lusaka Agreement Task Force – a special enforcement unit created to combat wildlife poaching and smuggling in Africa. Gary Mowad/USFWS

The Washington Office also facilitated the donation of more than \$40,000 worth of essential outdoor gear and equipment to support the Lusaka Task Force's enforcement efforts in southern and central Africa. These goods – which were provided by Cabela's, a major U.S. outdoor retailer, and the Safari Club International, a nonprofit hunting and conservation organization – helped meet basic needs for the task force. This public-private partnership in support of African wildlife conservation was announced by Service Director Jamie Rappaport Clark and company co-founder and Chairman of the Board Richard Cabela at a July 18 news conference at the Russell Senate Office Building in Washington, D.C. Clark presented the Director's Corporate Wildlife Stewardship Award to the Nebraska-based company at the July event, where she was joined by Nebraska Senators Chuck Hagel and Bob Kerrey in spotlighting Cabela's donation and the Service training effort.

In December 1999, the Service held a public meeting on behalf of the Coral Reef Task Force to discuss trade issues and potential conservation measures.

Conservation and Enforcement Issues and Policies

During FY 2000, Branch of Investigations staff worked on a number of inter- and intra-agency teams assembled to address a variety of wildlife conservation issues. Key areas included coral reef conservation; protection of migratory birds; permits reform; and control of invasive species. Senior special agents and senior wildlife inspectors were active in the regulatory arena, contributing to a proposed rule updating U.S. implementation of global wildlife trade controls and working to address enforcement issues related to the planned delisting of the bald eagle and implementation of new federal baiting rules and eagle transport permits. Outreach focused on rhino and tiger conservation as well as electrocution threats to raptors and other migratory birds. Efforts to improve the efficiency of law enforcement operations, including the processing of wildlife shipments, were also undertaken.

International Trade

A senior wildlife inspector co-chaired the trade subgroup of the international working group of the Presidentially created U.S. Coral Reef Task Force, directing an interagency effort to analyze U.S. trade data for coral reef species and propose improved trade controls. The subgroup, which includes representatives from the Departments of Interior, Commerce, State, and Justice, worked to facilitate international cooperation for conserving the world's coral reefs and conducted liaison with states and territories, industry, trade groups, and conservation organizations that helped increase public awareness of the U.S. role in the trade of coral reef species.

In December 1999, the Service held a public meeting on behalf of the Coral Reef Task Force to discuss trade issues and potential conservation measures. Senate Commerce Committee staff asked the subgroup to develop draft legislation that would ensure that U.S. trade involving the more sensitive reef species (such as those listed under the CITES treaty) is conducted in a sustainable manner and direct the Secretaries of Commerce and Interior to work with stakeholders to meet this goal. Although trade legislation made only modest progress during the 106th Congress, strong congressional interest remains in addressing coral trade problems.

In May 2000, the Service published a proposed rule revising the federal regulations (50 CFR Part 23) that implement the CITES treaty in the United States. The new regulations incorporate the more than 80 resolutions adopted by CITES member nations since 1977 and provide a comprehensive, easy-to-use guide on how to conduct international trade in CITES species. A joint undertaking by International Affairs and Law Enforcement, the proposed rule explains procedures and requirements that are already in effect; provides definitions for terms, such as sport-hunted trophies; adjusts the rules for traveling internationally with personal and household effects that contain CITES species; calls for the voluntary registration of pre-Convention specimens for newly listed species; and adopts the use of information bulletins to inform the public about restrictions on U.S. acceptance of CITES documents from other countries. The public comment period closed on August 7, 2000; the Service expects to publish a final rule during 2001.

Branch staff worked with International Affairs to draft an outreach strategy for educating the public about the prohibitions contained in the Rhinoceros and Tiger Conservation Act and U.S. and global efforts to save these imperiled species. Many traditional Asian medicinals contain, or claim to contain, ingredients from rhinos or tigers. It is now unlawful to sell any product labeled as containing parts of these animals in the United States. A senior special agent participated in two public meetings, which were held in New York City and San Francisco, to explain U.S. protections for rhinos and tigers and discuss the Service's educational outreach plans. These meetings were intended to gather information from the communities affected by the Act to ensure that final outreach efforts respond to their needs.



Wildlife inspector examines coral specimen. Service work on coral trade issues prompted congressional interest in legislation to promote sustainable use of reef resources. Carl Zitzmann/USFWS

The Branch of Investigations works closely with other Service divisions to identify new threats to migratory birds and develop policies and enforcement programs needed to protect this important natural resource.

The Service's international trade monitoring responsibilities include preventing the importation of invasive species through enforcement of the injurious wildlife provisions of the Lacey Act. Washington Office enforcement staff participate in Service and interagency efforts to address this issue. Over the past year, for example, the Branch of Investigations teamed with other Service programs to work with the interagency Invasive Species Council to identify parameters for assessing threats and draft an Invasive Species Management Plan. Staff also worked with federal and state agriculture agencies to examine problems involving the importation of harmful insects and parasites via live reptiles and amphibians bound for the pet trade.

Migratory Birds

The Branch of Investigations works closely with other Service divisions to identify new threats to migratory birds and develop policies and enforcement programs needed to protect this important natural resource. During FY 2000, these efforts addressed a variety of migratory bird mortality issues, including by-catch of water birds in fisheries, electrocution of raptors, and collisions of birds with communication towers, as well as the implementation and interpretation of migratory game bird hunting regulations.

Senior special agents met with Service biologists and representatives of the fishing industry to assess problems involving the by-catch of water birds and identify solutions. Public outreach and guidance to the industry will be the first step in the Service's effort to eliminate this deadly threat to water bird resources.

During FY 2000, the Washington Office began coordinating Service efforts on a national level to prevent the electrocution of raptors and other migratory birds. This issue was highlighted in a feature article in the January/February issue of *Audubon* magazine, which focused particularly on work by field agents in Region Six. Branch of Investigations staff participated in industry forums to spotlight the problems caused by electric power lines, poles, and equipment and promote efforts by utilities to improve their compliance with the Migratory Bird Treaty Act. In December 1999, for example, a senior special agent addressed the issue at a workshop in Charleston, South Carolina, on avian interaction with utility structures, which was sponsored by the Electric Power Research Institute. In April 2000, Branch of Investigations staff teamed with special agents in Region Seven to present an electrocution workshop in Seward, Alaska, for the state's utility operators. Branch agents briefed another 200 industry representatives on federal prohibitions and penalties at industry forums in Montreal, Canada, and Denver, Colorado.



The 1999-2000 migratory game bird hunting seasons were the first conducted under new Service baiting regulations. Megan Durham/USFWS

Branch of Investigations staff participated in the development of Service communication tower migratory bird conservation guidelines, which were provided to the communication tower industry. These guidelines describe how to avoid the take of migratory birds through proper tower construction, placement, and operation.

The Branch also responded to a number of congressional inquiries regarding the level of baiting enforcement activity and the assessment of penalties under the Migratory Bird Treaty Reform Act. This 1998 law eliminated strict liability for baiting violations, substituting a “know or reasonably should know” standard for these offenses and increasing the fines for hunting over bait and placing bait. During the second session of the 106th Congress, lawmakers continued to express concerns about the new penalties. The Service responded to several requests for information supporting the increased penalty levels. Congress clearly intended the higher penalties to discourage commercial operations from profiteering at the expense of migratory game birds. Reducing potential fines would diminish this deterrent while keeping the higher standard of proof, thus increasing the likelihood that individuals and organizations will bait to improve hunting opportunities.

The 1999-2000 dove and waterfowl hunting seasons were the first conducted under the revised federal baiting regulations that went into effect in July 1999. Branch staff responded to concerns raised by the International Association of Fish and Wildlife Agencies in the aftermath of this initial implementation period, clarifying the Service’s regulatory intent and enforcement policy with respect to three specific issues.

New guidance emphasized that compliance with Cooperative Extension Service recommendations should be the overriding criterion for evaluating whether a planting that has scattered seed or grain is “normal,” not the intent of the planting. Grains or seeds present from plantings for pasture improvements, grazing, haying, or related activities as well as those present from plantings for producing crops that are completed in accordance with Cooperative Extension Service recommendations do not constitute bait. Hunters may hunt waterfowl and other migratory game birds in areas where such plantings have occurred.

The Service clarified the agency’s position with respect to hunting migratory game birds over wildlife food plots and also reaffirmed the legality of hunting doves over fields or pastures where feed has been placed for livestock. Printed brochures providing detailed explanations of federal baiting regulations for waterfowl and dove hunters were prepared and sent to Service law enforcement offices in the regions for distribution to the public.

Endangered Species

During FY 2000, the Branch of Investigations worked closely with Endangered Species program officials to analyze the impact of the Service’s proposed removal of bald eagles from the endangered species list on future legal protections for these birds and their habitats. Input from the Branch helped clarify misconceptions about the safeguards provided by the Bald and Golden Eagle Protection Act.

During the year, senior special agents reviewed and commented on section 9 language in 15 endangered or threatened species listing packages, including rules for the gray wolf, lynx, Buena Vista lake shrew, short-tailed albatross, mountain plover, Alabama sturgeon, Atlantic salmon, Santa Ana sucker, Chiricahua leopard frog, Mississippi gopher frog, and nine Bexar County, Texas, cave-dwelling vertebrates as well as two critical habitat packages, a similarity of appearance listing, and special rules for primates. Law enforcement participation in the listing package review process helped ensure consideration of enforcement concerns and consistent interpretation of statutory prohibitions. These efforts also supported the development of sound information identifying possible take scenarios for the public, promoting better understanding of how listings would affect landowners, businesses, and others.



Agents contributed to Service efforts to analyze the impact of removing the bald eagle from the endangered and threatened species list. Dave Menke/USFWS

In September 1999, the Service published a final rule authorizing the issuance of eagle transport permits to Native Americans and public institutions for the temporary international movement of eagle feathers and parts.



The Washington Office worked to address issues related to new Service permits that allow Native Americans to travel internationally with eagle feathers and parts used for religious purposes. USFWS

The Branch took the lead in seeking a remedy to the enforcement problems resulting from the Justice Department's use of "specific intent" jury instructions in cases involving the illegal take of endangered and threatened species. These instructions, which were adopted in 1998, require the government to prove beyond a reasonable doubt that a defendant knowingly killed an animal and that the person knew the biological identity of the animal at the time of the killing. In the past, the second of these two elements of proof was not required. After tracking the number of cases nationwide that could not be successfully prosecuted because of this policy, the Washington Office briefed the Director and secured agency support in raising this issue. As the fiscal year closed, a letter to the Solicitor was being drafted to formally request legal assistance in working with the Justice Department to reverse the government's position on this question.

Native American Issues

In September 1999, the Service published a final rule authorizing the issuance of eagle transport permits to Native Americans and public institutions for the temporary international movement of eagle feathers and parts. The new permits accommodate the religious and ceremonial needs of enrolled members of federally recognized tribes who want to travel overseas with eagle items and allow the international transport of eagle mounts and parts for scientific and educational purposes. Although this rulemaking actually created an exemption for an otherwise illegal activity, past non-compliance and inconsistent enforcement of longstanding prohibitions with respect to Native Americans visiting Canada and Mexico with eagle items prompted criticism of the new permits as imposing additional restrictions on Indian religious activities.

In April 2000, Law Enforcement, International Affairs, and Migratory Bird Management staff met with regional Native American liaison and external affairs officers to review policy and outreach issues concerning eagle transport permits. Discussions focused on education and ways to improve and implement the permitting process with the least amount of hardship on Native Americans. In May 2000, the Service announced an enforcement moratorium for cross-border transport of eagle items by enrolled tribal members and briefed attendees at the annual meeting of the Native American Fish and Wildlife Society. Outreach activities are underway to encourage voluntary compliance and increase understanding of this issue. Discussions with Canadian authorities were initiated to address continuing concerns from Native American, First Nation, and other indigenous groups about the agency's eagle transport permit regulations.

Management and Customer Service Improvements

A senior wildlife inspector represented the Division of Law Enforcement as a member of the Service permits reform initiative working group. This cooperative undertaking, involving all of the Service's major permit-issuing authorities including the Division of Management Authority, Endangered Species program, and Division of Migratory Bird Management, developed a strategy and action plan for using permits more effectively as a conservation tool and promoting new partnerships to safeguard wildlife resources. Ways to make the permitting process quicker, more efficient, and more customer friendly are also being identified.

After extensive efforts to resolve problems associated with using the U.S. Customs Service's Automated Commercial System (ACS) to file and collect wildlife trade data, Service management officially withdrew from the Memorandum of Understanding that linked the wildlife inspection program with that system and terminated use of the ACS automated broker interface on July 3, 2000. Problems with the system had forced the agency's wildlife inspectors to continue collecting paper entries, defeating the paperwork reduction and customer service goals that prompted the original ACS agreement. In conjunction with the interface termination, the Service made the Declaration for Importation and Exportation of Fish or Wildlife (Form 3-177) available via the Internet for downloading or on-line completion. Plans now call for the development of an Internet-based filing system for all fish and wildlife imports and exports.

As the operational unit of the Office of Law Enforcement, the Branch of Special Operations conducts long-term, complex investigations into the illegal commercialization or large-scale illegal take of protected animals and plants.



A well-known Malaysian wildlife dealer who trafficked in Komodo dragons and other rare reptiles was extradited from Mexico to face charges stemming from a Branch of Special Operations investigation. Ernest Mayer/USFWS

Other efforts to improve the Division's operations included the preparation of a Memorandum of Understanding to formalize longstanding cooperation with the U.S. Marshals Service with respect to the apprehension of fugitives who are the subject of Fish and Wildlife Service felony investigations. The agreement, which was signed June 16, 2000, outlines the responsibilities of both agencies with respect to felony arrest warrants. Efforts were also undertaken to improve cooperation and coordination within the Service between the Division of Law Enforcement and the National Wildlife Refuge System, which has law enforcement authority on refuge lands, and work began on revising and updating the agency's Law Enforcement Handbook.

Special Operations

As the operational unit of the Office of Law Enforcement, the Branch of Special Operations conducts long-term, complex investigations into the illegal commercialization or large-scale illegal take of protected animals and plants. These investigations, which are generally national and international in scope, involve the penetration of well-organized, highly secretive groups of individuals engaged in the illegal wildlife trade.

Key Branch activities for FY 2000 included the extradition from Mexico of a major wildlife dealer from Malaysia; the prosecution of the former curator of reptiles for the San Diego Zoo; the prosecution of a wildlife dealer from Cameroon; the arrest of four individuals who smuggled psittacine birds from Mexico; the investigation of three individuals suspected of trafficking in Native American cultural items; and assistance to the Federal Bureau of Investigation (FBI) in a case involving the interstate sale of an eagle feather headdress allegedly worn by Geronimo.

During FY 2000, Branch agents continued their work on Operation Chameleon, a multiyear covert investigation of the illegal international trade in exotic reptiles. During the reporting period, a number of individuals who had previously been charged were successfully prosecuted.

Covert work on the Asian phase of Operation Chameleon culminated in the fall of 1998 when one of the world's most notorious wildlife dealers agreed to travel from his Malaysian homeland to Mexico City for a pre-arranged meeting with an undercover Branch agent posing as an American reptile dealer. The man was arrested there by Mexican authorities at the request of the Service and Department of Justice. This individual had been indicted in August 1998 in San Francisco, California, along with a wildlife dealer from Hong Kong, a San Francisco attorney-turned-smuggler, and an Arizona reptile dealer. Related charges were later filed against two other Arizona residents.

In August 2000, the Malaysian wildlife dealer was extradited to the United States from Mexico and now faces trial in San Francisco along with three of his co-conspirators. One other co-conspirator, the San Francisco attorney, has pleaded guilty and awaits sentencing. The Hong Kong wildlife dealer remains at large. All six men were charged in multiple count federal indictments which allege conspiracy, smuggling, money laundering, making false statements, and felony violations of the Lacey Act — all related to the smuggling of more than 300 animals worth nearly half a million dollars. The reptiles targeted included such rare and endangered species as Komodo dragons, ploughshare tortoises, and Chinese alligators.

In February 2000, the former curator of reptiles for the San Diego Zoo was sentenced to three years probation and ordered to pay \$74,500 in fines for offenses related to trafficking in rare and endangered reptiles. In August 1999, the reptile curator had pleaded guilty in federal court in San Diego, California, to one count of wire fraud and one count of theft involving a program receiving federal funds. The charges involved nearly \$109,000; some of this money was tied to the illegal sale of rare reptiles, including Australian pythons, that had allegedly been imported for zoological purposes.

Branch agents continued to gather information on a group of individuals in south Texas involved with the smuggling of macaws, toucans, and Amazon parrots into the United States from Mexico. In March 2000, four individuals were arrested on 23 federal felony charges related to the smuggling and illegal sale of protected birds.



In August, 17 military macaws and 11 other parrots purchased during an undercover investigation of bird smuggling were returned to Mexico. Gary M. Stolz/USFWS

In January 2000, a well-known west African wildlife dealer based in Cameroon was sentenced to six months in prison for smuggling protected wildlife into the United States. He had been charged in June 1999 in a 19-count federal indictment in the Northern District of California in connection with selling endangered Goliath frogs and rare African chameleons that were smuggled into the United States or that had falsely been declared as other species on import documents. He was arrested in August 1999 in San Francisco after he traveled to the United States for a business meeting.

As an adjunct to Operation Chameleon, Branch agents continued to gather information on a group of individuals in south Texas involved with the smuggling of macaws, toucans, and Amazon parrots into the United States from Mexico. In March 2000, four individuals were arrested in Texas after being indicted in February 2000 on 23 federal felony charges related to the smuggling and illegal sale of protected birds. Sentencing is expected in early 2001 for three of the individuals; a fourth has fled the country. Other individuals are under investigation in connection with the bird smuggling operations, and more charges are expected later in 2001.

In August 2000, the Service returned 28 rare parrots that were purchased by Branch undercover agents during this investigation to Mexico in a repatriation ceremony in Ciudad Juarez, just across the Rio Grande from El Paso, Texas. The Service works closely with Mexico's Procuraduría Federal de Protección al Ambiente (PROFEPA) and other Mexican enforcement agencies to monitor wildlife trade along the border and uphold both countries' wildlife protection laws. Victor Ramirez Navarro, Assistant Attorney General for Natural Resources, PROFEPA, officially accepted custody of the parrots from Nancy Kaufman, the Service's Southwest Regional Director. The birds returned to their homeland (all of which completed USDA quarantine after being acquired by the Service) included 17 military macaws, three yellow-headed Amazon parrots, four lilac-crowned Amazons, three yellow-naped Amazons, and one blue-crowned Amazon parrot. Service special agents and wildlife inspectors in Region Two helped facilitate the repatriation and regional External Affairs staff coordinated local press coverage of the event.

In addition to its ongoing probe of international reptile trafficking, the Branch of Special Operations also continued a covert investigation into the unlawful trade of Native American cultural items. This investigation, conducted jointly with the FBI with assistance from the National Park Service and Bureau of Indian Affairs, has focused on allegations that a number of individuals were actively involved in the acquisition, possession, and sale of items protected under the Native American Graves Protection and Repatriation Act and the Archaeological Resources Protection Act. Some of the alleged criminal activity also involved unlawful commercial sale of items that contain parts of protected migratory birds, including eagles – sales that violate the Migratory Bird Treaty Act, Bald and Golden Eagle Protection Act, and Endangered Species Act.

In February 2000, agents served two federal search warrants in Santa Fe, New Mexico, and one in Minneapolis, Minnesota, in an effort to recover items of Native American patrimony and to obtain evidence related to their unlawful possession and sale. Items seized included an eagle feather headdress that had been offered for sale for \$140,000. In June 2000, a Minnesota resident was indicted on four counts of violating the Bald and Golden Eagle Protection Act. In November, he pleaded guilty to charges contained in a superseding indictment, which included four counts of violating the Bald and Golden Eagle Protection Act and four counts of violating the Migratory Bird Treaty Act, all related to the sale of Native American cultural items containing eagle and migratory bird feathers. He is awaiting sentencing. Charges are pending against a number of other individuals allegedly involved in the sale of Native American cultural items.

In October 1999, the FBI arrested two Atlanta, Georgia, men in Philadelphia, Pennsylvania, as the result of an investigation conducted jointly with the



The Branch of Special Operations helped the FBI investigate the unlawful sale of an eagle feather headdress once allegedly worn by the Apache leader Geronimo. Ernest Mayer/USFWS

Service that documented an Internet offer to sell an eagle feather headdress allegedly worn by the Apache leader Geronimo. The headdress, which sported 48 eagle feathers, was offered for sale for \$1.2 million; the owner maintained that Geronimo wore it in 1907 during the “Last Pow-Wow” in the Collinsville Indian Territory shortly before that area became the state of Oklahoma. In October 2000, both men pleaded guilty to misdemeanor Migratory Bird Treaty Act violations. The disposition of the headdress is being decided by a federal judge in Philadelphia; both the Mescalero Apache Tribe and the Comanche Tribe of Oklahoma have made claims for the return of the headdress.

Training and Inspections

The Branch of Training and Inspection prepares new special agents and wildlife inspectors to work in the field; keeps Service law enforcement officers up to date on the skills and knowledge needed to do their jobs; assists the Division of Refuges with law enforcement training programs as requested; and provides wildlife law enforcement instruction to other federal, state, and international agencies.

The Branch conducts basic training for new Service officers at the Federal Law Enforcement Training Center (FLETC) in Glynn, Georgia, and annual in-service training for special agents and wildlife inspectors. In-service programs are designed to refresh basic law enforcement skills and brief officers on changes in laws, regulations, and policies. The Service’s National Conservation Training Center (NCTC), located in Shepherdstown, West Virginia, has hosted these advanced programs in recent years.

The Branch continues to be involved in the Field Training Agent Program and coordinates regional law enforcement details for new agents. The Branch is also working with the University of Maryland at Eastern Shore to develop a criminal justice program emphasizing resource law enforcement, including coursework in such areas as endangered species protection and wildlife forensics.

During FY 2000, Branch staff located at FLETC and Arlington, Virginia, administered the various training programs required for Service law enforcement personnel. The Branch also provided training on wildlife protection laws to the U.S. Customs Service and other federal agencies; addressed issues related to force readiness; and helped plan and coordinate training programs for wildlife law enforcement officers overseas.

Branch staff began the year completing final preparations for the national wildlife inspector in-service program. Two one-week in-service training sessions for inspection staff were presented at NCTC during the weeks of October 19-22 and October 26-29, 1999. The program included updates concerning relevant international laws presented by representatives from the Canadian Wildlife Service and PROFEPA, Mexico’s wildlife and environmental enforcement authority; overviews of changes in domestic wildlife laws; protective mask fittings; sessions on mammal and coral identification; and instruction in verbal judo.

Fifteen new wildlife inspectors successfully completed Wildlife Inspector Basic School, which was conducted at FLETC, June 19-July 14, 2000. The four-week course covered such topics as Service authority and jurisdiction, major wildlife laws, wildlife identification, courtroom testimony, report writing, interviewing techniques, self defense, and wildlife forensics. Instructors included guest speakers from the Department of Justice, U.S. Customs Service, Environment Canada, FLETC, and the Center for Disease Control, as well as Service senior wildlife inspectors and special agents.

Although agent in-service programs were presented this year on a regional basis, the Branch conducted special training for agents and some of their federal counterparts focusing on specific skills. In January, for example, the Branch teamed with NCTC and Sig Sauer, Inc., to conduct a two-day

The Branch of Training and Inspection continued to provide instruction on wildlife inspection responsibilities as part of all U.S. Customs Basic Inspector Training programs at FLETC.

Armorer's School for special agents and refuge officers in Hagerstown, Maryland. All armorers must complete this training every three years. In May, the Branch worked with Region Three, FLETC, and FLETC's Firearms Division to conduct instructor training on using simunitions for firearms courses; special agents, refuge officers, and National Park Service rangers attended the program, which was held in Sandusky, Ohio.

The assistance of U.S. Customs Service officers is critical to Service efforts to monitor wildlife trade at the Nation's ports of entry. The Branch continued to provide instruction on wildlife inspection responsibilities as part of all U.S. Customs Basic Inspector Training programs at FLETC. In FY 2000, the Branch's training officer conducted 24 classes for 576 Customs inspectors.

On June 27-29, 2000, the Branch conducted a "Law Enforcement for Managers" training program at FLETC for 10 officials from Service headquarters and regional offices. The program was designed for Service managers who have overall responsibility for the administration of law enforcement activities in their respective regions and on national wildlife refuges. The program exposed the managers to a variety of law enforcement issues and provided an overview of the roles and responsibilities of special agents, wildlife inspectors, and refuge officers. Participants also had an opportunity to review and discuss Service law enforcement policy and procedures as they relate to specific regional and programmatic concerns.

Organizing enforcement training opportunities for other groups remained part of the Branch's mission in FY 2000. A team of four special agents from Regions Five, Six, and Seven conducted a law enforcement training program for 32 rangers at Lake Manyara and Tarangire National Parks in Tanzania. The program included classroom instruction, field patrols, and practical exercises.

In May, the Branch coordinated with the regions on conducting a workshop for 300 attendees at the Native American Fish and Wildlife Society National Conference in Reno, Nevada. An overview of the Division was presented stressing the standards and qualifications for the hiring of special agents and wildlife inspectors.



The Branch of Training and Inspection worked on a number of issues and programs involving firearms use and instruction. USFWS

In April 2000, the Branch supervised a special security detail in conjunction with the Office of Managing Risk and Public Safety to ensure the safety of government personnel and property during demonstrations protesting global economic policies of the International Monetary Fund and World Bank in Washington, D.C.



Washington, D.C. special agents helped protect government property and personnel during April demonstrations. Rick Thornton/USFWS

The Branch's training officer served as a consultant to FLETC's International Division on the development of the International Law Enforcement Academy's new training facility in Gabarone, Africa. As a member of the Interior Department's Firearms Work Group for Non-Law Enforcement Personnel, the Branch participated in efforts to develop departmental policy on non-enforcement personnel carrying firearms while on duty. The Branch also worked with the Forensics Laboratory on the development of safety guidelines for firearms instructors regarding test firing weapons for forensics or evidence examination purposes.

In April 2000, the Branch supervised a special security detail in conjunction with the Office of Managing Risk and Public Safety to ensure the safety of government personnel and property during demonstrations protesting global economic policies of the International Monetary Fund and World Bank in Washington, D.C. The special four-day, around-the-clock assignment represented the first time that Service agents were "deputized" by the U.S. Marshals Service for such an event in the Nation's capital. The Service team consisted of Washington Office and regional special agents.

The Branch is working with the Department of the Treasury, U.S. Customs, National Park Service, and NCTC on a committee tasked with planning the development of a new law enforcement training facility. This facility, which will be built on Service land in Harper's Ferry, West Virginia, will enhance in-service training for the agency's law enforcement personnel.

The Branch conducted field inspections in Regions One and Two. In May, an inspection team visited law enforcement offices in Victoria, Texas; Flagstaff, Arizona; and Albuquerque, New Mexico. The Region One inspection, which was completed in June, examined law enforcement offices in Torrance, California; Boise, Idaho; and Portland and Wilsonville, Oregon.

During FY 2000, the Branch participated in a number of conferences focused on training and recruitment issues. The Branch attended the Association of Law Enforcement Trainers Seminar in Richmond, Virginia, which examined such topics as law enforcement equipment, managing change, and physical fitness and firearms training techniques, and represented the Service at the National Summit on Cyber Crime in Washington, D.C. The Branch also participated in a National Retention and Recruiting Conference, which focused on such issues as effective use of web sites for recruitment and strategies for attracting and retaining qualified employees.

Technical and Field Support

The Branch of Technical and Field Support played a major role in developing the Division's unprecedented FY 2001 budget submission and providing the backup materials needed to support the requested increase when it was reviewed by House and Senate committees in Congress (see p. 83).

In FY 2000, the Branch made significant enhancements to the Division's Law Enforcement Management Information System (LEMIS 2000) aimed at improving performance, standardizing data, and increasing user acceptance. A completely revised investigative subsystem was formally released to a wide cross section of special agents, wildlife inspectors, case managers, and administrative staff. Training sessions were held in all regions to maximize exposure and provide direct, hands-on experience. As an Internet-based application, this new module now allows more Division users to access and enter vital information from virtually anywhere. The new investigative subsystem also greatly improves the Division's ability to centrally manage and maintain data critical to daily enforcement functions.

The LEMIS 2000 declarations subsystem also underwent significant change in FY 2000. This revision directly links the declarations and investigations modules, streamlines data entry, and improves data reliability. Wildlife inspectors were trained on this system during their in-service programs in October 2000.

The Branch of Technical and Field Support also manages a centralized data entry group, which is tasked with entering key information from thousands of wildlife import/export declaration forms into LEMIS 2000 each year.

To support these major software improvements, the Branch worked with the Division of Information Resources Management to implement hardware upgrades to production and training servers located in Denver, Colorado. Both now run on simplified, parallel platforms and are monitored 24 hours a day, seven days a week, to ensure that all law enforcement personnel have immediate access to information.

The Branch of Technical and Field Support also manages a centralized data entry group, which is tasked with entering key information from thousands of wildlife import/export declaration forms into LEMIS 2000 each year. The LEMIS 2000 import/export database is used to develop statistics on many different aspects of the international wildlife trade. In FY 2000, the Branch processed numerous requests for such data filed under the Freedom of Information Act.



V. Forensics Laboratory

In September 1988, the Service opened the 23,000-square-foot National Fish and Wildlife Forensics Laboratory in Ashland, Oregon, creating the world's first and only full-service crime lab devoted to using science to help solve wildlife crimes. The Laboratory, which was later renamed in honor of the late Clark R. Bavin, who headed up Service law enforcement from 1972 to 1990, makes a key contribution to U.S. and international wildlife law enforcement.

The primary mission of the Laboratory is to make species-specific identifications of wildlife parts and products seized as evidence and to link suspect, victim, and crime scene through the examination and comparison of physical evidence, much like a police crime lab. Laboratory scientists also determine the cause of death of wildlife crime victims, information that can be crucial in many investigations.

Because there were few wildlife forensic techniques available to support species-specific identifications and other necessary analyses, research has been an important and essential part of the Laboratory's work from the beginning. Laboratory scientists investigate and develop new identification methods and analytical techniques and present their results to the scientific community via papers and publications.

Analyzing evidence, however, is the Laboratory's first priority. Primary user groups include Service special agents and wildlife inspectors, law enforcement officers from other federal and state agencies, and the signatory countries to the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES).

Since opening for business in 1988, the Laboratory has received over 5,500 cases, analyzing more than 39,000 pieces of evidence. Casework submissions have increased each year. A case may involve one or multiple examination requests; each request represents a commitment on the part of the Laboratory to provide expert witness testimony in a federal, state, or international court of law.

In addition to casework and research, Laboratory personnel also provide valuable training to Service law enforcement officers and to law enforcement personnel from other federal and state agencies and other countries. The staff also supports the wildlife subgroup of INTERPOL and works with such organizations as the American Society of Crime Laboratory Directors. In 1997, the Laboratory earned accreditation from that group — a professional status attained by only half the crime laboratories in the United States.

Laboratory staff include experts in such fields of forensic science as criminalistics, morphology, serology, chemistry, and pathology. Technical support professionals also make key contributions.

FY 2000 Accomplishments

In FY 2000, lab scientists worked on 581 cases involving the analysis and/or comparison of 4,067 items, a 20-percent increase over the previous year. The Laboratory added two new positions to its staff: a senior herpetologist and a senior firearms examiner. Its web site, located at < www.lab.fws.gov >, received more than 1.6 million hits over the course of the year.

Laboratory staff devoted a great deal of research and casework effort to two high-profile national and international wildlife protection issues in FY 2000: the legal and illegal trade in sturgeon eggs (caviar) and the illegal trade of shahtoosh shawls.

Work continued on the identification of the species of sturgeon eggs to support Service efforts to regulate the caviar trade and enforce CITES protections for these imperiled fish. The Laboratory's expertise in this area proved critical to a major Service investigation involving fraudulent trade in sturgeon and paddlefish (see p. 58) as well as to the agency's ongoing

The Laboratory continued to maintain its status as an accredited forensics laboratory under the comprehensive American Society of Crime Laboratory Directors/ Laboratory Accreditation Board (ASCLD/LAB) standards.



Lab scientists examine thousands of pieces of evidence from wildlife crime investigations each year. USFWS

monitoring of caviar shipments at the Nation's ports of entry. In an effort to assist Russian authorities with their caviar trade issues, three members of the Laboratory staff traveled to Moscow and Astrakhan in an attempt to collect reference sturgeon samples and observe Russian fishing and processing techniques for sturgeon and caviar.

The Laboratory's ability to positively identify the fibers in shahtoosh shawls as coming from the endangered Tibetan antelope and to clearly distinguish these fibers from the hair of other ungulates gave the Service the scientific evidence needed to bring smuggling charges in the Nation's first prosecution for illegal trade of these high-priced fashion accessories (see p. 60). Shutting down the shahtoosh trade will be vital to efforts to protect the Tibetan antelope, a species that is rapidly being hunted into extinction for its incredibly fine wool.

The Laboratory continued to maintain its status as an accredited forensics laboratory under the comprehensive American Society of Crime Laboratory Directors/Laboratory Accreditation Board (ASCLD/LAB) standards. (All accredited ASCLD/LAB forensics laboratories must meet rigorous standards on a yearly basis and undergo a comprehensive inspection every five years.)

Staff dedicated a considerable amount of time to establishing and enhancing written analytical protocols, which are required by the ASCLD/LAB for all analytical processes conducted by laboratory scientists and technicians. In addition, the Laboratory maintained a rigorous Quality Assurance/Quality Control program (which includes proficiency tests, quality control audits, technical and administrative review of evidentiary cases, etc.) to meet ASCLD/LAB and Service standards. Two senior members of the Laboratory staff qualified as ASCLD/LAB inspectors.

Morphology Team Accomplishments

The Herpetology Unit focused on the morphological identification of Asian snakes seen in the wildlife trade. Research areas included identification by digital infrared imaging, cross-section analysis, study of overall gross morphology, and assessment of the impact of tanning on the morphological identification of snake skin leather.

In addition to the work on shahtoosh identification described above, the Mammal Unit investigated the taphonomic (decay) effects of various substrates on the preservation and deterioration of animal hair. Scientists established a morphological sequence of hair degradation that can be used to make time-since-death estimates. Additional research included documentation of the three-dimensional skull morphology of five species of large felids; this information will help wildlife law enforcement officers distinguish large cat skulls seized as evidence.

The Ornithology Unit focused on the establishment of a morphometric database which, for the first time, will make it possible to identify the species source of detached eagle talons. The unit is also creating a "virtual collection" using digital photographs of bird specimens not currently represented in the Laboratory's Morphology Standards Collection to make the set of ornithological references more comprehensive.

Criminalistics Team Accomplishments

The Criminalistics Unit developed and published an improved forensic technique for the analysis of soil from evidentiary sources (see the first bibliographic entry in the "Publications" section on p. 98). In addition, the latents examiner is being cross-trained in firearms examination procedures.

Chemistry Team Accomplishments

Research endeavors within the Chemistry Unit focused on refining protocols for existing pesticide compounds in order to maximize instrumental sensitivity for each pesticide. These improvements will help ensure the proper identification of pesticides in submitted casework.

The Genetics Team worked on developing DNA markers from a number of mammal species, including rhinoceros, elk, moose, white-tailed deer, lynx, and bobcat.



A research intern/volunteer assists with case work in the Laboratory's serology/genetics section. Jim Chamberlain/USFWS

The increase in analytical sensitivities achieved has already translated into an increase in positive identifications of poisons in items submitted for analysis. Historically, the Chemistry Unit had been able to identify poisons in 50 percent of the cases received. During this past fiscal year, the Laboratory positively identified poisons in roughly 75 percent of the cases analyzed.

Genetics Team Accomplishments

The Genetics Team worked on developing DNA markers from a number of mammal species, including rhinoceros, elk, moose, white-tailed deer, lynx, and bobcat.

The team submitted 51 partial sequences of mitochondrial cytochrome b from sturgeon type standards and caviar samples to GenBank ([NCBI_REF 889244], GenBank accession numbers AF308879-AF308929). Genetics researchers produced two comprehensive reports documenting ongoing research with respect to the *Acipenseridae* family. The first paper, "The Development of a DNA Procedure for the Forensic Identification of Caviar" (S.R. Fain, J.P. LeMay, J.A. Shafer, R.M. Hoesch, B.C. Hamlin, and D.J. Straughan), was submitted to the Director at the beginning of January 2000. The second report, "Genetic Variation in the River Sturgeon *Scaphirhynchus (Acipenseridae)* as Inferred from Partial mtDNA Sequences of Cytochrome b" (S.R. Fain, B.C. Hamlin, and D.J. Straughan), was submitted to the Service's Assistant Director for Ecological Services later that same month.

Pathology Team Accomplishments

The Pathology Team observed an increase in cases related to environmental problems. Examples include electrocution of eagles on power lines, lead poisoning, and poisoning of wildlife with ethylene glycol, carbofuran, and organophosphates.

Publications

Cox, R.J., H.L. Peterson, J. Young, C. Cusik, and E.O. Espinoza. 2000. "The Forensic Analysis of Soil Organics by FTIR." *Forensic Science International*, v. 108, pp. 107-116.

Trail, P. 2000. *Differentiating the Tail Feathers of Band-tailed Pigeons and Rock Doves (Feral Pigeons)*. Identification Notes for Wildlife Law Enforcement No. B-00-3. USFWS National Fish and Wildlife Forensics Laboratory, Ashland, Oregon.

Trail, P. 2000. *Differentiating the Tail Feathers of Mourning, White-winged, and Inca Doves*. Identification Notes for Wildlife Law Enforcement No. B-00-2. USFWS National Fish and Wildlife Forensics Laboratory, Ashland, Oregon.

Trail, P. 2000. *Recognizing the Feet and Talons of North American Birds of Prey. Part I: Key to the Major Groups; Part II: Distinguishing Buteo, Accipiter, and Falco. Part III: Distinguishing Bald and Golden Eagles*. Identification Notes for Wildlife Law Enforcement No. B-00-1. USFWS National Fish and Wildlife Forensics Laboratory, Ashland, Oregon.

Yates, B. 2000. "Recognition of Tiger Parts in Trade." Annex 2 in *Far from a Cure: The Tiger Trade Revisited*, edited by K. Nowell. TRAFFIC International, Cambridge, United Kingdom. pp. 90-96.

Yates, B. 1999. "The Vertebrate Remains from the Dan Baker Site" (co-authored with L. Schniebs and W. McClure). *La Tierra*, v. 25, no. 4, pp. 29-33.



VI. Historical Background

Federal wildlife law enforcement celebrated its centennial in 2000 with the 100th anniversary of the Lacey Act — the Nation's first federal wildlife protection law. That Act's prohibitions on the importation of injurious wildlife and interstate commerce in illegally taken game species were followed by a series of measures aimed specifically at protecting migratory birds. With these laws and treaties came the age of the “duck cop.” Policing waterfowl hunters and protecting waterfowl populations from commercial exploitation would long be a major focus for federal wildlife law enforcement.

During the middle decades of the century, however, increasing human pressures on populations and habitats of many different animals — from whooping cranes to American alligators — began to take their toll. Special protections for bald eagles (1940) and then golden eagles (1962) were put in place. The 1960s saw the first steps to protect a broader range of endangered species — steps that would culminate in the comprehensive 1973 Endangered Species Act and negotiation of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES). Laws to protect specific types of wildlife, from marine mammals and African elephants to wild birds and tigers, targeted special conservation concerns.

With these developments came new roles and responsibilities for Service law enforcement. From 1918 until the early 1970s, the word “game” consistently appeared in the job titles used for federal wildlife law enforcement officers. In 1973, however, the Service began calling its investigators “special agents,” a name better suited to the expanding challenges of the job. In 1975, the Division of Law Enforcement hired a biological technician to inspect wildlife shipments in New York — the beginning of a trade inspection force that would expand the following year to cover eight ports of entry. The opening of the world's first wildlife forensics laboratory in 1988 made science and technology an integral part of the Service's enforcement team.

The Division of Law Enforcement today focuses on combating international wildlife trafficking, unlawful commercial exploitation of native species, environmental contamination, and habitat destruction. Partnerships with states, tribes, and foreign countries make Service special agents, wildlife inspectors, and forensic scientists part of a national and global network committed to protecting wildlife resources.

The chronology below traces the development of federal wildlife law enforcement and records major historical milestones for the protection of wildlife in the United States and around the world.

Chronology of Key Events

1900. The Lacey Act took effect as the first federal law protecting game; it prohibited the interstate shipment of illegally taken wildlife and the importation of injurious species. Enforcement of this Act became the responsibility of the Division of Biological Survey, U.S. Department of Agriculture.

1905. The Division of Biological Survey became the Bureau of Biological Survey and remained in the Department of Agriculture.

1913. The Federal Migratory Bird Law (Weeks-McLean Law) became effective, and the first migratory bird hunting regulations were adopted on October 1.

1916. The United States signed the Migratory Bird Treaty with Great Britain (acting for Canada), recognizing migratory birds as an international resource.

1918. The Migratory Bird Treaty Act became law, making it unlawful to take, possess, buy, sell, purchase, or barter any migratory bird. The Act's prohibitions also applied to the feathers, parts, nests, and eggs of these birds.

1920. In the case of *Missouri v. Holland*, the U.S. Supreme Court upheld the constitutionality of the Migratory Bird Treaty Act, “establishing beyond question the supremacy of the federal treaty-making power as a source of authority for federal wildlife regulation.” Citing the state ownership doctrine, Missouri had filed suit to prevent a U.S. game warden from enforcing the Act within the state.

1926. The Black Bass Act became law, making it illegal to transport in interstate commerce black bass taken, purchased, or sold in violation of state law.

1934. The Migratory Bird Hunting Stamp Act became law, requiring all waterfowl hunters aged 16 and over to possess a “Duck Stamp.”

Also in that year, a Division of Game Management was created in the Bureau of Biological Survey, Department of Agriculture, with responsibility for wildlife law enforcement.

1935. The Lacey Act was expanded to prohibit foreign commerce in illegally taken wildlife.

1936. The United States signed the Migratory Bird Treaty with Mexico.

1939. The Bureau of Biological Survey, Department of Agriculture, and the Bureau of Fisheries, Department of Commerce, were transferred to the U.S. Department of the Interior.

1940. The Bald Eagle Protection Act became law, prohibiting a variety of activities involving the species, including import, export, take, sale, purchase, and barter.

The Bureau of Biological Survey and the Bureau of Fisheries were combined to form the Fish and Wildlife Service, Department of the Interior. All law enforcement responsibilities continued to reside in the Division of Game Management.

1951. Fish and Wildlife Service Director Albert Day announced an expanded program of enforcement and management for the protection of migratory waterfowl, transferring the personnel and funds of the Section of Waterfowl Management Investigations to the Branch of Game Management.



As this photo from the early 1930s shows, market hunting for waterfowl remained a wildlife conservation problem and law enforcement challenge well into the 20th century. USFWS

1956. The Fish and Wildlife Service was reorganized into the U.S. Fish and Wildlife Service, consisting of a Bureau of Sport Fisheries and Wildlife and a Bureau of Commercial Fisheries. Wildlife law enforcement responsibilities were placed in the Branch of Management and Enforcement of the Bureau of Sport Fisheries and Wildlife.

1960. Following an investigation that revealed large-scale market hunting of waterfowl, the Migratory Bird Treaty Act was amended to include felony provisions for commercial activities — a \$2,000 fine or two years imprisonment, or both.

1962. The Bald Eagle Protection Act became the Bald and Golden Eagle Protection Act and extended protection to golden eagles.

1970. The Endangered Species Conservation Act of 1969 took effect, prohibiting the importation into the United States of species “threatened with extinction worldwide,” except as specifically allowed for zoological and scientific purposes and propagation in captivity. The Act amended the Black Bass Act to prohibit interstate and foreign commerce in fish taken in violation of foreign law, a provision that had been added to the Lacey Act for wildlife in 1935. It also amended the Lacey Act so that its prohibition on interstate and foreign commerce applied not only to wild birds and mammals, but to reptiles, mollusks, amphibians, and crustaceans. This amendment was made in an effort aimed primarily at protecting the American alligator.

The Bureau of Commercial Fisheries was transferred to the Department of Commerce and became the National Marine Fisheries Service.

1971. The Airborne Hunting Act was signed into law, prohibiting the use of aircraft to hunt or harass wildlife.

1972. The United States signed the Migratory Bird Treaty with Japan. The Migratory Bird Treaty with Mexico was amended to protect additional species, including birds of prey.

The Marine Mammal Protection Act of 1972 became law, establishing a moratorium on the taking and importing of marine mammals, such as polar bears, sea otters, dugongs, walrus, manatees, whales, porpoises, seals, and sea lions.

The Eagle Protection Act was amended to increase penalties from \$500 or six months imprisonment to \$5,000 or one year, and to add the provision that a second conviction was punishable by a \$10,000 fine or two years imprisonment, or both. In addition, the amendment allowed for informants to be rewarded with half of the fine, not to exceed \$2,500.

In September 1972, the Division of Management and Enforcement was reorganized. Waterfowl management responsibilities were transferred to the Office of Migratory Bird Management and the Division of Management and Enforcement became the Division of Law Enforcement.

1973. The Endangered Species Act of 1973 became law, recognizing that “endangered species of wildlife and plants are of aesthetic, ecological, educational, historical, recreational, and scientific value to the Nation and its people.” The Act expanded the scope of prohibited activities to include not only importation, but also exportation, take, possession, and other activities involving illegally taken species, and interstate or foreign commercial activities. It implemented protection for a new “threatened” category — species likely to become in danger of extinction.

The field organization of the Division of Law Enforcement was restructured into 13 law enforcement districts, and selections for the first Special Agents in Charge and Assistant Special Agents in Charge under this organization were announced on February 21, 1974.



Wildlife inspector confirms species of an imported iguana. The Service's wildlife trade monitoring efforts date to the implementation of endangered species laws in the early 1970s. J&K Hollingsworth

1975. The Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) went into effect, regulating the importation, exportation, and re-exportation of species listed on its three appendices.

The first biological technician was hired in New York City to inspect wildlife shipments.

1976. The United States signed the Migratory Bird Treaty with the Union of Soviet Socialist Republics.

Regional Offices of the Service hired wildlife inspectors at eight designated ports of entry to inspect wildlife. The eight ports were Los Angeles, San Francisco, Miami, Chicago, New Orleans, New York, Seattle, and Honolulu.

1979. The Supreme Court, in the case of *Andrus v. Allard*, upheld the prohibition on the sale of migratory bird feathers, regardless of whether they were obtained before federal protection took effect.

The number of district offices was reduced to 12 when the Kansas City District Office was consolidated with the Denver, Colorado, District Office.

1981. The Black Bass and Lacey Acts were repealed and replaced by the Lacey Act Amendments of 1981. This comprehensive statute restored protection for migratory birds, which had been removed from the Act in 1969, and introduced protection for plants. The Lacey Act Amendments increased penalties and included a felony punishment scheme to target commercial violators and international traffickers. Penalties included fines of up to \$20,000 or five years imprisonment, or both.

Dallas-Fort Worth became a designated port for wildlife entering or leaving the United States.

1982. The Endangered Species Act was amended to include a prohibition against taking plants on federal lands and a new exception allowing the inadvertent, non-commercial transshipment through the United States of endangered fish or wildlife.

The field organization of the Division of Law Enforcement was reduced from 12 to seven districts, one for each region of the Service.

1983. The Service's Law Enforcement Management Information System (LEMIS) became operational.

1986. The Supreme Court, in the case of *Dwight Dion*, upheld the applicability of the Eagle Protection Act to Native Americans on reservations. The Migratory Bird Treaty Act was amended to require that felony violations be "knowingly" committed.

1988. The African Elephant Conservation Act became law, providing additional protection for the species, whose numbers had declined by 50 percent in the last decade. The Lacey Act was amended to include, among other things, felony provisions for commercial guiding violations.

The National Fish and Wildlife Forensics Laboratory opened in Ashland, Oregon. Its mission was to provide scientific expertise to assist in investigations, ranging from species identification to technical assistance such as surveillance and photography. The Laboratory was later renamed the Clark R. Bavin National Fish and Wildlife Forensics Laboratory in memory of Clark R. Bavin, who served as chief of the Division of Law Enforcement from 1972 until his death in 1990.

1990. Portland, Oregon, became the 10th designated port of entry for the importation and exportation of wildlife.

1992. Baltimore, Maryland, became the 11th designated port.



Amendments to the Endangered Species Act prohibited the collection of plants from federal lands. George Gentry/USFWS

The Wild Bird Conservation Act of 1992 was signed into law to address problems with the international trade in wild-caught birds — trade that contributed to the decline of species and featured unacceptably high mortality rates.

1994. Boston, Massachusetts, became the Nation's 12th designated port of entry for wildlife trade.

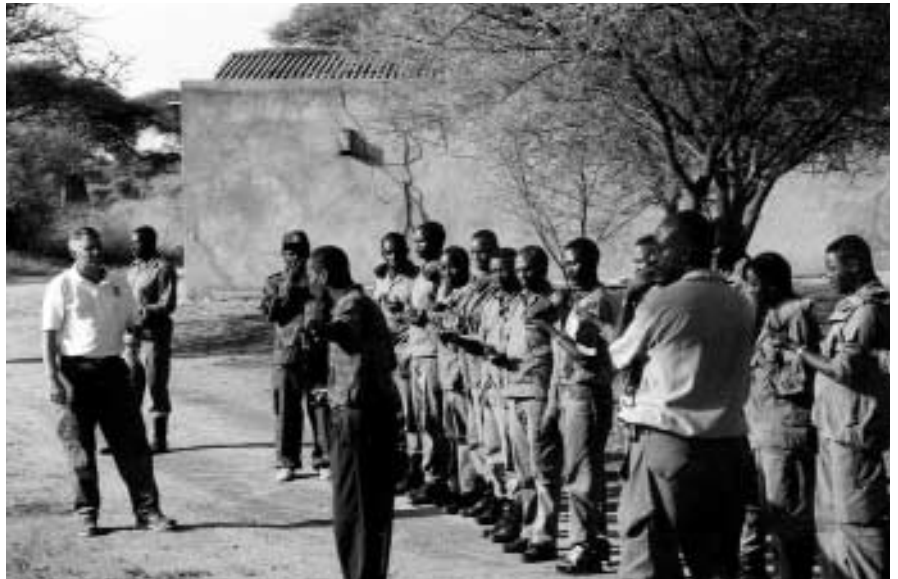
1996. Designated port status was conferred on Atlanta, Georgia.

1997. The Division of Law Enforcement was removed from the supervision of the Assistant Director for Refuges and Wildlife to report instead directly to the Service Director. The Washington headquarters office was renamed the Office of Law Enforcement.

1998. The Migratory Bird Treaty Reform Act eliminated strict liability from the enforcement of baiting prohibitions, substituting a “know or reasonably should know” standard for charging individuals for hunting with bait. The Act increased the penalty for hunting over bait and made placing bait a separate federal crime.

Reauthorization of the Rhinoceros-Tiger Conservation Act prohibited the import, export, or sale of any product, item, or substance containing, or labeled as containing, any substance derived from tiger and rhinoceros.

2000. A Service reorganization established the position of Assistant Director for Law Enforcement within the Directorate, providing executive level leadership for the agency's law enforcement program.



Special agent conducts anti-poaching training for park rangers in Tanzania. In the 1980s and 1990s, Service agents and wildlife inspectors became the instructors of choice for nations seeking to improve their wildlife enforcement efforts. USFWS

Enforcement Officer Titles

Titles of federal wildlife law enforcement officers:

1900-13	Inspector, Interstate Commerce in Game
1913-18	Inspector, Migratory Bird Law
1918-28	U.S. Game Warden
1928-34	U.S. Game Protector
1934-73	U.S. Game Management Agent
1973-Present	Special Agent

Directors

Since 1900, the following people have served as Chief of the Biological Survey or as Director of the Bureau or the Service for the periods indicated:

1900-10	C. Hart Merriam
1910-17	Henry W. Henshaw
1917-27	Edward W. Nelson
1927-34	Paul G. Redington
1934-35	Jay N. "Ding" Darling
1935-46	Ira N. Gabrielson
1946-53	Albert M. Day
1953-57	John L. Farley
1957-64	Daniel H. Janzen
1964-70	John S. Gottschalk
1970-73	Spencer H. Smith
1973-81	Lynn A. Greenwalt
1981-85	Robert A. Jantzen
1986-89	Frank H. Dunkle
1989-93	John F. Turner
1993-96	Mollie Beattie
1996-1997	John G. Rogers Jr., Acting
1997-2001	Jamie Rappaport Clark

Enforcement Chiefs

The following people have been in charge of the law enforcement responsibilities of the Service, or its predecessor agencies, for the periods indicated:

1900-16	Theodore Sherman Palmer
1916-26	George A. Lawyer
1926-34	H.P. Sheldon
1934-48	W.E. Crouch
1948-52	Jesse F. Thompson
1952-57	Joseph P. Linduska
1957-62	John D. Findlay
1962-67	Allan T. Studholme
1967-72	Charles H. Lawrence
1972-90	Clark R. Bavin
1991-96	John J. Doggett, III
1996-97	Thomas L. Striegler
1997-Present	Kevin R. Adams

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