

Office of Law Enforcement

FY 2002 Annual Report

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Section I. Program Overview

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.

Law enforcement is essential to virtually every aspect of wildlife conservation. The Office 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 Office 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 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

Much of the work of the Office of Law Enforcement is performed by special agents and wildlife inspectors. Most are “officers on the beat” who report through seven regional law enforcement offices. A headquarters Washington Office provides national oversight, policy, and guidance for Service investigations and the wildlife inspection program; trains Service law enforcement personnel; fields a special investigations unit; and provides administrative and technical support for the law enforcement program nationwide.

The Clark R. Bavin National Fish and Wildlife Forensics Laboratory conducts scientific analyses that support Federal, State, and international investigations of wildlife crime.

The Office of Law Enforcement also operates the National Wildlife Property and Eagle Repository. This facility supplies abandoned and forfeited wildlife items to schools, universities, museums, and conservation groups for public education and meets the needs of Native Americans for eagles and eagle feathers for religious use.

In FY 2002, the Office of Law Enforcement operated with an enacted budget of \$50.4 million. This amount was augmented with \$6.2 million in user fees collected to help offset the cost of the wildlife inspection program. At the end of the fiscal year, 238 special agents (including 25 newly hired agent trainees) and 91 wildlife inspectors were on the job.

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 and global species, 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 \$1.3 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 and 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 Service 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. An enforcement priority is to deter and detect crimes involving wild populations of federally protected species, including the thousands of 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 Office of Law Enforcement 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 the investigations 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 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 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 species. 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, communication towers, wind turbines, longline and gillnet fisheries, and mining operations.

Service special agents 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 FY 2002, most of the Service's special agents conducted or managed field investigations. This force worked on thousands of cases involving the full gamut of wildlife crimes and violations. The chart "FY 2002 Investigative Caseload" provides a statistical summary of the Office of Law Enforcement's recent investigative work, including import/export violations pursued by Service wildlife inspectors. Information on specific cases and investigative accomplishments can be found in the "Regional Highlights" section.

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 Washington Office, the Branch utilizes innovative investigative techniques to expose the illegal take and commercialization of wildlife resources. The Branch specializes in multi-year 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 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 undertaken 19 major investigations, resulting in more than 800 convictions. "Victim" species and wildlife "commodities" in these cases have included psittacine birds, reptiles, big game animals, birds of prey, cactus, cycads, orchids, walrus, waterfowl, fish, and medicinals and Native American artifacts made from wildlife parts.

Information about the Branch's accomplishments in FY 2002 is provided in the "Washington Office Highlights" section.

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 uniformed wildlife inspectors monitor wildlife imports and exports and ensure that shipments meet the requirements of U.S. laws, such as the Endangered Species Act, as well as the wildlife protection laws of foreign countries. 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 160 countries regulate trade in animals and plants that face the threat of extinction.

Inspectors are stationed at the Nation's major international airports, ocean ports, 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.

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 are 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; 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 Service's efforts to monitor U.S. wildlife trade. Inspectors work closely with their counterparts at U.S. Customs and Border Protection, which is responsible for clearing all goods entering this country. Some wildlife inspections require coordination with the Animal and Plant Health Inspection Service within the Department of Homeland Security, which regulates the importation of plants and enforces animal quarantine rules. Contacts with the National Marine Fisheries Service, Food and Drug Administration, and Centers for Disease Control are also common.

The Service ended FY 2002 with 88 wildlife inspectors on the job at ports of entry to monitor the U.S. wildlife trade. This force staffed 14 designated ports of entry and 16 border, non-designated, and special ports. In FY 2002, Service inspectors processed 123,529 declared shipments of wildlife and wildlife products worth \$1.3 billion. The Nation's busiest ports of entry for the wildlife trade were New York/Newark, where 29,563 shipments entered or left the country, followed by Los Angeles (20,244 shipments) and Miami (9,579 shipments).

The table "FY 2001-2002 Wildlife Inspection Activity" provides a port-by-port breakdown of U.S. wildlife imports and exports for FY 2002 and FY 2001. Descriptions of inspection program accomplishments for FY 2002 and activities at specific ports are included in the "Regional Highlights" section.

Wildlife Forensics

The Clark R. Bavin National Fish and Wildlife Forensics Laboratory, located in Ashland, Oregon, is the first and only full-service crime laboratory in the world devoted to wildlife law enforcement. Since the Laboratory opened in 1988, its scientists have analyzed more than 49,000 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.

Forensic scientists working on wildlife cases encounter unique challenges, such as confirming the species of smuggled goods, identifying the cause of death for animals, or linking suspects with specific wildlife victims. Examples of key research accomplishments 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 medicinals, many of which claim to contain endangered species.

In 1997, 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 2002 accomplishments are described in Section V

Laws Enforced

The Office 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, 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. The Act also provides an important tool in the effort to deter smuggling and illegal trade.

Marine Mammal Protection Act (16 U.S.C. 1361-1407). This Act establishes a moratorium on the take and importation of marine mammals, including parts and products, and defines Federal responsibilities for the conservation of marine mammals. 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. 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 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 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. 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 Act makes 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.

FY 2002 Investigative Caseload

Classification	Cases
African Elephant Conservation	56
Airborne Hunting	9
Archeological Resources	6
Conspiracy	17
Eagle Protection	164
Endangered Species	3,995
Lacey	1,242
Marine Mammal Protection	146
Migratory Bird Stamp	313
Migratory Bird Treaty	1,852
Miscellaneous Investigations	10
National Wildlife Refuge	163
Other Federal Laws	103
Permit/License Investigations	12
Rhino Tiger	5
Smuggling	22
State Laws	208
Wild Bird Conservation	89
TOTAL	8,412

Note: This table reflects investigations worked by Service special agents and wildlife inspectors during FY 2002.

**Office of Law Enforcement
Annual Violation Statistics
FY 2000 - FY 2002**

	2000	2001	2002
Violations	10,268	9,472	8,775
Fines	\$5,809,466	\$13,592,213	\$2,706,561
Prison (Yrs)	35	55	95
Probation (Yrs)	428	600	1,015
Civil Penalties	\$1,240,484	\$1,155,900	\$2,173,879

Note: This table summarizes the results of criminal and civil prosecutions undertaken as a result of the enforcement efforts of Service special agents and wildlife inspectors.

FY 2001- FY 2002 Wildlife Inspection Activity *

Port of Entry	FY 2001 No. of Shipments	FY 2002 No. of Shipments
DESIGNATED PORTS		
Anchorage, AK	3,911	6,617
Atlanta, GA	2,394	2,104
Baltimore, MD	2,819	2,715
Boston, MA	1,078	1,210
Chicago, IL	6,059	5,944
Dallas/Fort Worth, TX	4,226	4,178
Honolulu, HI	4,103	3,333
Los Angeles, CA	19,049	20,244
Miami, FL	9,626	9,579
New Orleans, LA	891	909
New York, NY/Newark, NJ	28,720	29,563
Portland, OR	984	1,081
San Francisco, CA	6,121	4,839
Seattle, WA	3,307	3,395
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SUBTOTAL	93,288	95,711
NON-DESIGNATED PORTS		
Agana, GU	960	610
Blaine, WA	1,968	1,996
Brownsville, TX	120	211
Buffalo, NY	2,573	2,315
Champlain, NY	12	597
Detroit, MI	1,205	2,271
El Paso, TX	816	698
Golden, CO	420	445
Houston, TX	975	929
Laredo, TX	346	193
Nogales, AZ	259	285
Pembina, ND	2,085	2,207
San Diego, CA	563	588
St. Paul, MN	1,152	1,806
Sweetgrass, MT	865	964
Tampa, FL	2,268	2,123
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SUBTOTAL	16,587	18,238
NON-STAFFED PORTS	10,129	9,580
TOTAL	120,004	123,529

* Data compiled as of 2/29/04

Section II. Organizational Structure

During FY 2002, 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, which reported to the Director. On October 1, 2002, however, the Office of Law Enforcement implemented line authority for all of its enforcement officers, and these regional managers began reporting directly to the Chief instead of to their respective Regional Directors.

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 oversee 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 resident agents in charge, who serve as first-line field supervisors, and a staff of special agents, wildlife inspectors, and administrative support personnel.

The lists below identifies the ports staffed by wildlife inspectors during FY 2002.

Designated Ports

Baltimore, Maryland
Atlanta, Georgia
Anchorage, Alaska*
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

* Designation effective as of March 13, 2002

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

Border, Special, and Other Staffed Ports

Agana, Guam
Blaine, Washington
Brownsville, Texas
Buffalo, New York
Champlain, New York
Denver (Golden), Colorado
Detroit (Ann Arbor), Michigan
Dunseith, North Dakota
El Paso, Texas
Houston, Texas
San Diego, California

St. Paul, Minnesota
Laredo, Texas
Nogales, Arizona
Sweetgrass, Montana
Tampa, Florida

Washington Office

The Chief is the Office of Law Enforcement'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 policy direction for the law enforcement program; and oversees all investigative activities and the wildlife inspection program.

The Washington Office, which serves as the program's headquarters operation and reports directly to the Chief, includes the Division of Law Enforcement Operations (which consists of the Branch of Investigations, Branch of Training and Inspection, and Branch of Special Operations, and a planned Branch of Wildlife Inspections) and the Division of Technical and Field Support (which includes branches dealing with planning and analysis, data systems, and repository programs). The Clark R. Bavin National Fish and Wildlife Forensics Laboratory (see Section V) and a planned Internal Affairs Unit also report to the Chief.

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 at international forums.

The Branch maintains liaison with other Federal, State, and international law enforcement agencies. This office also coordinates law enforcement outreach activities, develops public information materials that explain wildlife conservation laws and promote compliance, and serves as the program's media liaison.

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 in-service training for these officers. The Branch, which maintains a training staff at the Federal Law Enforcement Training Center in Glynco, Georgia, also develops and presents training programs for other Federal agencies and other countries. Through its inspection function, it provides a quality control mechanism for Service law enforcement operations.

The Branch of Special Operations is supervised by a Special Agent in Charge based in the Washington Office. The investigative work of this group is described in Section I. This Branch is also responsible for intelligence gathering and analysis.

The Division of Technical and Field Support supplies a wide range of technical and administrative support services to the Office of Law Enforcement. This office handles budget formulation and execution as well as workload and funding planning and analysis. It provides national computer support for wildlife law enforcement efforts through the Law Enforcement Management Information System (LEMIS), which first became operational in October 1983, and maintains the law enforcement internet and intranet sites. It also responds to all Freedom of Information Act requests received by the Office of Law Enforcement nationwide and manages the National Wildlife Property and Eagle Repository.

Accomplishments of the Office of Law Enforcement, including reports on Training, Special Operations, and the National Wildlife Property and Eagle Repository, appear in Section IV. A description of the accomplishments of the National Fish and Wildlife Forensics Laboratory can be found in Section V.

Section 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, 2002, the region had 35 special agents and 23 wildlife inspectors on board. Five of the Service's 14 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 and/or sale of wildlife, including both Federal and State-protected species.

During FY 2002, special agents continued working on a Lacey Act investigation that exposed a conspiracy involving the unlawful collection and interstate transport of coral and live rock taken from Hawaiian waters. State law bans commercial harvest of these reef resources. From 1994 through 1998, the subjects in this case removed some 150 tons of live rock worth an estimated \$1.5 million from Hawaiian coral reefs, shipping this material to California, Washington, and Nevada labeled as "smoked fish."

As of the end of FY 2002, three subjects had pleaded guilty to conspiring to violate the Lacey Act. In December 2001, two subjects were sentenced to six months home confinement and five years probation. One defendant was ordered to pay \$13,200 in restitution to the Hawaii Department of Land and Natural Resources while the other must pay \$21,000 to that agency. A third defendant was sentenced in June 2002. This individual must spend one year in prison followed by three years of probation. He was ordered to pay the Hawaii Department of Land and Natural Resources \$77,440 in restitution for damages to the State's coral reefs and a \$35,000 fine. Additional indictments are expected.

In July 2002, agents responded to complaints indicating that two businesses in Los Angeles were selling mounted migratory birds, a violation of the Migratory Bird Treaty Act. The store owners both identified a local taxidermist as the supplier of the mounts, which included several duck and geese species. Agents contacted the taxidermist and seized 10 migratory bird mounts from his residence/studio, including a great blue heron and two red-tailed hawks. The taxidermist was fined \$2,000.

Policing Big Game Hunting

Service special agents in Idaho helped their counterparts with Idaho Fish and Game investigate a California resident who hunted frequently in Idaho. Officers showed that the subject was illegally guiding hunters in Idaho as well as committing and facilitating other violations of State and Federal wildlife laws. Violations that occurred in 2001 were prosecuted in State court, while offenses dating from 1997 through 2000 were referred for Federal prosecution. The subject pleaded guilty to two of eight Federal counts brought against him in a criminal information and was sentenced in November 2002. The judge fined the man \$750 and ordered him to pay \$6,750 in restitution to Idaho Fish and Game. He must also serve two years of probation and lost his hunting privileges for three years.

A three-year cooperative Service/State investigation exposed another man in Idaho who was unlawfully profiteering from the sport of hunting. The subject illegally guided and outfitted hunters in the State and participated in the illegal interstate transport and sale of big game animals. During the investigation, the man sold wildlife to undercover officers and offered to take them on an illegal bighorn sheep hunt, which he claimed he could "cover" with the fraudulent use of Nez Perce tribal hunting permits. The subject pleaded guilty in U.S. District Court to one Lacey Act count and was scheduled for sentencing in 2003.

A Yurok tribal member who was caught with two cow elk illegally taken from Redwood National Park was sentenced in U.S. District Court in San Francisco for two misdemeanor Lacey Act violations and a firearms charge. The man had pleaded guilty to being a felon in possession of a firearm and had been found guilty of the Lacey Act violations after a two-

day jury trial. The judge, who had received a number of letters urging a lenient sentence, departed from the recommendation of the probation office and sentenced the man to serve three months probation and pay \$125 in court costs.

Region One Law Enforcement also worked to help U.S. hunters who pursue their sport overseas do so legally. Agents in Idaho and Nevada again coordinated Service outreach efforts at the national convention of Safari Club International, which was held in March 2002 in Las Vegas. The Service booth provided information on importing trophies, including permit requirements. This outreach effort has promoted improved understanding of wildlife protections and increased compliance with U.S. and international wildlife laws and treaties in the global big game hunting community.

Protecting Endangered Species

Threats to endangered species in Region One include habitat destruction and illegal take. During FY 2002, agents successfully pursued cases involving both types of crime. They also increased proactive enforcement efforts, using back-country patrols and public outreach to prevent Endangered Species Act violations.

A home building company in southern California was sentenced to pay \$1 million in criminal fines and restitution after pleading guilty to intentionally destroying habitat of the California red-legged frog. The company also agreed to preserve a 640-acre parcel of frog habitat from future development under a conservation easement. Some of the restitution money from this case will go to the California Department of Fish and Game Preservation Fund.

Settlements were reached in two other southern California cases involving endangered species. A company responsible for an oil spill along the central coast of California that resulted in the deaths of western snowy plovers paid a \$25,000 penalty in addition to cleanup and restitution costs. A subject who modified habitat occupied by the endangered Morro shoulderband (banded dune) snail paid a civil penalty of \$17,500.

Late in FY 2002, special agents in Idaho acquired three additional horses, increasing their ability to operate in remote back-country areas where motorized vehicles are prohibited and where even the use of helicopters may require a special permit. During the brief part of the reporting period in which agents had access to the horses, the animals were used to pack the carcasses of two illegally killed grizzly bears out of a rugged area where any other means of retrieval would have been extremely costly and labor intensive. Retrieving the carcasses will allow detailed forensic examination that may help investigators with their work on the case.

Agents also used the horses to investigate a complaint about degradation of threatened fish habitat in a remote area and to conduct back-country wolf protection patrols, contacting hunters and others in areas where wolves had been killed in the past. During these contacts, the agents explain that wolves are in the area and that they are investigating illegal killings of the animals. They ask for information to help with the investigations and answer questions about wolves and their protected status. The response to this type of contact has been positive. Idaho agents anticipate continuing these protective patrols; contacts may yield information about unsolved wolf cases and help deter additional killings.

Service efforts to protect threatened bull trout continued in Idaho. Irrigation activities that dewater streams and strand fish in ditches remain the primary threat to the species. Agents have worked with Service biologists and irrigation districts to establish agreements mandating fish conservation measures. An agreement now in the works will cover much of the Upper Salmon River watershed in central Idaho.

Special agents helped Washington State officers investigate an individual who unlawfully took three bull trout, a species that is also protected under State law. Although Violation Notices originally set the man's penalty at \$3,300, he negotiated a plea agreement that reduced his fine to \$500. He will spend a year on probation and lose his hunting and fishing privileges for that period.

Safeguarding Migratory Birds

Threats to migratory birds today include industrial activities, such as electric power distribution, that inadvertently kill birds. Environmental contaminants are also a growing concern.

Service agents in Region One continued their efforts to protect birds from power line electrocutions, a well-documented threat to eagles and other raptors. Progress in FY 2002 included the resolution of a case brought against the largest utility company in the State of California and successful efforts to use a “partnership” approach to protecting birds in Washington State.

The settlement in the California case promises improved safeguards for migratory birds in that State. Under the agreement, the company will retrofit 2,000 electric power transmission poles each year for a four-year period in areas where high concentrations of raptors exist. The utility has promised to install “bird safe” transmission lines in such areas during any new or scheduled replacement construction and will repair or replace all poles that have already been linked to bird electrocutions. The company, which provides power to about two-thirds of California, must also report all bird-related outages and collect any birds killed by its power network.

Work to prevent bird electrocutions in Washington has focused on developing proactive partnerships with industry. One company, for example, is working closely with the Service to identify potentially harmful sites, retrofit poles before electrocutions or collisions occur, and improve its reporting practices. These efforts have reduced the number of bird mortalities occurring along the company’s power network; while 11 eagles died in 2000 and 12 in 2001, only four eagles were killed in 2002 (two of which were injured at the same time in a freak mating accident).

Service agents are helping the California Department of Fish and Game investigate a chemical company that unlawfully discharged petroleum products at a facility in San Bernardino. The probe, which was launched by State officers in 2000, has documented high mortality rates for waterfowl and other birds using ponds on the property. In the spring of 2002, Service agents inspected the site and observed open pits and ponds containing high concentrations of sodium. Scientists who examined bird carcasses collected at this facility confirmed that the cause of death was exposure to lethal levels of sodium. Investigators believe that an estimated 800 birds have died at the site over the past two years. The case has been presented to the U.S. Attorney for prosecution.

Keeping Invasive Species Out

The Service’s wildlife protection mission includes preventing the importation of invasive species. The Law Enforcement program in Region One deals not only with federally banned species but also plays an active role in supporting State efforts to prevent the introduction of non-native fish and wildlife.

In Hawaii, for example, a joint Federal-State investigation involving Jackson’s chameleons (an alien species in that State) ended when an individual pleaded no contest in State court to one count of trafficking in the prohibited reptiles. The man will spend one year on probation and must perform 100 hours of community service. Unfortunately, Jackson’s chameleons have already gained a foothold on all of Hawaii’s islands because individuals interested in selling them in the pet trade began “ranching” them in the State.

In another cooperative case involving alien species, Service officers helped Hawaii State authorities detect and intercept interstate traffic in small quantities of live rock and non-native plants. After inspecting the dealer’s facilities, State officers issued over 40 citations for violations of State laws. Offenses included commercial fishing without a license, failure to file reports, purchasing from an unlicensed commercial fisherman, and illegal possession of wildlife. The alien plant species held at the facility were abandoned to State authorities. After this inspection, the man was caught once again trading in prohibited species. The case is being adjudicated in State court.

Wildlife inspectors in San Francisco proved particularly successful in supporting California’s efforts to keep invasive species out of the State. During FY 2002, Service officers intercepted a shipment of 500 live African clawed frogs that were being shipped from Indonesia to a pet store in San Bruno. The African clawed frog, an aggressive and prolific amphibian that easily supplants native species, is prohibited in California.

Inspectors in San Francisco also detected a shipment of live freshwater stingrays being shipped from Brazil to a pet store in Alameda, California, and worked with State officers to foil the unlawful importation. The freshwater stingray is considered an injurious species in California and possession requires a permit from the California Department of Fish and Game.

The San Francisco inspection staff helped support a Service study that is trying to determine whether live worms imported from southeast Asia are a vector for introducing exotic parasites. Inspectors helped the project biologist review records, took her on inspections, and arranged for her to visit live bait vendors in the Bay Area. Inspectors at this and other Service ports have provided samples from live bait shipments for use in the study.

Stopping Global Wildlife Trafficking

Region One special agents and wildlife inspectors work diligently to combat the illegal wildlife trade – a threat to species worldwide. Smuggling cases pursued in FY 2002 involved contraband that ranged from elephant ivory and orchids to rare reptiles and caviar. Even bald eagles numbered among the “victims” of wildlife traffickers.

In January 2002, a Canadian aboriginal investigated for eagle trafficking was sentenced to 24 months in prison and three years of supervised probation and ordered to pay \$147,000 in restitution (\$3,000 for each of the 49 bald eagles he smuggled into the United States). During his trial, the man’s attorneys had argued that he imported eagle parts for religious purposes. At sentencing, the judge addressed this claim, noting that the case “had nothing to do with the defendant’s right to exercise religion,” but rather “had to do with the defendant paying other people to kill eagles” and “making money” from selling eagle parts.

As reported in FY 2001, Service and Customs agents and inspectors in Los Angeles uncovered one of the largest elephant ivory smuggling rings ever on the West Coast. Federal officers intercepted two shipments containing approximately 250 pounds of raw and worked ivory; the shipments, which had been exported from Nigeria, were declared as handicrafts and furniture. Ivory pieces were concealed in beaded cloth and whole tusks were found inside pieces of furniture. The Service and U.S. Customs conducted surveillance and controlled deliveries of the shipments to a storage facility and business in West Hollywood, California. In April and May 2001, three subjects were arrested and indicted on smuggling and conspiracy charges. In February and March 2002, two defendants in this case were found guilty; one was sentenced to spend one year in prison while the other will serve six months.

In February 2002, Service special agents in Los Angeles arrested a woman who was wanted for smuggling 2,880 endangered sea turtle eggs into the United States through Houston, Texas, in March 2000. That arrest ended a family-run crime wave of sea turtle egg smuggling from El Salvador. The woman caught in Los Angeles was sentenced to six months in prison. Her son-in-law had been arrested in that city on October 1, 1998, after entering the United States carrying 3,704 sea turtle eggs. He served eight months in Federal prison and was deported. On October 30, 1998, the subject’s common law husband was apprehended at the Los Angeles International Airport with smuggled sea turtle eggs. He was sentenced to four months in Federal prison and two months home detention. In August 2000, the woman’s sister was caught smuggling 1,524 sea turtle eggs into the United States via Houston. She was sentenced to four months probation.

In June 2002, a man entering the country at the Los Angeles International Airport on a flight from Indonesia was caught smuggling wildlife. His luggage contained two dead king birds-of-paradise and two live lesser birds-of-paradise. When officers examined the subject himself, they found two pygmy lorises hidden in a cloth pouch concealed in the man’s pants. He had also brought 50 glass bottles containing orchid seedlings into the country. The man had not declared the wildlife and admitted that he knew he was violating U.S. law. He said that he had been vacationing in Asia and that he intended to visit his sister in San Diego before returning home to Costa Rica, where he operates a wildlife sanctuary. In a plea agreement, the man pleaded guilty to one felony count with a negotiated sentence of six months in prison and a \$25,000 fine.

A U.S. citizen was caught smuggling 207 glass jars of caviar into the country in his checked baggage. The man, who was returning to Los Angeles from Armenia, was indicted by a Federal grand jury and pleaded guilty to one count of smuggling. He was sentenced to six months home detention followed by a year of probation.

On January 1, 2002, an individual was stopped crossing from Canada into the United States at Blaine, Washington. The man had four quarter-size tortoises, which a Service wildlife inspector recognized as endangered Madagascar radiated tortoises. A criminal history check revealed that the subject was already wanted in this country for smuggling 80 Asian arowanas (an endangered fish). The man was arrested and sent to California, where he pleaded guilty to the outstanding smuggling charge and was sentenced to one year in prison.

Investigation of a case involving the illegal take, transportation, and sale of protected orchids concluded in U.S. District Court in Hawaii when the subject pleaded guilty to multiple violations. The orchids, a species listed on Appendix I of the Convention on International Trade in Endangered Species (CITES), were harvested illegally in Borneo and then transported through Honolulu for sale on the U.S. mainland. Sentencing is slated for 2003.

Wildlife Inspection Operations

On a day-to-day basis, Service efforts to stem illegal wildlife trafficking depend on the work of the agency's wildlife inspectors. Region One inspectors contributed, of course, to the investigations profiled above. Brief program summaries for each wildlife port in the region are provided in this section.

Los Angeles, California: During FY 2002, wildlife inspector staffing at the designated port of Los Angeles fluctuated between nine and 11 full-time officers. The port, which handles more wildlife trade than any other single location in the country, processed more than 20,230 declared shipments, a 7-percent increase from the previous year. Shipments of live perishable wildlife continued to account for about 80 percent of the port's annual workload, keeping inspectors on call 24 hours a day.

Violations involving endangered species (including wildlife protected under the CITES treaty) continued to dominate case activity in Los Angeles. The three most commonly seized commodities were live corals, live reptiles, and reptile-skin products. Fewer unlawful importations of caviar were detected than in previous years.

Wildlife trade continued growing in southern California, with increased activity during FY 2002 at the ocean ports of Long Beach and Los Angeles. Both are likely to retain their standing as the two busiest cargo ports in the Nation. Outlying international airports, such as those in Ontario, San Bernardino, Victorville, and Palm Springs, now attract their share of international cargo and passenger traffic.

In addition to monitoring wildlife trade at multiple locations in southern California, inspectors from Los Angeles also support import/export enforcement efforts in Las Vegas, Nevada. With more international flights bringing passengers and freight to that city, the number of wildlife violations is increasing. Efforts are made to have inspectors on hand before and after major conventions that promote wildlife trade.

Despite increasing workload, inspection staff in Los Angeles maintained key outreach efforts to promote compliance with wildlife trade laws. Service presence at such events as America's Family Pet Show, Earth Day at the Long Beach Aquarium of the Pacific, and Safari Club International's annual convention presented an important wildlife conservation message to thousands of people.

San Francisco, California: During FY 2002, wildlife inspectors at the designated port of San Francisco processed more than 4,800 wildlife shipments. Seizures of note included the interception of invasive species banned under California State law (which were described above). Inspectors also helped an international rescue effort arrange the placement of several thousand Asian freshwater turtles seized in Hong Kong. The shipment, which was destined for food markets in China, contained 7,500 live turtles and tortoises worth an estimated \$3.2 million. A turtle preserve near Miami will catalogue the animals by species and sex and eventually distribute them to zoos around the world.

Portland, Oregon: Two wildlife inspectors stationed in Portland, Oregon, are responsible for processing wildlife imports and exports at the Portland International Airport and the city's ocean cargo areas. They also monitor wildlife traffic at the U.S. Customs ports of entry at Astoria, Coos Bay, and Medford, Oregon, and Longview, Washington. The Portland inspection staff handled more than 1,000 shipments during FY 2002.

Seizures at this port included the interception of a commercial shipment containing 985 pounds of white sturgeon, which was being exported to Canada without either the required CITES permit or declaration to the Service. The unlicensed exporter lost the shipment and was fined \$500.

Seattle, Washington: Wildlife inspectors at the designated port of Seattle processed more than 3,370 shipments during FY 2002. Inspectors opened 114 investigations during this time; 46 of these cases involved the illegal importation of caviar. Trafficking in ivory, coral, and other CITES-listed species accounted for most of the violations detected.

Honolulu, Hawaii: The designated port of Honolulu, which is staffed by four wildlife inspectors, processes over 3,300 wildlife shipments each year. Live tropical fish typically account for over 40 percent of the declared wildlife shipments passing through this port.

Illegal items intercepted during FY 2002 included stony corals, giant clam shells and meat from the Pacific Islands, traditional Chinese medicinals, dried pieces of monitor lizard, and elephant skin.

Three other ports of entry in the Pacific Region are currently staffed with wildlife inspectors: the border ports of Blaine, Washington, and San Diego, California, and the special island port of Agana, Guam. Each of these ports handles significant volumes of wildlife traffic each year.

Blaine, Washington: A single inspector stationed in Blaine, Washington, monitors wildlife entering the country at Canadian border ports along the Washington State border and at the border crossing in Eastport, Idaho. During FY 2002, the Blaine inspection office collected more than 4,300 declarations for wildlife imports or exports from all of these locations; nearly 2,000 of these declarations were filed at Blaine, a major port of entry for U.S./Canada truck cargo.

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. The port of Saipan consists of an international airport and an international seaport. Approximately 500,000 passengers transit the airport every year.

Wildlife inspection activities are significantly enhanced at both ports by the assistance of Guam customs and quarantine officers and Saipan quarantine officers. These officers detect many prohibited wildlife items while performing their territorial and commonwealth duties.

During FY 2002, seizures at both ports consisted primarily of Asian medicinals and sea turtle products. Over 200 illegal wildlife shipments were intercepted in Saipan.

San Diego, California: During FY 2002, wildlife inspectors at this border location processed more than 580 declared shipments, most of them coming through Otay Mesa. Most violations involved CITES species and birds protected under the Wild Bird Conservation Act. Common seizures also included reptile skin products coming in from Mexico without CITES permits.

Smuggling of psittacine birds across the U.S./Mexico border remained a major problem in FY 2002. Based on recent investigations, Service officers in San Diego estimate that between 3,500 and 4,000 birds, valued at over \$1 million, may have been smuggled into the United States via California ports of entry over the past three years. Only 10 to 15 percent of those birds were intercepted. Birds in several shipments were infected with exotic Newcastle's disease and psittacosis. An outbreak of the former has already occurred in the California poultry industry.

Service staff along the southern California border face the challenge of dealing with expanding international commerce. New commercial facilities have opened or are planned at Otay Mesa, Calexico, Andrade, and the San Diego International Airport to handle the growing volume of trade. A major expansion is underway at Brown Field to accommodate increased express mail traffic.

During FY 2002, wildlife inspectors again participated in San Diego's Earth Day celebration, which drew tens of thousands of participants. Cross-training of inspectors from other Federal agencies working the California/Mexico border remained an important part of the inspection program at this location, extending the "reach" of wildlife law enforcement.

Cooperative Enforcement Efforts

Region One Law Enforcement maintains effective partnerships with other Federal and State law enforcement agencies through the Pacific Region. These efforts help uphold Federal wildlife laws regulating international trade, migratory game bird hunting, and other activities. Service officers also help other agencies fulfill their enforcement missions.

Under a Memorandum of Agreement with the Bureau of Land Management, for example, seven Service special agents and three refuge officers participated in a special enforcement detail to police visitors at California's Imperial Dunes Recreation Area from February 13-19, 2002 (a period covering President's Day weekend). Service staff were part of a contingent of 120 officers and emergency services personnel who patrolled the area to ensure public safety during this "high use" period in which an estimated 100,000 visitors were on site, many operating off-road vehicles. Violations encountered included alcohol and drug offenses. The operation was successful; similar Service assistance was planned for other "peak" visitation periods, including the 2003 President's Day weekend.

Federal/State enforcement partnerships remained strong throughout the Region. In Washington State, for example, Service and State officers teamed to perform night surveillance of the spring chinook fishery in the Lower Columbia River and conduct fishing patrols below the Carson National Fish Hatchery. In Nevada, agents and State game wardens worked together to investigate the possible take of goshawk chicks from the wild for use in falconry. Other areas of Service/State cooperative enforcement in Region One include invasive species work in Hawaii and California and big game hunting investigations in Idaho (both described earlier).

Region Two

Service Law Enforcement in Region Two helps protect wildlife and fishery resources in the States of Arizona, New Mexico, Texas, and Oklahoma. The Southwest Region had a force of 22 special agents and nine wildlife inspectors at the end of the fiscal year. The region monitors wildlife trade at the designated port of Dallas/Fort Worth and the special port of Houston; it also staffs the border ports of El Paso, Laredo, and Brownsville, Texas, and Nogales, Arizona.

Targeting Wildlife Trafficking

Service investigations in Region Two successfully exposed the unlawful commercialization of U.S. wildlife resources. Species involved in this profiteering included paddlefish valued for their roe and shrimp unlawfully removed from closed waters. Agents also documented the unlawful sale of items containing migratory bird feathers.

In Oklahoma, the Service caught a notorious paddlefish caviar trafficker unlawfully transporting over 80 pounds of roe in interstate commerce. The man, a convicted felon, also possessed ammunition, a Federal felony violation. He was indicted by a Federal grand jury on felony charges for Lacey Act and ammunition violations. The defendant pleaded guilty to the ammunition charge and was sentenced to serve 15 months in prison and three years of supervised probation during which he cannot engage in commercial fishing.

A joint Service/State investigation of paddlefish egg trafficking wrapped up in northeastern Oklahoma. Officers caught two defendants taking a load of fresh Oklahoma paddlefish roe into Missouri in violation of State law. Surveillance and follow up investigation resulted in the seizure of over 200 pounds of paddlefish eggs along with the truck used to transport them.

The principal defendant in this case pleaded guilty in Ottawa County court to five counts of transporting raw paddlefish eggs out of Oklahoma; he was fined \$2,500 and given a suspended jail sentence of 450 days. He was also banned from possessing wildlife in the State for 450 days and forfeited his pickup truck. His associate pleaded guilty to one count of aiding and abetting the transportation of raw paddlefish eggs out of Oklahoma. This defendant was fined \$1,000, given a 180-day suspended jail term, and was prohibited from possessing Oklahoma wildlife for 180 days.

In Texas, the last of five boat captains caught shrimping in closed waters near Padre Island National Seashore was fined \$550 and sentenced to nine months probation. Service work on this case resulted in the payment of \$6,300 in fines and \$31,445 in restitution; the five watermen involved collectively forfeited more than \$31,600 worth of illegally taken shrimp.

Region Two agents completed two cases involving the sale of Native American handicrafts containing feathers from protected birds. In January 2002, a Montana auction company operating in Phoenix, Arizona, paid a \$5,000 fine for violating the Migratory Bird Treaty Act and Eagle Protection Act. The company was dealing in Indian artifacts made with eagle and migratory bird feathers; an agent documented the offer for sale and seized the items.

In June 2002, agents in Oklahoma closed a long-term covert investigation of illegal trafficking in Native American handicrafts adorned with migratory bird feathers. Four defendants who sold items to undercover agents were fined \$2,000. These convictions may help discourage other merchants from selling such items.

Preserving Big Game Hunting Opportunities

During FY 2002, Region Two special agents worked on a number of cases involving illegal guiding or unlawful big game hunting. These investigations support both State wildlife conservation programs and tribal management of wildlife resources.

In January 2002, for example, 10 defendants were sentenced in Federal court in Arizona in connection with Operation Navajo Buck – an investigation that documented unlawful hunting on tribal lands, airborne hunting, and Lacey Act violations. Two men convicted of unlawful hunting on Indian lands were each fined \$5,000 and ordered to pay \$25,000 in restitution to the Navajo Fish and Wildlife Department. A third defendant who committed the same crime paid a \$4,500 fine and \$7,500 in restitution. Six other men charged with similar offenses were fined between \$500 and \$2,500. The 10th

defendant, who was charged with violating the Lacey Act, was fined \$1,000 and placed on five years supervised probation.

In April 2002, a Texas resident who unlawfully killed two white-tailed deer in Iowa and transported the trophies back to Texas pleaded guilty to a misdemeanor violation of the Lacey Act. The man was sentenced to serve two years of supervised probation during which his hunting privileges will be suspended. He was also ordered to pay \$4,000 restitution to the State of Iowa and forfeit a crossbow and other equipment used on the hunt.

In May 2002, nine of 10 defendants in a case known as the "Pronghorn Antelope Massacre" were sentenced in State court in Texas. The subjects, who were from Mississippi and Texas, killed 40 antelope and left them to rot. The group paid fines and restitution totaling just under \$80,000. Each defendant also received a suspended jail sentence, was ordered to perform 120 to 160 hours of community service, and lost his hunting and fishing rights in the State of Texas for either two or three years.

Cases involving big game hunting also supported wildlife enforcement partnerships with Canada. Working with information provided by an Alberta, Canada, conservation officer, Service agents investigated two Texas hunters who unlawfully took a mule deer in Canada in violation of the Alberta Wildlife Act. One killed the deer without the proper license, while the other used his tag to legitimize the trophy. The hunters then falsely declared the deer, smuggling it into the United States. After securing confessions from the pair, agents seized the shoulder mount and issued Violation Notices for the Lacey Act offenses totaling \$6,000. Both defendants face additional charges in Canada.

Policing Migratory Game Bird Hunting

Federal/State partnerships continued to play an important role in supporting the conservation of migratory game bird populations in the Southwest. In October 2001, for example, Service and State officers completed Operation Ala Blanca, a joint migratory bird hunting enforcement operation conducted during the 1999 2000 and 2000 2001 dove seasons in Starr County, Texas. This effort resulted in the collection of \$11,625 in Federal fines, the issuance of 77 State criminal citations, and the seizure of numerous shotguns and illegally taken doves.

Operation Ala Blanca also uncovered a fraud scheme involving the illegal sale of Texas hunter education certificates by a State-certified instructor. At the request of State officers, Service agents completed two undercover buys from the subject, substantiating felony violations of State law as well as aiding and abetting violations of the Migratory Bird Treaty Act. On February 1, 2002, the defendant pleaded guilty in State court to tampering with government records, a felony offense. He was sentenced to spend two years on probation, pay fines and court costs totaling \$827, perform 80 hours of community service, and submit to controlled substance testing. He must also give up his hunter education instructor license and can no longer possess a firearm or vote.

In May 2002, a large ranch in southwestern Texas that was investigated for commercial dove baiting agreed to pay a \$15,000 penalty for directing the placement of bait and allowing hunting with the aid of bait. The ranch will also donate \$15,000 to Operation Game Thief, a Texas Parks and Wildlife Department reward program.

A long term undercover investigation by a Service special agent in Beaumont, Texas, secured guilty pleas from three waterfowl hunting guides. The guides agreed to pay fines totaling \$8,500.

Special agents in north Texas concluded a waterfowl baiting investigation involving five hunters caught taking ducks on a pond that was heavily baited with rice and milo grain sorghum. Agents also seized over 100 lead shells from the subjects. Two of the hunters confessed to baiting the pond to enhance the hunt. The five hunters forfeited collateral fines totaling \$5,040.

Supporting the Reintroduction of Mexican Gray Wolves

Region Two Law Enforcement continued to support the return of endangered Mexican gray wolves to the Southwest. Agents patrolled wolf recovery areas during State and tribal big game hunting seasons. Service officers contacted landowners, outfitters, guides, hunters, and other recreationists as part of this "community policing" effort.

In the fall of 2001, two wolves were found dead in Arizona. Although the Service offered a \$10,000 reward for information leading to the arrest of those responsible, both deaths remain under investigation. By February 2002, two more wolves had been killed, prompting the region to send 15 agents to Arizona to interview firewood collectors, hunters, snowmobilers, and local merchants in an effort to develop leads in the area where the carcasses had been discovered. Although "Operation Knock on the Door" did not identify any immediate suspects, many of those contacted expressed support for the wolf reintroduction program.

While preparing to wrap up the detail, however, agents responded to a wolf mortality signal from an area north of Globe, Arizona. They recovered the animal's radio collar, which had been cut off with a knife. That death brought the number of wolves killed during FY 2002 to five.

Other Endangered Species Investigations

In May 2002, Service special agents concluded two investigations involving the shooting of bald eagles in northeast Texas. In one case, two defendants confessed to shooting an eagle and keeping a talon. They were fined \$3,000 and ordered to pay \$4,200 in restitution to the Texas Parks and Wildlife Department. In the second case, agents secured a confession from a Henderson County resident who shot and wounded an eagle perched in a tree on his property. This defendant paid a \$1,000 fine and \$4,800 in restitution to the State of Texas and the rehabilitation facility that cared for the wounded eagle. Local media covered both cases, which may help deter such crimes in northeast Texas.

The Service investigated two subjects who captured a live alligator in Louisiana and brought it home to east Texas. The pair paid \$4,700 in fines for violating the Endangered Species Act.

In Laredo, Texas, agents investigated a hunter who unlawfully imported an auodad trophy from Mexico without the required CITES permit. Although the man, who falsely declared the Appendix II trophy as a domestic goat, was only fined \$100, he was forced to forfeit the auodad, a world-class specimen worth thousands of dollars.

In New Mexico, agents assisted a Wildlife Investigation Task Force by documenting Endangered Species Act violations that occurred on the Mescalero Apache Indian Reservation. The task force, which was set up to investigate arson on tribal lands, included officers from the FBI, Bureau of Indian Affairs, U.S. Forest Service, and local police agencies. Service expertise supported investigation of a man hired by the tribe as a Mexican spotted owl surveyor who set fire to an area known to be habitat for the birds.

Cleaning Up Oil Pits

During FY 2002, Service special agents continued to conduct oilfield task force operations throughout historic petroleum production areas in New Mexico, Oklahoma, and Texas. This reporting period marked the final year of a four-year Regional Environmental Contaminants Program that secured the cleanup of hundreds of oil pits in the Southwest. Fines collected from this effort were deposited into the North American Wetlands Conservation Fund to support the preservation of habitat for migratory birds.

New Mexico: Agents coordinated oil field enforcement efforts with the New Mexico Department of Game and Fish and the Bureau of Land Management. An agent/pilot conducted aerial surveys to identify operations that represented a threat to migratory birds. Follow up inspections documented multiple violations; in one instance, 37 dead birds were recovered from a single oil pit.

Oklahoma: In October 2001, Service special agents conducted oilfield inspections in the Oklahoma panhandle and recovered 24 oil covered bird carcasses from open disposal pits and tanks. Two operators were issued Violation Notices totaling \$3,200.

In August 2002, oil field inspections in Okmulgee, Okfuskee, and Creek counties documented 90 problematic well sites with open oil pits or tanks. Eight oil-covered bird carcasses were recovered and six operators were issued Violation Notices totaling \$7,550.

Texas: Fines paid in FY 2002 as a result of four oilfield inspection operations conducted in western and central Texas in September 2001 totaled \$97,000. Service efforts secured the cleanup of more than 100 well sites in three west Texas

counties and more than 85 problematic sites in the central part of the State. Oil-covered birds retrieved from oil pits and tanks included barn owls, great-horned owls, road runners, yellow-billed cuckoos, and woodpeckers.

Between May and August 2002, agents conducted oilfield inspections in south Texas. Operators with uncovered tanks and pits were contacted by letter and advised of the need to take steps to remove threats to migratory birds.

In June 2002, Service oilfield inspections in west Texas documented numerous problematic well sites with unnetted pits and tanks. This effort recovered 28 oil-covered bird carcasses; 13 operators were fined a total of \$22,500.

Other Environmental Contaminants Work

Efforts to protect migratory birds from industrial contaminants also included cases tied to agricultural and mining operations. In January 2002, for example, a dairy in Phoenix, Arizona, paid a \$3,375 Violation Notice for violating the Migratory Bird Treaty Act. The company's use of carbofuran to control birds killed 88 federally protected birds.

In August 2002, a major potash producer in New Mexico agreed to pay \$125,000 in restitution to the National Fish and Wildlife Foundation to settle a case involving the take of protected birds at its mine near Carlsbad. The company must also pay \$50,000 for research to develop effective hazing systems for birds. The Foundation will use the restitution money to acquire or improve bird habitat in the Pecos River ecosystem.

In December 2001, a farmer in Ellis County, Texas, who intentionally poisoned migratory birds using wheat seed soaked in Furadan, was sentenced in State court. A joint Service/State investigation showed that the farmer had spread the poisoned seed over three freshly planted wheat fields, killing over 1,000 blackbirds, 18 meadowlarks, three mourning doves, two northern harriers, and one red tailed hawk. When interviewed by Service agents, the farmer first denied involvement, but a consent search of his truck uncovered a bottle of Furadan and remnants of wheat seed. The farmer then confessed. The man will pay a \$2,500 criminal fine and a \$750 civil penalty; he also temporarily lost his private applicator license and will be on probation for two years when it is restored.

Assistance to Service Programs

Law Enforcement staff worked in partnership with other Service programs to support wildlife conservation in the Southwest. Assistance to the National Wildlife Refuge System included teaming with refuge officers on the Cabeza Prieta National Wildlife Refuge in Arizona to conduct surveillance operations aimed at preventing undocumented aliens and drug smugglers from crossing the U.S./Mexico border. In Oklahoma, agents assisted with an investigation of unauthorized tree and brush removal from the Sequoyah National Wildlife Refuge. In Texas, agents conducted patrols to curb alien entry and drug smuggling on the Santa Ana National Wildlife Refuge and helped refuge officers with a case involving arson and destruction of government property on the Rio Grande National Wildlife Refuge. Other joint investigations involved illegal hunting and trespassing.

Agents in Texas helped Ecological Services staff assess the impact of seismic tests on birds roosting on 16,000 acres of wetlands, prompting the petroleum company involved to change its exploration procedures to prevent habitat damage. They also supported Service mapping and surveying efforts in Refugio County and participated in two research studies being conducted by the San Marcos National Fish Hatchery. Agents in Arizona helped Ecological Services staff document bird strikes caused by communication towers and supported the agency's California condor reintroduction program.

Wildlife Inspection Activities

Dallas-Fort Worth, Texas: The designated port of Dallas/Fort Worth, which handles the major portion of all air cargo in Texas, is one of the Nation's largest inland global distribution centers. Inspectors there cleared over 4,100 wildlife shipments during FY 2002.

Investigations of unlawful importations involved such contraband as an elephant trophy from Cameroon that lacked the required permits; an elephant hair bracelet hidden in a shipment headed to a local taxidermist; whale vertebrae; eight live varanus lizards; 72 sea turtle eggs; a variety of exotic wildlife leather goods; and products made from marine mammals and migratory birds. Civil penalties ranged from \$600 to \$5,600.

Houston, Texas: Service wildlife inspectors at Houston's George Bush Intercontinental Airport and the city's seaport Texas, cleared more than 900 imports and exports, achieving a physical inspection rate of 65 percent. During FY 2002, Houston inspectors teamed with the local U.S. Department of Agriculture canine unit to intercept caviar smugglers. The dogs, which sometimes "alert" on caviar even without special training, will be taught to include this scent in their repertoire. Inspectors at the port hope that canine assistance will help increase the detection of illegal caviar shipments.

Inspection staff in Houston organized a six-month multi-agency enforcement effort focused on interdicting smugglers of sea turtle eggs. With support from U.S. Customs and Agriculture officers, the Service caught 13 subjects illegally importing a total of 332 sea turtle eggs.

Other significant seizures in Houston during FY 2002 included a shipment containing 98 caiman leather products imported from Honduras without the required CITES permits and a shipment of 19 tanned springbok skins that came in from South Africa without permits.

El Paso, Texas: Wildlife inspectors stationed on the U.S./Mexico border in El Paso, Texas, processed nearly 700 shipments during FY 2002. Commercial seizures typically consisted of undeclared goods being imported through the pedestrian and private vehicle lanes at this busy border crossing. Inspectors seized such items as wildlife-skin boots and small products made of python, alligator, lizard, caiman, eel, ostrich, buffalo, stingray, and shark. Seizures involving personal importations included leather goods made from sea turtle skin, crocodile, and elephant hide; live Amazon parrots, kestrels, turtles, and fish; and deer mounts.

Commercial violators included a hide and skin company that brought 310 brown caiman tails with a declared value of \$6,200 into the United States with a CITES export permit that had expired before the shipment left Colombia. Clearance was refused; the shipment was re-exported; and the importer was fined \$500. Another major leather corporation also used an expired CITES permit to import a shipment containing 2,000 brown caiman tails with a declared value of \$25,067. This shipment was also re-exported; the company paid a \$500 fine.

Laredo, Texas: The Service wildlife inspector in Laredo examined nearly 200 shipments in FY 2002. Seizures at this border port included boots made of protected species, goat horns, mounted white-tailed deer racks, quail eggs, caiman products, sea turtle items, ostrich products, milk snakes, parrots, shells, and doves. Numerous U.S. dove hunters returning to the United States after hunting in Mexico were checked for compliance with Mexican law and U.S. regulations.

Brownsville, Texas: The inspection program in Brownsville also checked hundreds of hunters crossing the border after shooting doves in Mexico. Inspection staff at this port processed more than 200 wildlife shipments.

Nogales, Arizona: The Service wildlife inspector in Nogales, Arizona, remained an active member of the Federal inspection team policing this border crossing and the international airport in Tucson. Cooperative efforts included joint inspection blitzes at cargo and warehouse facilities with counterparts from the Department of Agriculture and U.S. Customs.

Significant interceptions included the seizure in Tucson of more than 124 large moths, scorpions, and butterflies unlawfully imported into the United States from Vietnam. A recurring problem at the border involved hunters returning from Mexico with desert bighorn sheep trophies that lacked valid CITES permits.

Federal and State Partnerships

Region Two special agents and wildlife inspectors helped extend the "reach" of Federal wildlife law enforcement by providing training to counterparts in other Federal and State agencies. For example, inspection staff at the border ports of Nogales, El Paso, Laredo, and Brownsville provided instruction on wildlife identification and wildlife import/export regulations to officers from the U.S. Customs Service, U.S. Department of Agriculture, Immigration and Naturalization Service, and Border Patrol. These cross-training efforts are particularly important because so few wildlife inspectors cover the extensive U.S./Mexico border in Texas and Arizona.

Cooperative efforts in Region Two also included providing enforcement assistance to other Federal agencies. Special agents teamed with officers from the FBI, Drug Enforcement Administration, and U.S. Customs to search the residence and business of a suspected drug dealer in Corpus Christi, Texas; worked with Customs on another case involving a suspect trafficking in drugs and wildlife trophies; and helped Border Patrol officers intercept undocumented aliens.

During FY 2002, Service Law Enforcement strengthened its partnerships with State fish and game agencies in the Southwest. In August 2002, for example, 12 Service special agents were commissioned as deputy State game wardens, marking the first time that Service officers have held the authority to enforce State wildlife laws in Texas. An agreement delegating Federal enforcement authority to State game wardens was being negotiated as the reporting period closed.

In addition to the migratory bird hunting work described separately above, cooperative enforcement efforts in Texas included a joint investigation of illegal commercial fishing by Mexican nationals on Falcon Lake – an investigation that also resulted in the seizure of more than 800 pounds of marihuana. Service officers helped the State with hunter surveillance operations and the seizure of six live American alligators that were being held under inhumane conditions. They also provided tactical firearms training to Texas game wardens and met with civil investigators from the Texas Natural Resources Conservation Committee to review Federal wildlife laws and examine their nexus with State environmental regulations. In Arizona, agents assisted State fish and game officers with undercover case management while joint Federal/State investigations in Oklahoma exposed unlawful trafficking in paddlefish caviar.

Tribal Partnerships

Service officers continued to work closely with counterparts from tribal fish and game agencies throughout the Southwest. In New Mexico, special agents conducted joint investigations and supported game checkpoints and other enforcement operations in cooperation with the Navajo Nation, the Mescalero Apache, the Jicarillo Apache, the Southern Pueblo, and the Zuni Pueblo.

Agents, for example, helped Jicarillo Apache officers document the unlawful transport of untagged mule deer and worked with Mescalero Apache game wardens to stop the illegal take and sale of eagles.

In Arizona, agents provided training on Federal wildlife laws to conservation officers with the White Mountain and San Carlos Apache tribes and teamed with tribal officers on cases involving the unlawful take of trophy bull elk from reservation lands. They worked with Navajo officers to investigate the illegal take of golden eagles by tribal members and saw Federal prosecutions wrap up in a major joint investigation of airborne hunting on tribal lands.

Training efforts in the region also included presentations at the Native American Fish and Wildlife Society meeting in Acoma, New Mexico, and at the annual meeting of the Native American Law Enforcement Association in Albuquerque.

Outreach

Region Two agents and inspectors participated in career programs at high schools and colleges throughout the Southwest. Special outreach efforts in FY 2002 included presentations on Federal wildlife laws for the Fort Worth Farm and Ranch Association, the Dallas Optimist Club, the Master Naturalists of San Antonio, the Laredo Community College Environmental Studies Center, and the Southwest Research Institute.

Region Two Law Enforcement also used outreach to address specific compliance problems and threats to wildlife. In New Mexico, for example, agents worked closely with the New Mexico Avian Protection Work Group to increase public and industry awareness of the need to reduce migratory bird deaths caused by electric power lines. The Service's goal is to help utilities comply with Federal wildlife laws, securing corrective action rather than pursuing criminal prosecutions.

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, 2002, 28 special agents and nine wildlife inspectors were stationed in the region. Inspection services were provided at the designated port of Chicago and a number of border ports, including Detroit, Port Huron, and Sault Saint Marie, Michigan; and Minneapolis/St. Paul, Grand Portage, and International Falls, Minnesota.

Safeguarding Wildlife Habitat

Habitat protection is essential to conserving wildlife resources. In FY 2002, Region Three special agents addressed various threats to habitat, including development, contaminants, and arson.

In Indiana, for example, a settlement in a habitat destruction case that began in 1997 promises to benefit the endangered Karner's blue butterfly. The Service investigation followed the discovery by agency field biologists that ground clearing and herbicide spraying in preparation for widening railway tracks in northern Indiana on land adjacent to Indiana Dunes National Lakeshore was affecting habitat suitable for this imperiled species. Service agents and biologists worked with the U.S. Attorney's Office to negotiate a settlement agreement with the Northern Indiana Transportation District. Under the agreement, which was signed in May 2002, the District will take measures to avoid take of the endangered butterflies and donate \$15,000 to the Indiana Dunes National Lakeshore for the enhancement and preservation of Karner's blue butterfly habitat.

During FY 2002, Service special agents teamed with State and Federal partners to respond to threats to wildlife associated with oil pits and spills. At one facility in southeastern Michigan, Service agents documented migratory bird deaths in exposed oil pits and worked with the Environmental Protection Agency (EPA) to resolve the problem. EPA issued a compliance order under the Resource Conservation and Recovery Act, and the company installed netting and fencing to protect wildlife. At another facility in Ohio, EPA issued a similar order after Service agents discovered dead birds in oil sludge pits on the property.

Special agents were among the Federal, State, and local employees who staffed emergency cleanup and containment crews that worked to limit the damage caused by a large oil spill that occurred on the Detroit River on April 11, 2002. The spill contaminated habitat along more than 17 miles of shoreline on both the U.S. and Canadian sides of the river. Service agents are working with other Federal agencies to investigate the source of the spill.

Investigative assistance from a Service agent trained in arson investigations led to the arrest and conviction of a man who set at least 25 fires in southwestern Missouri. The fires, which occurred in Holt County over a two-month period from January 2002 to March 2002, included two blazes that burned portions of the Squaw Creek National Wildlife Refuge. Assisted by State and local investigators, the Service agent was able to obtain a confession and sworn affidavit from a suspect who admitted setting 25 of the 27 fires. The defendant was charged with five felony counts of knowingly burning and pleaded guilty to three of the charges. He was sentenced to serve 13 years with the Missouri Department of Corrections and ordered to pay \$6,512 restitution to the Service.

Protecting Migratory Birds

While some threats to migratory birds (such as oil pits) are the "by-product" of industrial activity, others involve the planned intentional killing of protected species. In FY 2002, for example, Region Three special agents worked on a number of cases involving the deliberate poisoning of migratory birds. Other cases involved defendants who shot or trapped birds to protect business interests. Agents also continued to police migratory game bird hunting to ensure compliance with Federal regulations governing this sport.

In November 2001, a Jackson, Ohio, man was ordered to pay over \$11,000 in restitution to the Ohio Division of Wildlife and sentenced to spend five years on probation and perform 100 hours of community service for poisoning 486 federally protected migratory birds. Service and State investigators had documented a mass kill of birds on two Ohio farms during the winter of 1999-2000. The avian death toll included 357 mourning doves, 85 Canada geese, 19 crows, three

meadowlarks, six horned larks, four killdeer, five red-winged blackbirds, and seven grackles. Officers also discovered 100 pounds of poisoned corn at 50 bait sites on the farm. The corn had been mixed with Warbex®, an agricultural insecticide used to kill lice and grubs on cattle. The investigation revealed that two farmers had poisoned two types of feed (shelled and rolled corn) to target crows and geese that might eat their crops.

Misuse of Warbex® has become a pervasive problem in Missouri, where numerous incidents have tied it to the poisoning of protected birds. In one case in February 2001, for example, over 140 red-tailed and Cooper's hawks died after scavenging on the carcasses of other birds that had been poisoned with Warbex®-laced grain.

In September 2002, Federal charges were filed against two companies and three individuals in another case involving suspected widespread, long-term killing of protected birds through the intentional misuse of this agricultural insecticide. The defendants are accused of knowingly selling Warbex®, an animal drug regulated by the Food and Drug Administration (FDA), to farmers for poisoning birds while knowing that such use was inconsistent with the product's labeling. Service agents worked with FDA officers and the Missouri Department of Wildlife Conservation to document these violations of the Federal Food, Drug and Cosmetic Act. Prosecution is pending.

In an important case in Ohio, the owner of a hunting preserve was found guilty in Federal court of illegally shooting hawks in violation of the Migratory Bird Treaty Act. Although the fine assessed was only \$1,000, the case was significant because it highlighted a discrepancy between Federal and State law with respect to the legality of killing "predatory" birds.

The charges stemmed from a December 2000 incident in which a father and son hunting on a farm adjacent to the hunting preserve saw the defendant shoot two hawks from trees on his property. In their investigation, Ohio Division of Wildlife officers reported that the subject openly admitted shooting hawks at his preserve. The case ended up in Federal court when the State prosecutor refused to file charges because of an old State statute that allows licensed game propagators to kill predatory birds.

Hawks and owls were added to the list of birds protected under Federal law in 1972. Although State law may not be less restrictive than Federal law, the 1957 Ohio statute that allowed the killing of predatory birds was never amended. As a result of this case, Ohio wildlife authorities indicated that they would ask the State legislature to revise this statute.

In May 2002, five Minnesota men and a company that raised pheasants for release into the wild for hunting were charged in Federal court for killing approximately 100 hawks and owls. The charges stemmed from a one-year undercover investigation in which Service agents and Minnesota Department of Natural Resources officers documented the illegal shooting and pole trapping of protected birds of prey.

The hawks and owls were killed to prevent them from preying on pheasants being kept in pens. Pole-trapping involves erecting an 8-to-10-foot pole with a leg hold trap attached to the top. Hawks and owls are attracted to the pole since it provides a good vantage point for hunting. When a bird lands on top of the pole, its legs are caught in the trap; the helpless bird then hangs upside down until it dies or is shot or clubbed. Prosecution in this case is pending.

Four Iowa men are on probation and have lost their hunting privileges for two years for baiting violations they committed during the 2001-2002 waterfowl season. In September 2001, Service agents and Iowa conservation officers caught the men hunting in an area where they had placed several hundred pounds of shelled corn to attract ducks. In plea agreements, three men admitted to placing bait and hunting over bait and were each fined \$2,600. The fourth subject pleaded guilty to hunting over bait and was fined \$1,500. In addition to losing their hunting privileges "anywhere in the world" for two years, all four men forfeited their weapons.

Assistance from the public contributed to two cases involving violations of the Migratory Bird Treaty Act. In Ohio, a city construction inspector notified Service agents when a pine tree containing a red-tailed hawk nest was cut down, killing the fledgling inside. The tree was marked to alert the construction crew and had been labeled "do not cut." The responsible party was fined \$1,500. In Minnesota, a couple reported seeing a pheasant hunter shoot a great horned owl out of a tree. The individual was fined \$850.

International Wildlife Trafficking

In January 2002, a Federal court in Illinois found a convicted bear gall smuggler in violation of probation and sentenced him to serve six months in prison followed by six months of home confinement. The subject was originally apprehended in 1997 for smuggling bear gallbladders into the United States via Sault Saint Marie, Michigan. In 1998, the man was convicted of Lacey Act charges and sentenced to five years probation during which he was prohibited from hunting, traveling to Canada, and possessing any wild animal or animal part. Service agents, however, learned that the subject imported black bear parts from Canada in 1999. Further investigation showed that he traveled to Canada in 1998 and 1999 to hunt black bear, purchasing his 1998 license just 32 days after his conviction and sentencing in the bear gall smuggling case.

In April 2002, a Federal grand jury in Chicago returned a 12-count indictment against a primate research facility and three current and former officers in connection with the unlawful 1997 importation of live monkeys from Indonesia. The indictment alleges that the company, which breeds and sells monkeys for medical research, unlawfully imported wild-caught macaques in violation of Indonesian law and used false documents to describe the animals as captive bred. The indictment also includes charges for inhumane transport violations, since the importations included nursing mothers and unweaned young. The airline that shipped the monkeys has already paid a \$10,000 fine for violating humane transport regulations. Prosecution of the research facility and its officers is pending.

Protecting Endangered and Threatened Species

During FY 2002, the prosecution phase of Operation Snow Plow, a multi-State undercover investigation into the illegal commercialization of protected wildlife, continued in three Federal court districts in the Midwest. The lengthy investigation exposed a group of individuals who bought exotic big cats (including federally protected tigers, leopards, snow leopards, and jaguars as well as lions and cougars) for the purpose of killing them and selling their parts. Sixteen individuals and one corporation have been charged, and all but two of these defendants have pleaded guilty.

In November 2001, five individuals were indicted in the Eastern District of Missouri on Federal conspiracy and Lacey Act charges for illegally purchasing, transporting, and selling endangered tigers and leopards between January and August 1998. Two pleaded guilty to Lacey Act felony violations and three pleaded guilty to Endangered Species Act or Lacey Act misdemeanors. Sentences for four of the defendants total 11 months and two weekends in jail, 18 months home confinement, 13 years probation, and the payment of \$20,000 in restitution to the National Fish and Wildlife Foundation's "Save the Tiger Fund." One defendant in this group awaits sentencing.

Also in November 2001, three men were charged in the Eastern District of Michigan with Lacey Act and Endangered Species Act violations for illegally purchasing hides of endangered tigers and leopards. All three defendants pleaded guilty to Endangered Species Act violations. They were sentenced to a total of three years probation, \$10,000 in fines, and \$40,000 in restitution to the Save the Tiger Fund.

In May 2002, the U.S. Attorney for the Northern District of Illinois announced the indictment of seven individuals and one corporation in connection with this investigation. The defendants included exotic animal exhibitors, taxidermists, trophy collectors, and a Chicago area exotic meat dealer. "Victims" of the criminal activity documented in these indictments totaled 19 tigers, seven leopards, a snow leopard, and a barasingha – all species protected under the Endangered Species Act. Seventeen of the tigers and one leopard were killed, most in cages or trailers, so that their hides, meat, and other parts could be sold in the lucrative animal parts trade. During the investigation, Service agents bought and rescued six tigers and leopards that were about to be killed.

By the end of the reporting period, six of the eight defendants indicted in Chicago had pleaded guilty to felony violations. One defendant, who pleaded guilty to smuggling a leopard taken from the wild in Africa and falsifying documents to show that it was captive bred in the United States, was sentenced to four months home confinement, 200 hours community service, and four years probation and ordered to pay \$10,000 restitution to the Save the Tiger Fund. The other five defendants who had already entered pleas were scheduled for sentencing in FY 2003.

As of September 30, 2002, restitution paid to the National Fish and Wildlife Foundation's Save the Tiger Fund as a result of this case totaled \$98,000. The Foundation reports that this money will be used to support anti-poaching and anti-

trafficking efforts aimed at protecting wild tigers in Thailand and the Russian Far East. Planned activities include ranger training, resolution of human-tiger conflicts, and public education.

Service efforts to protect endangered species included work on two cases in which activities on the Ohio River affected beds containing endangered mussels. In one case, the U.S. Army Corps of Engineers placed dredge spoil on mussel beds in the Muskingum and Ohio Rivers during work to maintain river navigation. As a result of the investigation, the Corps settled a tort claim with the State of Ohio and has improved coordination of dredging activities with the Service and other natural resource agencies. In a second investigation, which involves a private company, the Service is preparing a Natural Resource Damage Assessment Claim.

In a joint investigation with the Missouri Department of Conservation, five men involved in the shooting of a bald eagle were apprehended and charged in Federal court. News releases about the eagle shooting secured help from the public in locating the violators. The man who shot the bird was sentenced to serve one year probation, perform 120 hours of community service, and forfeit his rifle. His three accomplices were charged with helping him avoid apprehension; each must serve one year on probation and perform 60 hours of community service. A fifth defendant, who did not participate in shooting the eagle but hid the rifle used, was sentenced to one year probation and fined \$1,000.

Other Key Investigations

In response to citizens' complaints about flagrant deer poaching, Service agents teamed with officers from the Missouri Department of Conservation to conduct a joint special investigation in four counties in southeastern Missouri. The two-year investigation, which documented the activities of groups of hunters taking deer illegally on both private and public land, centered on the practice of hunting with hounds. This illegal method of hunting usually involves a number of hunters scattered over a large area. Participants use two-way radios to stay in contact. The sound of the hounds in pursuit of deer allows the hunters to judge where the deer may run. The "deer-doggers" then travel in vehicles to be at favored deer crossing spots to shoot the fleeing animals. Fines in this case to date have exceeded \$32,000; more than 40 hunters have had their hunting licenses suspended. Additional prosecutions are pending.

Inspection Activities

Chicago: In FY 2002, wildlife inspectors in Chicago examined more than 5,900 shipments. Interceptions at O'Hare International Airport involved both live animals and wildlife products being imported or exported unlawfully in personal baggage and cargo shipments. Seizures included corals, Asian arowanas, and a live aardwolf as well as crocodilian leather products, hunting trophies, migratory bird items, and sea turtle products. Laws and treaties violated included the Endangered Species Act, the Convention on International Trade in Endangered Species, the Marine Mammal Protection Act, the Migratory Bird Treaty Act, and a litany of foreign laws enforced under the Lacey Act.

Service inspectors are also responsible for ensuring that live animals are transported under humane and healthful conditions. In one case, a group of live circus tigers was shipped from Thailand under inhumane conditions and one animal was severely injured. Both the importer and the airline involved were fined \$3,000 for violating humane transport regulations.

Inspectors at the port of Chicago seized sturgeon caviar that was being unlawfully imported in personal accompanying baggage on numerous occasions. Over 20 seizures were made from airline crew members carrying commercial quantities of caviar into the country.

In addition to intercepting illegal shipments and enforcing wildlife laws, Region Three wildlife inspectors work to facilitate legal wildlife trade and improve inspection services provided to the import/export community. In FY 2002, inspectors and brokers in Chicago participated in the pilot testing of the Service's new electronic declaration system, which promises a faster, more efficient process for declaring wildlife imports and exports.

Detroit: The addition of another wildlife inspector at the port of Detroit allowed the region to resume issuing designated port exception permits to some commercial importers. This expansion of service, coupled with the opening of Northwest Airlines' new World Gateway Terminal, has resulted in a dramatic increase in wildlife import/export traffic at the city's international airport and nearby U.S./Canada land border crossings.

The new terminal at Detroit Metropolitan Airport allowed airlines to increase the number of international flights into Detroit. Service wildlife inspectors now screen passengers on an average of 15 flights daily, many from high "wildlife risk" areas such as China, the Philippines, Africa, and eastern Europe. Significant seizures in FY 2002 included smuggled sea turtle shells, ivory, crocodile products, coral, and sport-hunted trophies.

Minneapolis: The Minneapolis/St. Paul International Airport remains a popular port of entry for U.S. hunters returning from Canada. Approximately 1,400 waterfowl hunters and their game were inspected during September and October 2001. In November and December of that year, inspectors checked some 1,500 big game hunters and their trophies for compliance with U.S. and Canadian wildlife laws.

In one instance, Service wildlife inspectors seized 45 unlawfully imported game birds from two Georgia hunters who had taken the birds illegally in Saskatchewan. The subjects were prosecuted in Canada, where the seized birds provided crucial evidence in a case that resulted in the assessment of nearly \$12,000 in fines.

Enforcement Assistance

Although homeland security assignments reduced the number of special agents working wildlife cases in the field during FY 2002, Region Three Law Enforcement continued to support Service, State, and international counterparts whenever possible. Agents, for example, helped Refuge staff investigate the unlawful construction of a dam on Shiawasee National Wildlife Refuge in Michigan. Three hunters built the dam to improve conditions for waterfowl hunting, but the structure also kept fish from reaching spawning beds. The three were fined \$1,000 each.

Service special agents teamed with Missouri conservation officers during turkey and dove seasons to document violations of State and Federal hunting regulations. Surveillance and undercover work resulted in the documentation of over limits and other offenses.

In separate investigations, Region Three special agents helped officers in Montana, Alaska, and Ontario apprehend several hunters from the Midwest who violated games laws outside of their home States. Although the hunters also broke Federal wildlife laws, most violations were handled in the State or province where the illegal hunting occurred.

Outreach and Recruitment

The September 11 terrorist attacks also affected Region Three outreach programs as increased security at U.S. airports put an end to popular Service educational events for visiting school groups at O'Hare International Airport in Chicago. Wildlife inspectors, however, continued to provide off-site outreach programs to help educate the public about wildlife conservation and the illegal wildlife trade.

On September 5, 2002, Law Enforcement staff from Region Three and the Washington Office participated in a career fair in Chicago that was hosted by the Combined Law Enforcement Hispanic Heritage Committee. Participating agencies represented Federal, State, and local law enforcement. Several hundred individuals visited the Service booth to find out more about careers in Federal wildlife law enforcement. Inquiries were also handled from job seekers interested in obtaining positions with the Service as public information officers, computer analysts, and forensic scientists.

Region Four

The Southeast Region covers 10 States (Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, South Carolina, and Tennessee) as well as the Commonwealth of Puerto Rico and the territories of the U.S. Virgin Islands. With a population of more than 56 million, the region is one of the most rapidly growing areas in the country. The Southeast is also home to more than 361 species of fish, wildlife, and plants protected under the Endangered Species Act. According to a recent Service survey, 33 percent of all fishing and 26 percent of all hunting in the United States occurs in Region Four.

At the end of FY 2002, a total of 42 special agents and 16 wildlife inspectors were stationed in the Southeast. Region Four Law Enforcement maintains staffed inspection facilities at the designated ports of Miami, New Orleans, and Atlanta and at the special port of Tampa. Near the end of the year, inspection services were restored at the island port of San Juan, Puerto Rico.

Combating Illegal Trade

Region Four efforts to stem illegal wildlife trade resulted in a number of key prosecutions in FY 2002. Contraband "commodities" in Service investigations ranged from caviar and ocelot parts to crayfish and cocaine.

In Miami, the president of a major caviar company was sentenced to spend 41 months in Federal prison for running a caviar smuggling scheme that used paid couriers from central European countries to transport suitcases packed with black market roe into the United States. The man, who pleaded guilty to charges of conspiracy, smuggling, and money laundering, must also forfeit \$36,000 in cash and \$860,000 worth of caviar. His smuggling operation unlawfully took more beluga caviar out of Russia in one year alone than the country's entire export quota.

Another Region Four caviar case involved a Russian national who was caught at Miami International Airport hiding more than \$20,000 worth of caviar in his luggage. The subject and two accomplices were arrested after a U.S. Department of Agriculture "beagle brigade" dog honed in on the suspicious luggage. When agents opened the two flagged suitcases, they found 84 tins of sevruga caviar – a product that sells for about \$35 per ounce in the United States. In February 2002, the smuggler was sentenced to six months in prison and three years probation.

Another caviar case involved a Florida resident who tried to smuggle in 110 pounds of Russian caviar when he returned to Miami from Frankfurt, Germany. The subject was sentenced to 13 months in prison and two years of supervised release.

In July 2002, a Florida resident was sentenced for smuggling endangered wildlife and counterfeit lobster tags. A Service wildlife inspector in Miami caught the woman returning from Peru with four endangered ocelot skins, additional ocelot parts, a primate skull, 200 crack cocaine pipes, and approximately 700 fake Florida lobster trap tags. She must spend six months in home confinement with electronic monitoring, complete two years of supervised probation, pay \$300 in court costs, and participate in a court-ordered mental health treatment program.

A Cuban national who arrived from Havana with suspicious bulges visible beneath the lower part of his trousers was arrested at Miami International Airport for smuggling birds into the United States. The man had 44 Cuban finches taped to his legs; 12 of the Appendix II birds had already died. After spending time in jail awaiting trial, he was found guilty of violating the Lacey Act and sentenced to six months home confinement.

In Louisiana, the Service teamed with the U.S. Department of Agriculture, U.S. Customs Service, and Louisiana Department of Wildlife and Fisheries to investigate the illegal re-packaging and false labeling of Chinese crayfish, which were sold as fresh Louisiana crawfish. The defendant was sentenced to spend four months in prison followed by four months of home confinement and was fined \$5,000. He must also pay the government \$14,000 for the cost of his incarceration and serve 24 months of supervised probation.

In November 2001, Service agents received information suggesting that a shipment of live wildlife imported from Guyana warranted further scrutiny. The shipment contained two-toed sloths, porcupines, lesser anteaters, kinkajous, a coati-

mundi, and more than 1,000 lizards, turtles, and snakes. CITES export documents were in order and the shipment had been properly declared. On examination, however, agents discovered humane transport violations and 50 kilograms (105 pounds) of cocaine hidden in false crate bottoms under the snakes and other reptiles. The \$1 million worth of drugs were turned over to Customs, and a joint investigation was launched with the Guyanan police.

Safeguarding U.S. Wildlife Resources

In Tennessee, a husband and wife who own a business dealing in caviar from paddlefish and domestic sturgeon were indicted by a Federal grand jury on 10 felony counts of violating the Lacey Act and one count of conspiracy. A cooperative Service/State investigation showed that the pair bought, processed, and sold over 8,000 pounds of illegal caviar (valued at more than \$400,000) to markets in New York, Illinois, and California. The defendants were convicted after a week-long jury trial; sentencing was scheduled for January 2003.

In Louisiana, two men investigated for the illegal take and sale of alligator snapping turtles were convicted of Lacey Act violations. One was fined \$5,000 and the other \$2,500. Each must also pay \$2,000 in restitution to Operation Game Thief, a State-run program that offers rewards for information about wildlife crimes.

In Alabama, Service and State officers pursued a joint Lacey Act investigation into the illegal importation and interstate trade in snakehead fish, piranhas, and other aquatic species banned as injurious under State law. Investigative efforts in Alabama, Georgia, and Kentucky resulted in the conviction of the Georgia wholesale business that imported the contraband species. In Alabama, State charges were brought against 19 pet shops for selling snakehead fish.

Service and State officers in Alabama also worked two cases involving the illegal interstate sale of white-tailed deer. In one case, the defendant paid \$6,500 in restitution to the National Fish and Wildlife Foundation as part of a pre-trial diversion. In another case, the subject paid \$10,000 in restitution to the State of Alabama for illegal deer trafficking.

A subject in North Carolina who violated the Lacey Act by illegally transporting and selling coyotes in interstate commerce was convicted. The man must pay a \$5,000 fine and forfeit the trailer used to transport the animals.

Protecting Endangered Species

Region Four efforts to protect species listed as endangered or threatened under Federal law included several investigations involving unlawful take. Agents in the Southeast continued their work to reduce the number of boat strike deaths among Florida's manatee population.

In Mississippi, the Service successfully investigated the killing of an endangered Louisiana black bear; the carcass was found with its head and paws removed. The perpetrator confessed and awaits sentencing.

In another Mississippi case, Service agents teamed with refuge officers to investigate the killing of endangered wood storks by a catfish aquaculture operation. One subject has confessed to the killing, and the case has been submitted for prosecution.

An Alabama landowner was fined \$3,500 for unlawfully trapping threatened gopher tortoises. The man wanted to remove the tortoises from property he planned to sell because he feared that their presence would make the land less valuable.

In Florida, the Service assisted with a State undercover investigation that resulted in the arrest of a subject for the take and sale of 341 sea turtle eggs from nests in the State. The defendant, who agreed to sell sea turtle eggs to a State officer posing as a client, led investigators to some 27 bags containing about a dozen eggs each. Unfortunately, the confiscated eggs had to be destroyed because they had been out of the ground too long to sustain life.

The case was presented to a Federal grand jury, which handed down a three-count felony indictment against the defendant. The poacher, a convicted felon, was charged with one Lacey Act count for possessing sea turtle eggs in violation of the Endangered Species Act; one count of violating the Lacey Act for selling the eggs in violation of the Endangered Species Act; and one count for illegal possession of a firearm.

The enforcement of boating speed limits in manatee protection zones in Florida remained a priority for Service law enforcement in the Southeast. Collisions between manatees and watercraft are the most significant human-related cause of manatee death and injury. Service task force operations to enforce boating speed limits and raise public awareness of the plight of the manatee resulted in charges against 670 boaters in FY 2002. U.S. Coast Guard enforcement efforts saw another 711 boaters cited for exceeding speed limits in manatee protection zones.

Migratory Game Bird Hunting Cases

Migratory game bird hunting is a popular sport in the Southeast. During FY 2002, the Service again worked to uphold Federal regulations that govern dove and waterfowl hunting.

In a North Carolina case, agents investigated a landowner who had his caretaker deposit 12 sacks of milo into a waterfowl hunting impoundment to improve hunting opportunities. The landowner, who denied knowing the bait was present, was found guilty of hunting over bait, while his employee was convicted of placing bait. The Federal judge who heard the case fined the latter \$200, but ordered the landowner to pay a \$5,000 fine and spend two years on probation, during which he cannot hunt or participate in hunting-related activities.

In Mississippi, an investigation into the illegal hunting activities of three commercial waterfowl hunting guides resulted in two being fined \$3,500 each and sentenced to serve two years probation with no hunting. The third defendant was sentenced to pay a \$5,000 fine and placed on three years probation with no hunting.

A Louisiana outfitter running a commercial waterfowl hunting operation was tried and convicted of violating the Migratory Bird Treaty Act. He was sentenced to pay \$3,400 in fines and serve 10 days in prison followed by time on probation without hunting. After violating probation, however, he went to prison for six months and saw his probation extended to five years.

In another Louisiana case, a father and son caught hunting doves over bait lied when they took the stand in Federal court. All of the hunters involved were convicted of hunting over bait and were fined \$500 and lost their hunting privileges for a year. The U.S. Attorney, however, asked the Service and FBI to investigate the false testimony. As a result, the father was convicted of contempt of court and obstruction of justice. He was fined \$5,000, ordered to perform 200 hours of community service at a national wildlife refuge, and must spend three years on probation without hunting. The son was convicted of placing bait; he was fined \$1,500 and must serve two additional years on probation without hunting and perform 200 hours of community service at a national wildlife refuge.

Failure to tell the truth also resulted in additional charges against two other Louisiana men. A duck hunter (who killed a Cooper's hawk) and two of his friends lied on the stand about the incident. Faced with investigation by a Federal grand jury, one member of the group agreed to plead guilty to misdemeanor contempt of court charges and provide accurate testimony. The hunter who killed the hawk was indicted for conspiracy, obstruction of justice, and subornation of perjury. The other witness was indicted for conspiracy, obstruction of justice, and providing false statements to the government.

In an Alabama dove baiting case in which cracked corn was distributed over a field with a tractor and mechanical spreader, the defendant who placed the bait pleaded guilty and was fined \$3,500. Total fines assessed in the case, including those paid by the hunters involved, added up to \$5,325.

Combating Environmental Hazards

Industrial activities can affect migratory birds and other protected wildlife. Region Four work in this arena during FY 2002 dealt with matters that ranged from oil spills and pesticide misuse to working with companies to remove unintentional hazards that represent a threat to birds and other species.

The Service's investigation into the illegal dumping of bilge oil by a foreign vessel off the coast of South Carolina (an incident that killed hundreds of loons and other shore birds in 1999) secured a plea agreement from the owners of the cargo ship. The company will pay a criminal fine of \$200,000 and contribute \$300,000 to the National Fish and Wildlife Foundation.

In Tennessee, a Service investigation of the misuse of agricultural pesticides to kill wildlife resulted in the Federal grand jury indictment of an individual for nine MBTA counts for the unlawful take of seven red-tailed hawks and two black vultures and one count of violating the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA) for the use of Temik. If convicted, the subject faces up to four and a half years imprisonment and up to a \$135,000 fine for the MBTA violations and an additional one-year prison term and \$100,000 fine for the FIFRA count.

In Arkansas, Service Law Enforcement continued to work with Ecological Services staff, the Environmental Protection Agency, the Arkansas Department of Environmental Quality, the Arkansas Oil and Gas Commission, and the Arkansas Game and Fish Commission to assess some 300 oil industry facilities that represent a potential threat to migratory birds. Outreach to secure voluntary protective measures included three workshops for site operators in southern Arkansas as well as written notices explaining Federal and State regulations. Improvements have been made at a number of sites, and several oil pits that posed a significant threat to wildlife have been reclaimed.

The loss of raptors due to power line electrocutions continued throughout the Southeast. Service agents continued to focus on outreach efforts and the negotiation of agreements with power companies that promise to help reduce electrocution hazards. In Florida, a Service investigation that documented bald eagle deaths resulted in the issuance of a violation notice to a county electrical cooperative.

Supporting Wildlife Refuges

In North Carolina, special agents helped the Mattamuskeet National Wildlife Refuge investigate a hunt club owner who owned land adjacent to the refuge. After a dry summer and fall, the man diverted water from a refuge impoundment to flood his club for duck season. The Service seized the tractor and pump used to steal the water and brought charges against the defendant.

Other assistance during the reporting period included the investigation of two men who stole a backhoe from a refuge in Alabama and completion of a case involving fire damage at Cache River National Wildlife Refuge in Arkansas.

Wildlife Inspection Program

The Southeast includes some of the Nation's busiest airports for passenger traffic, cargo, and wildlife trade. Miami International Airport, for example, is the busiest U.S. port for imports and exports of live wildlife. Hartsfield International Airport in Atlanta is the world's busiest passenger airport while Memphis is the world's largest cargo airport.

During FY 2002, Service wildlife inspectors at the designated port of Miami handled more than 9,500 shipments with a declared value of more than \$57 million. Miami once again ranked as the Nation's third largest port of entry for wildlife trade, trailing only New York and Los Angeles.

Policing the port of Miami remains a challenge. Common commercial importations include shipments of live reptiles and other wildlife. Inspector vigilance contributed to work described earlier on cases involving the interdiction of smuggled caviar, ocelot skins, and Cuban finches.

Service inspection staff at the designated port of Atlanta processed more than 2,100 wildlife imports and exports during the reporting period. Notable commercial seizures included the interdiction of 20 live endangered white sturgeon that were smuggled into the country in a shipment of tropical fish from China and the discovery of two coolers packed with undeclared wildlife collected in the Bahamas that was illegally on its way to Italy. Inspectors also spotted and seized a grand piano adorned with elephant ivory and tortoiseshell that was illegally imported in a commercial shipment of antiques.

Inspectors in Atlanta also made cases involving the unlawful commercial importation of reptilian leather products from Nigeria. They caught the owner of a gourmet restaurant trying to smuggle caviar into the country concealed in two shipments of perishable food products and worked on six cases involving the illegal importation of 95 framed and mounted butterflies from Peru.

Service staff in Atlanta seized undeclared caviar from 15 international passengers and made seven passenger interceptions involving 22 pieces of elephant ivory. They completed five cases involving 93 sea turtle eggs smuggled in

from El Salvador and four cases involving the illegal importation of seven Hartman's mountain zebra skins. Other seizures included tiger balm from Thailand; mounted migratory songbirds from Denmark; jaguar skin and claws smuggled in from Peru; endangered mountain gorilla parts brought in from Rwanda with invalid permits; ivory tusks hidden in the suitcase of a traveler coming from Egypt; a leopard skull; two bontebok trophies imported without permits; and mounted ducks brought in from Great Britain.

The designated port of New Orleans handled some 900 wildlife imports and exports during FY 2002. Popular species and products coming through New Orleans included feather masks, alligator skin and meat, live reptiles, and big game trophies such as leopards, elephants, and black bears. Seizures at this port included ivory and crocodilian leather products.

Wildlife inspectors working at the special port of Tampa, Florida, processed more than 2,100 wildlife shipments. They seized two large mounted green sea turtles from a commercial shipment and secured \$5,000 in penalties from an aquaculture company that was exporting fish to Canada using false labels and without declaring the shipments or holding a Service import/export license.

Tampa inspection staff handled several cases involving illegal importations that entered the country at the international airport in Orlando. Seizures included Peruvian butterflies and ivory figurines. Inspectors also discovered unlawfully imported butterflies taken in violation of Solomon Islands law in a shipment from a private collector in Denmark.

Outreach

During FY 2002, Service special agents and wildlife inspectors in Region Four supported wildlife conservation through public outreach. Audiences ranged from hunters and boaters to oil producers and electric utilities.

Because migratory bird hunting violations remain high in the Southeast, agents teamed with Service External Affairs staff to conduct a proactive campaign to spotlight Federal rules, particularly baiting prohibitions, in conjunction with the opening of the hunting seasons. News releases went out to print media in Tennessee, Kentucky, North Carolina, South Carolina, and Alabama and public service announcements were provided to radio stations. Agents appeared on the television show "Mississippi Outdoors" and on "talk radio" to discuss hunting issues and answer questions about baiting regulations.

Region Four Law Enforcement and External Affairs staff also worked to increase boater awareness concerning endangered manatees and the threat of boat strikes. Some 900,000 registered Florida boaters learned more about this subject thanks to an outreach campaign that used news releases, radio spots, internet notifications, and print flyers to get the word out about boating speed restrictions in manatee protection zones.

Outreach efforts were undertaken to promote industry compliance with laws that protect migratory birds and raptors. Target audiences included oil producers in Arkansas and electric utility companies throughout the Southeast.

Region Four continued to work to educate industry and the public about wildlife trade laws and regulations. In Atlanta, Service staff provided training on inspection requirements and procedures to more than 50 members of the Atlanta Brokers and Freight Forwarders Association. Inspectors from Miami developed and staffed an exhibit at a National Wildlife Refuge System 99th anniversary celebration in Sebastian, Florida, that attracted some 20,000 visitors. Other outreach activities included briefings at Florida International University and information booths at the Broward County Pet Exposition in Fort Lauderdale and Everglades Day at Loxahatchee National Wildlife Refuge.

In Fort Myers, a new educational display on the international wildlife trade was installed in the International Arrivals building at Southwest Florida International Airport. Inspectors from Tampa gave presentations on trade issues at the Florida State Fair and staffed an outreach booth at an Earth Day program at Chassahowitzka National Wildlife Refuge. They teamed with Service colleagues from Miami to conduct outreach at the National Reptile Breeders Exposition in Daytona Beach – an event that attracted some 8,000 attendees. Trade outreach in New Orleans included staffing an information booth at Bayou Sauvage National Wildlife Refuge's Alligator Fest and presentations for area school children.

Training

Service Law Enforcement in the Southeast once again shared its investigative and inspection expertise with counterparts

from other Federal, State, and international law enforcement agencies. Wildlife inspectors provided training on wildlife trade enforcement to officers from U.S. Customs and other Federal inspection service agencies in Atlanta and Savannah. Agents served as instructors in training programs for State wildlife officers in Mississippi, Kentucky, Tennessee, and Alabama and conducted wildlife law enforcement courses for park rangers in Tanzania.

Region Five

Region Five, which covers the northeastern part of the country, is one of the most densely populated areas in the Nation. It includes the States of Maine, New Hampshire, Vermont, Connecticut, Massachusetts, Rhode Island, New York, New Jersey, Pennsylvania, Maryland, Delaware, Virginia, West Virginia, and the District of Columbia. At the end of the fiscal year, 34 special agents were located in this region and 23 wildlife inspectors staffed the designated ports of New York/Newark, Baltimore, and Boston and the border ports of Buffalo and Champlain.

Combating Illegal Wildlife Trade

Smuggling investigations in Region Five continued to focus on the illegal trade in Russian and U.S. caviar; defendants were sentenced (or re-sentenced) in two major cases. The region's efforts to prevent illegal wildlife trafficking also helped keep U.S. borders closed to the unlawful importation of injurious species.

In December 2001, a U.S. District Court judge in New York re-sentenced the owner of a caviar importing company who was convicted in the Nation's first successful criminal prosecution for caviar smuggling. Both the defendant, who ran a smuggling operation that used airline employees as couriers to bring in suitcases packed with contraband caviar, and the government had appealed the trial judge's original sentence, which included a 20-month prison term – a significant "downward departure" from sentencing guidelines. The appeals court judge ruled in favor of the government, ordering the trial judge to re-sentence the defendant. The man will now spend four years in Federal prison for his smuggling activities.

On January 31, 2002, the president of a New York caviar company was sentenced in connection with an undercover Service investigation of illegal trafficking in both U.S. and Russian caviar. During the probe, a Service agent posed as a buyer for a well-known gourmet food market and purchased large quantities of what was supposed to be Russian sevruga caviar from the New York company. DNA tests conducted by the National Fish and Wildlife Forensics Laboratory, however, showed that most of the roe purchased came from American paddlefish.

In a plea agreement, the company and its president admitted selling counterfeit caviar labeled as "Product of Russia" that was in fact U.S. paddlefish roe and smuggling caviar into the United States using false invoices to understate its value and minimize import duties. The company also acknowledged that it bought smuggled caviar from the dealer whose re-sentencing is described above; dealt in illegally caught paddlefish; sold black market caviar to food retailers; and made false statements when applying for CITES re-export permits. The company owner was sentenced to two years in prison and ordered to pay \$23,596 in restitution for unpaid customs duties for the caviar smuggled into the country using false invoices. The company will pay a criminal fine of \$110,000, which includes a restitution payment of \$25,000 to the National Fish and Wildlife Foundation for the preservation and restoration of American paddlefish.

On July 23, 2002, Service special agents in New York arrested a Queens fish importer for smuggling mitten crabs, an injurious species, into the United States in violation of the Lacey Act and making false statements. The man faces penalties of up to five years in prison and a \$250,000 fine. The investigation began after Service wildlife inspectors, acting on a tip, intercepted a shipment of live fish that contained 10 cartons holding an estimated 1,350 undeclared live mitten crabs. Agents were able to document previous instances of smuggling. Mitten crabs are a highly sought after seasonal delicacy in some ethnic communities.

Unlawful Commercialization of Wildlife

Commercial exploitation of protected wildlife resources provided the focus for a number of Region Five investigations that came to fruition during FY 2002. Completed prosecutions – all in the State of Virginia – involved individuals and companies trafficking in "commodities" that ranged from exotic wildlife mounts and Native American human remains to black bear gallbladders and striped bass.

In U.S. District Court in Alexandria, Virginia, a man, his son, and their company were sentenced in connection with multiple violations involving the illegal sale of protected species, including endangered and threatened wildlife, and trafficking in Native American human remains. During a two-year covert investigation by the Service, Virginia Department of Game and Inland Fisheries, and National Park Service, undercover officers purchased Native American remains and

more than \$80,000 worth of unlawful wildlife from the men and their company. Contraband in this case included a white rhinoceros head, a black leopard mount, grizzly bears and parts, bobcats, gray wolves, black bears, and migratory birds.

The older defendant must spend two years in prison; forfeit two vehicles worth \$66,000; and pay \$10,000 to the Lacey Act Reward Account, \$7,500 to the National Park Service to defray the costs of repatriating the Native American human remains, and \$75,000 in special assessments. His son was sentenced to one year probation and was fined \$3,000. The company will spend two years on probation and must pay a \$15,000 fine to the Lacey Act Reward account, \$7,500 to the National Park Service, and \$1,325 in special assessments.

Three defendants in Operation Ursus, a Region Five investigation of bear gallbladder trafficking in Virginia, were also sentenced during the reporting period. A woman who stood trial for buying bear galls was sentenced to spend two years on probation and fined \$2,400. She must also perform 300 hours of community service, which will include presenting educational programs at churches in the Korean community about the illegality of bear gall trafficking. Her two co-conspirators had already pleaded guilty and testified against her. A physician who avoided felony charges by cooperating with the prosecution was sentenced to pay a \$400 fine and \$5,670 in restitution to the Virginia Game Protection Fund and perform 100 hours of community service. A felony conviction would have cost him his medical practice. His wife received an identical sentence.

Another individual was sentenced in Virginia for unlawfully buying black bear galls in interstate commerce. This woman must spend two years on probation and pay a \$2,000 fine. An automobile accident prior to sentencing destroyed the vehicle that would have been forfeited to the government in this case.

Cooperative Federal/State efforts to police commercial fishing operations in Virginia continued during FY 2002. A commercial fisherman who sold untagged striped bass to an undercover agent and took State officers on a baited duck hunt pleaded guilty to one felony Lacey Act count and one count of placing bait. The man was fined \$10,000 and sentenced to spend 30 days in prison followed by five months home confinement. He must also serve three years supervised probation and will lose his commercial fishing license and permits for a year.

In another Virginia case, a commercial fisherman pleaded guilty to two Lacey Act charges and was fined \$5,000 for unlawfully transporting and selling 693 pounds of striped bass taken in violation of State law in Virginia and North Carolina. The defendant sold the fish to an undercover agent working with the Virginia Marine Fisheries Task Force.

Protecting Migratory Birds

Region Five efforts to safeguard migratory bird populations in the Northeast included both traditional enforcement work to uphold waterfowl hunting regulations as well as investigations of wildlife poisoning and other incidents involving illegal take of protected birds.

In Virginia, for example, a woman who raised pigeons and the man she hired to care for them were both charged with violating the Migratory Bird Treaty Act. The woman paid her employee \$25 for every hawk he trapped and killed; his "death toll" since 1999 totaled 171 birds. The woman, who pleaded guilty to three counts, must pay \$45,000 in fines and \$84,500 in restitution, perform 200 hours of community service, and run a one-page ad in two nationally circulated publications detailing her crime. Her employee was fined \$2,500.

A Delaware farmer investigated by the Service and the Delaware Department of Natural Resources and Environmental Control pleaded guilty to two violations of the Migratory Bird Treaty Act. Officers first started looking at the man's activities after a bald eagle, several red-tailed hawks, and a great horned owl were found dead on his Sussex County farm in January 2000. Laboratory analysis showed that the birds died after ingesting a pesticide. Witnesses told investigators that the farmer had his employees lace dead chickens with the pesticide to kill predators. In September 2001, the farmer became the subject of a second Service/State investigation after agents found his fields baited with corn, sorghum, and sunflower seed just before a commercial dove hunt. The man will pay a \$20,000 fine for poisoning protected raptors and \$300 for baiting doves.

In February 2002, a lawn care company pleaded guilty in U.S. District Court in Williamsport, Pennsylvania, to taking migratory birds in connection with the improper use of a pesticide. The company admitted that its employees improperly

treated a property in Snyderstown, Pennsylvania, with an insecticide used to control grubs, killing at least 20 mallard ducks. The judge fined the company \$10,000. The company has suspended use of the chemical and has pledged to make sure that its lawn treatment practices no longer harm wildlife.

Operation Delmarva Adventures, an undercover probe of commercial waterfowl guiding on the Delmarva Peninsula, documented the unlawful activities of two men running an outfitting business. Violations included aiding and abetting overlimits, using a motorboat to rally waterfowl, taking Canada geese and waterfowl during closed season, hunting after legal hours, taking snow geese from a vehicle, and taking overlimits of snow geese. Charged in a nine-count criminal complaint, the two guides negotiated a plea agreement that saw them banned from hunting for two years and fined \$1,050 each – the same amount that agents paid them as their hunting “clients.”

In a Virginia case, a defendant charged with hunting-related violations of the Migratory Bird Treaty Act under a five-count information pleaded guilty to hunting over bait, taking an overlimit, and killing a protected species (a red-shouldered hawk). The man was ordered to pay \$2,000 in fines and restitution and was placed on probation for two years; he cannot hunt or assist other hunters during this period.

Two Virginia women who lied to a Federal grand jury in a case involving the killing of a federally protected hawk were convicted of perjury and witness tampering. The pair were the ex-wife and daughter of a man who ultimately pleaded guilty to violating the Migratory Bird Treaty Act and possessing a firearm after being convicted of a felony. The man was sentenced in August 2002 to serve 15 months in prison and pay \$1,500 in fines and restitution. The two women face potential prison sentences of up to 25 years and fines as high as \$750,000.

Wildlife Inspection Activities

Wildlife inspectors in Region Five were responsible for monitoring nearly a third of all U.S. wildlife trade during FY 2002. Once again, the combined designated port of New York, New York/Newark, New Jersey remained the Nation’s busiest port of entry for wildlife and wildlife products, processing more than 29,000 shipments. Significant numbers of shipments were also handled in Boston, Baltimore, and at the region’s two staffed border ports.

New York, New York: Inspectors at New York’s John F. Kennedy (JFK) International Airport completed numerous cases in which commercial importers paid significant civil penalties for wildlife trade violations. In one investigation, a company that brought in eight shipments with CITES violations in a 9-month period paid \$43,000 in civil penalties. Seizures totaled 114 products made from lizard, alligator, and vicuna – goods which had a declared value of \$35,344.

In other New York cases, an importer paid a \$10,000 civil penalty for two illegal shipments of caiman belts and alligator lighters; a designer watch company paid \$11,000 for CITES violations involving caiman watchstraps and belts; an upscale retail store paid \$9,000 in connection with three importations involving a weasel shawl and monitor and tegu lizard shoes; and a company paid \$8,000 and forfeited two shipments of weasel garments that had a declared value of \$42,785.

Civil penalties collected from other commercial importers dealing in wildlife leather goods included \$5,000 for the illegal import of a whipsnake handbag; \$5,000 for weasel handbags; \$4,500 for caiman and lizard watchbands; \$4,250 for 200 caiman and 71 alligator watchbands; \$4,000 for a shipment containing alligator and python leather products; \$4,000 for the unlawful import of 36 rat snake shoes; \$4,000 for the illegal import of 50 whipsnake shoes; \$4,000 for caiman watchbands; \$4,000 for alligator watchstraps; \$3,000 for importing Siberian weasel handbags; and \$3,000 for 57 alligator watchbands.

A company that illegally brought in 550 pieces of black coral jewelry was fined \$3,000. Another paid a \$4,000 civil penalty for importing stony coral substrate without CITES permits. Other civil penalty cases saw a major international express mail company pay \$7,000 for failure to declare shipments; a fashion retailer pay \$3,000 for two leopard-skin coats; and a reptile dealer pay \$2,000 for the illegal importation of 25 Asian turtles, two king cobras, and 12 giant toads.

Efforts to police the caviar trade yielded significant results at JFK in FY 2002. A Brooklyn company, for example, forfeited an unlawful shipment worth \$483,000 after Service inspectors stopped it for CITES violations. Seizures during the week of New Year’s Eve (a peak caviar import period) include two large shipments valued at \$138,000 and \$186,000. A number of other companies paid civil penalties in connection with violations associated with caviar shipments.

Inspectors at JFK continued their efforts to keep injurious species from entering the United States. Contacts maintained with a live animal broker helped the Service intercept a shipment of 3,750 live mitten crabs with a retail value of over \$44,000. The shipment was re-exported to The Netherlands. Inspectors also caught and turned back a mitten crab shipment being smuggled in from Shanghai, keeping 1,350 of the banned crustaceans out of the country. This interception prompted a Service investigation that documented a history of mitten crab smuggling and resulted in the arrest of the fish importer involved on felony charges.

Newark, New Jersey: Wildlife inspectors in Newark, New Jersey, who monitor trade at the city's international airport and ocean port, processed 5,133 shipments during the reporting period. Inspection staff made progress in their efforts to promote compliance with wildlife import/export laws. In April 2002, a major air cargo delivery service signed a settlement agreement that will allow the company to "self disclose" misdeliveries (shipments delivered to importers without Service clearance) with a pre-set fine of \$250. If a misdelivery is not disclosed, a higher civil penalty will be assessed. The company also paid a mitigated civil penalty of \$43,000 for 19 shipments that had been delivered without Service clearance.

Boston, Massachusetts: Service staff at the port of Boston handled 1,210 shipments in FY 2002.

Inspectors there policed both commercial trade and passenger traffic arriving at Logan International Airport.

In December 2001, the Service seized a 1,392 kilogram caviar shipment after laboratory tests confirmed that it contained undeclared species, violating CITES and U.S. import/export marking requirements. The shipment, which had a retail value of approximately \$1.4 million, represents the largest value wildlife seizure ever at the port of Boston. The shipment was forfeited in August 2002 and civil penalties were expected for the caviar company involved.

Other commercial seizures at Logan included the interception of an undeclared shipment of 200 shell frames from Thailand. Sixteen of the frames (which featured shells from a variety of land snail species) were also decorated with carved elephant ivory. A research assistant from Harvard University helped inspectors identify the shells. Service staff also assisted U.S. Customs officers in Portland, Maine, with a container shipment from Zimbabwe in which undeclared wildlife parts, including elephant molars and blesbok horns, were discovered.

Wildlife inspectors in Boston intercepted contraband wildlife items being imported by international travelers returning to or visiting the United States. Seizure of a shahtoosh shawl (made from the wool of Tibetan antelope, a CITES Appendix I species) resulted in civil penalty proceedings against a woman who repeatedly claimed the fabric was synthetic. Other wildlife items collected from passengers arriving at Logan from overseas included sturgeon caviar, leather goods made from CITES species, a stuffed crocodile, and a brown bear rug.

Baltimore, Maryland: Wildlife inspectors at the designated port of Baltimore processed more than 2,700 shipments during FY 2002. Baltimore inspection staff maintained effective liaison with port "user groups," such as the Shipper and Importer Advisory Council, and participated in a ceremony renewing an interagency commitment to serving the needs of the Port of Baltimore as effectively as possible.

Border Ports: During FY 2002, Region Five Law Enforcement expanded enforcement coverage along the Canadian border by stationing a wildlife inspector at Champlain, New York.

Interceptions at the existing border port of Buffalo, New York, included the detention of a man bringing Asian antiques into the United States from Canada by train. The items included carvings made from elephant ivory, which were seized along with over \$10,000 in currency that had not been reported on entry. Other seizures during the reporting period included ivory jewelry and bagpipe fittings, elephant hair products, and reptile skin goods.

Training Partnerships

During FY 2002, Region Five Law Enforcement staff provided training to Federal, State, and tribal counterparts. In November 2001, for example, Service special agents taught waterfowl identification skills to wildlife conservation officers and game wardens from the Penobscott Nation, Passamaquoddy Tribe (Princeton and Pleasant Point), Narragansett Indian Tribe, and the Wampanoag Tribe of Gay Head. Waterfowl enforcement work was also a focus for Service instructors teaching Connecticut and New Jersey conservation officers at their in-service programs. The New Jersey

training also included Service updates on the Lacey Act and Endangered Species Act as well as assistance with simulation exercises.

The Service also supported State training programs for new wildlife law enforcement officers. Agents covered the fine points of the Lacey Act and Endangered Species Act for new recruits attending the conservation officer program at the New York State Department of Environmental Conservation Academy in Oswego, New York. The Service continued its training partnerships with the Pennsylvania Game Commission and the Pennsylvania Fish and Boat Commission, providing instruction in wildlife laws needed for new officers to qualify for Federal deputy game warden certification under Memorandums of Agreement between the Service and the two State agencies.

Cross-training provided to other Federal enforcement officers by Service wildlife inspectors included instruction in wildlife import/export laws and species identification for Agriculture staff at Logan International Airport and training in Buffalo to help U.S. Customs inspectors process hunters and anglers returning from Canada. Service special agents also participated in an in-service program for National Park Service rangers on Long Island, reviewing Federal wildlife laws and highlighting local issues, such as piping plover protection.

Outreach

Public outreach remained an important part of Region Five's law enforcement mission during FY 2002. Special agents and wildlife inspectors presented educational programs to a variety of school, scout, and community groups. Outreach efforts also included participating in local Earth Day celebrations, helping to arrange and host youth fishing opportunities during National Fishing Week, and providing presentations on law enforcement activities for student trainees interested in careers with the Service.

Region Six

Region Six Law Enforcement investigates wildlife crimes in Colorado, Wyoming, Utah, Montana, North Dakota, South Dakota, Nebraska, and Kansas, and inspects and clears wildlife shipments at three ports of entry – Denver, Colorado; Pembina, North Dakota; and Great Falls, Montana. Region Six finished the year with 24 special agents and three wildlife inspectors on the job.

Preserving Big Game Hunting Opportunities

The Rocky Mountain and Great Plains States are home to a variety of big game species. Service special agents in Region Six work closely with State counterparts to prevent the illegal take and commercialization of these resources. Cases in FY 2002 exposed unlawful guiding operations, broke up organized poaching rings, and caught hunters who broke the law to take trophy animals.

Service agents assisted the North Dakota Game and Fish Department with a covert investigation that exposed unlawful guiding and outfitting in the State. Seventeen individuals were prosecuted for numerous violations, including the illegal take, commercialization, and interstate transportation of big game species such as elk, white-tailed deer, and mule deer. Charges were also filed for shooting raptors, shooting over the daily bag limit of pheasants and turkeys, and other State violations. Penalties totaled \$14,980 in fines and \$8,175 in restitution. The defendants forfeited numerous weapons as well as two elk mounts, six mule deer mounts, four white-tailed deer mounts and racks, and one bobcat mount. As a group, they lost 30 years worth of hunting privileges and must perform a total of 500 hours of community service.

The Service and Colorado Division of Wildlife wrapped up a joint investigation that exposed an elk poaching ring. Those involved fraudulently acquired landowner hunting permits and then engaged in a variety of illegal hunting practices to kill large bull elk. The investigation, which involved agents in Colorado, Nevada, and Washington State, saw six individuals pay more than \$65,000 in fines and forfeit numerous elk trophies. The two ringleaders were sentenced to prison terms of 12 and 18 months. All charges were filed in Colorado State courts under plea agreements.

A Texas resident who last lived in Colorado in 1994 was investigated by the Service and the Colorado Division of Wildlife for hunting with a resident license and illegally taking a big horn sheep. The man drew a Colorado big horn sheep permit after eight years of applying and paid a landowner a \$5,000 trespass fee to take the animal on the latter's property. But since his license was illegal, so was the take. The man forfeited the trophy and paid a \$25,000 fine.

DNA analysis helped Service and Colorado Division of Wildlife officers successfully bring charges against two New Mexico residents who killed a large bull elk while trespassing on a ranch in southern Colorado. Scientists matched meat samples from the rack with meat from an elk taken on the property. The men confessed and forfeited the trophy; the one who shot the elk paid \$11,370 in fines to the State.

Service and Colorado officers also teamed to investigate a hunter from California who killed a large mule deer buck without a license while trespassing on private property. Although the man was spotted by a ranch employee, he escaped into Utah, taking the antlers with him and thus adding a Lacey Act violation to his crimes. Faced with the possibility of Federal charges, the subject elected to settle his case with the State, paying \$1,850 in fines and racking up 65 points against his hunting privileges. Colorado suspends hunting privileges at 20 points.

Service agents helped the State of Utah break up an unlawful guiding and hunting operation specializing in mountain lions by participating in a covert hunt with the suspect. During the hunt, several bobcats were killed from a vehicle with the aid of a spotlight (a violation of State law) and none of the animals were tagged as required. The guide told the agents that "if everyone knew how to hunt like me, there would be no cats left." After the hunt, the guide arranged to ship the bobcat skins to the hunters across State lines, violating the Lacey Act. After being indicted by a Federal grand jury for felony Lacey Act violations, the guide pleaded guilty to reduced charges. He was sentenced to six months of supervised release and fined \$1,250. The State of Utah charged the guide with unlawful use of a spotlight for taking game, shooting from a road, and shooting from a vehicle. State penalties included a \$1,200 fine, six months imprisonment (suspended pending payment of the fine), and 18 months probation while banned from hunting or guiding.

A deer poacher who was one of seven subjects prosecuted as a result of a joint Service/State investigation of unlawful hunting in Kansas went to prison for six months after agents showed that he falsified court records and hunted in violation of the terms of his probation. This man had already paid Federal and State fines totaling \$3,334 and had been sentenced to five years probation. Total penalties for all defendants in the original poaching case included \$5,312 in fines, 10 years of probation, 16 years worth of lost hunting, fishing, and trapping privileges, and 350 hours of community service.

In June 2002, a subject was sentenced to pay a \$500 fine and \$5,000 restitution to the South Dakota Game, Fish and Parks Department for a Lacey Act violation involving the illegal transportation of a trophy bull elk from South Dakota to Nebraska. The subject actually killed three trophy bull elk on the same day, but charges were reduced to one count during plea bargaining.

Protecting Endangered Species

Region Six efforts to safeguard endangered species include public outreach to protect listed animals and their habitat as well as investigative work. During FY 2002, for example, Service special agents and South Dakota State conservation officers teamed with the U.S. Army Corps of Engineers to protect the threatened least tern and piping plover on the lower reaches of the Missouri River. Under a Memorandum of Agreement, the three agencies patrolled tern and plover nesting areas during periods of high public use, effectively calling attention to the presence of the birds and preventing accidental damage to, or disturbance of, their nests. Federal criminal charges were filed against four individuals for encroaching into posted nesting areas. Each pleaded guilty to attempting to take endangered species and paid a \$500 fine.

Agents in Colorado continued their efforts to prevent destruction of habitat occupied by the threatened Preble's meadow jumping mouse. Most cases can be resolved by talking to landowners and developers about the consequences of conducting activities that are not permitted. Others require more extensive negotiation to settle. In one case, for example, a company developed some 75 acres near Colorado Springs; 40 acres of this parcel had been identified as mouse habitat and was off limits. Agents anticipate reaching a settlement, which will include implementation of a Habitat Conservation Plan.

A habitat destruction case in southern Utah wrapped up in December 2001, when an administrative law judge upheld a \$15,000 civil penalty assessment against a developer for the unlawful take of Utah prairie dogs. The decision supported Service efforts to enforce both the take (i.e., harm and harass) and habitat destruction prohibitions of the Endangered Species Act. Testimony during the three-day hearing showed that before the developer began work on his housing project, the land had been inhabited by at least 74 threatened Utah prairie dogs. None remained after the site was developed. The judge ruled that "although there [was] no direct evidence of mortality or injury resulting from the respondent's activities, there [was] sufficient circumstantial evidence that the resulting habitat modification and degradation actually killed or injured, and thus harmed, threatened Utah prairie dogs."

Service agents in Region Six also investigated cases involving the direct take of listed species. A Utah man who illegally killed a gray wolf while on a spring bear hunt in Idaho and then transported the animal's hide and skull back home was sentenced to spend eight months in prison, pay a \$500 fine, and serve a year of supervised release while banned from hunting. Service agents learned about the violation after the man showed the wolf parts to other people in Utah. Agents recovered the skull and the gun used to shoot the wolf when they executed a search warrant at the man's home. The man eventually confessed and helped agents locate the hide, which he had buried in a river bottom near his residence. DNA analysis identified the hide and skull as that of a gray wolf that may have been part of a pack originating in Montana.

In another case, a Montana taxidermist who shot two wolves by the side of the road from his pickup truck found himself in Federal court after bragging to another individual about his exploit. This person contacted Service agents, who secured a confession from the defendant. Although the man pleaded guilty to killing the wolves, he later told the judge that he did not know he was shooting at wolves. Rejecting this claim, the judge ordered the taxidermist to pay a \$4,000 fine and \$2,000 in restitution to the Montana State Fish and Wildlife Laboratory. The man will also spend three years on probation while banned from hunting and must forfeit the rifle used to kill the wolves to the Montana State Hunter Safety program.

The Service investigated the death of a California condor discovered near Zion National Park in southern Utah. The bird was one of 37 condors released to the wild since 1992 as part of the agency's program to re-introduce this endangered

species. The agent who recovered the bird retrieved its carcass as well as two wing tags and a radio transmitter that had been used to track its location. The tags and radio transmitter had been removed and buried near the carcass.

The investigation focused on a sheep herder working on a nearby grazing lease. When interviewed, the man explained that he was aware of the bird's protected status. The herder saw the bird die near his sheep camp and was afraid that authorities would accuse him of killing it. He removed the wing tags and transmitter to keep anyone from finding the condor. Laboratory analysis eventually showed that the bird died from lead poisoning after ingesting bullet shrapnel, apparently while scavenging a carcass of an animal shot with a high-powered rifle. No charges were filed in connection with the removal of the tags and transmitter since the herder was cooperative.

Keeping Grizzlies Alive

Region Six is home to many of the grizzly bears remaining in the lower 48 States. Agents worked to protect this threatened species through proactive outreach partnerships. They also investigated cases involving grizzly shootings, pursuing charges in State courts when Federal prosecutions encountered obstacles.

In FY 2002, agents teamed with the National Rifle Association, the Colorado Wildlife Heritage Foundation, the Wyoming Game and Fish Department, and the U.S. Forest Service to print and distribute a pocket-size booklet called "Hunting in Grizzly Country." This outreach tool shows guides, outfitters, hunters, and wilderness enthusiasts how to prevent, deflect, and survive encounters with grizzly bears – encounters that can prove costly for both bears and people. Incidents involving the take of grizzlies all too often occur when hunters encounter them unexpectedly and mistake them for other species or kill them to protect themselves.

Service agents, Forest Service officers, and Wyoming State game wardens rode over 1,000 miles of the State's back-country, visiting hunting camps and distributing over 12,000 copies of the new booklet. Agents in Wyoming and Montana also served as instructors in grizzly bear avoidance classes for guides, outfitters, and others. They provided training to Federal employees from the Fish and Wildlife Service, National Park Service, U.S. Forest Service, U.S. Department of Agriculture's Wildlife Services, and U.S. Customs Service. More than 1,200 students have completed bear avoidance training since agents helped develop and launch the program several years ago.

Ongoing proactive efforts to protect this threatened bear may finally be paying off – particularly in Wyoming. For the first time since the grizzly was listed, no bears were killed in self defense in that State. Although conflicts between hunters and bears are occurring more often in the region, both human injury and bear deaths are on the decline.

When bears are killed, however, agents find it difficult to bring cases to Federal court, particularly when potential defendants claim that they misidentified their prey. Department of Justice policy requires Federal prosecutors to prove that anyone killing an endangered species knew that the animal was protected at the time of the take. As a result, most grizzly bear cases involving "mistaken identity" claims have been referred for State prosecution.

In one Wyoming case, for example, three men were involved in the illegal killing of a grizzly bear. They removed the bear from the kill site, buried the carcass, and destroyed the animal's radio collar. Service agents eventually received information that lead them to the buried bear. They unearthed the animal's remains, obtained confessions, but could not pursue Federal prosecution for unlawful take because the man who shot the bear claimed that he did not know the animal was a grizzly. The case was finally prosecuted in State court, where the man ended up paying \$5,880 in fines and restitution and lost his hunting privileges for five years.

In another case, however, agents succeeded in bringing Federal charges under the Endangered Species Act because they were able to prove that a Wyoming licensed guide knew that he was shooting a grizzly bear. When they traveled to the man's wilderness camp by horseback to serve a Federal search warrant, they discovered the skull of the grizzly hidden in a tent. The guide who killed the bear was fined \$1,000, ordered to pay \$10,000 restitution, and forfeited his 10-gauge shotgun. The outfitter was fined \$500; another man, who had concealed the bear's skull, was fined \$750.

Working with Electric Power Producers to Protect Birds

In FY 2002, Region Six special agents continued to work with the electric power industry to address electrocution hazards that kill eagles and other raptors. In April 2002, the Service signed a groundbreaking Memorandum of Understanding

(MOU) with Xcel Energy, one of the largest electrical providers in the West and Midwest. This agreement commits the company to developing an Avian Protection Plan that will benefit birds along approximately 90,000 miles of power lines. Under the plan, Xcel will identify problem lines and poles and set priorities for retrofitting these structures. The company will also avoid new construction that is not raptor friendly.

Industry interest in developing MOUs was originally prompted by the Federal prosecution of the a Colorado utility for illegally killing eagles and other raptors. The utility ended up in court after failing to work with the Service to correct lines that had electrocuted eagles. In 1999, the company signed a court-ordered MOU with the Service, which established procedures for monitoring avian injuries and deaths and addressing problem sites during its three-year probationary period. An Avian Protection Plan developed under the MOU identified 735 priority structures for retrofitting during this period. In August 2002, the utility reported that it had completed work on all of these structures ahead of schedule. The company also retrofitted an additional 1,261 structures in its Colorado service area and 2,896 structures in Utah.

In Kansas, agents continued to seek compliance with Federal wildlife laws from 160 electrical providers who were contacted about electrocution hazards last year. Officers met with managers and attorneys representing Kansas electrical cooperatives as well as officials from the State's four largest electrical providers to explain the MOU process and its benefits. In addition, the U.S. Attorney's Office agreed to consider prosecuting utilities that refuse to take remedial action after multiple bird deaths are documented.

Agents in Wyoming secured remedial action from two utility companies after Service monitoring documented significant numbers of bird deaths. At one location, at least 70 electrocutions occurred between January 1996 and September 2002. The utility company spent over \$100,000 to identify and retrofit problem lines and poles. At another site, agents discovered 16 electrocuted eagles. After being advised of the violations, the company spent \$240,000 to replace or retrofit poles in the area.

Region Six efforts to reduce raptor electrocutions also included sponsoring and participating in several 8-hour training courses for industry officials. Conducted in partnership with the Avian Power Line Interaction Committee and Hawkwatch International, these classes have been attended by several hundred representatives of rural electric cooperatives and investor-owned electric power companies. The training program provides an overview of the raptor electrocution problem; reviews State and Federal laws and regulations; examines electrical equipment, avian biology, and Service migratory bird permitting; and discusses strategies for minimizing bird electrocutions. The course includes a "hands-on" session demonstrating the latest in power line retrofitting equipment using pole "mock-ups" and, at some sessions, even live raptors.

In North Dakota, Service agents continued to work with the Department of Energy-Western Area Power Administration, Edison Electric Institute, a local rural utility service, and the Avian Power Line Interaction Committee to address another problem involving birds and electric power lines. This effort focuses on keeping birds from dying when they collide with transmission lines along the perimeter of Audubon National Wildlife Refuge. Reports dating back to the 1960s document hundreds of line strike bird mortalities. During the first year of a multi-year study, 452 birds representing 64 different species died after striking power lines. More than 495 mortalities involving 73 species had been documented during the second part of the study, which was to continue beyond the end of FY 2002. Plans call for the installation of detection, recording, and diversionary devices to keep birds from striking lines. Many of these devices did not exist when the study began and have been tailored for use with high-voltage transmission lines. The results of this project should provide a template for reducing line strike bird mortalities.

Combating Other Threats to Migratory Birds

Exposed oil pits, tanks, and spills remain a hazard for migratory birds in Region Six. During FY 2002, resource limitations prevented the Service from conducting the same number of aerial and ground inspections to identify problem areas as in past years. Efforts in Kansas, however, detected seven sites where protected birds had died. At one location near Chanute, agents recovered three Canada geese, three hawks, 24 ducks, four great blue herons, four songbirds, and four shorebirds. The oil producer, who had been ordered to clean up the site by the Kansas Corporation Commission in 1998, was fined \$3,275 and must fill in the oil pit. Five other producers also received Federal Violation Notices requiring the payment of fines and cleanup of their facilities.

Service agents in Colorado continued investigating the deaths of eagles that feed on euthanized livestock. In the most recent case, at least three eagles died near the carcass of a horse that had been euthanized by a veterinarian using sodium pentobarbital. Laboratory analysis of the eagles' remains verified the presence of the drug. State laws require that euthanized animals be burned or buried to avoid secondary mortality. Civil penalties are pending in this case.

In a previous case involving the death of seven eagles, the defendants contributed \$18,000 to the National Fish and Wildlife Foundation for outreach regarding the threat of secondary poisoning. Using those funds, the Foundation awarded a contract to two veterinarians who will research the problem and help develop strategies to inform veterinarians and ranchers about the need to use proper procedures for disposing of euthanized animals.

Outreach promises to help reduce this unintended hazard to birds. Agents in Region Six, however, must also deal with individuals who deliberately kill protected species. In South Dakota, for example, the Service investigated the operator of a pheasant farm who killed at least 68 raptors, including four bald eagles, 17 golden eagles, eight ferruginous hawks, 15 rough-legged hawks, nine red-tailed hawks, 10 northern harriers, one prairie falcon, and four short-eared owls. The man pleaded guilty to a misdemeanor count of poisoning a bald eagle; he was sentenced to serve 30 days in prison, five months of home confinement, and one year of supervised release and was ordered to pay \$80,000 in restitution.

Agents also brought Federal charges against the owner/operator of a Wyoming pheasant farm who illegally killed hawks and owls. The subject apparently instructed his employees to shoot raptors to prevent them from preying on the pheasants raised and hunted on the ranch. When agents searched the property, they recovered 40 hawks and owls and seven other migratory birds including a great blue heron, a hooded mephitid, and a mallard. The case is scheduled for trial.

Agents in Colorado investigated three incidents of avian mortality caused by the ingestion of Warbex, a pesticide used to kill fly larvae on cattle. Species involved in these poisonings included a bald and a golden eagle, magpies, and mallard ducks. The eagles apparently fed on the remains of a cow that had been treated with the pesticide; agents suspect that the mallards died after eating grain deliberately laced with Warbex. Frequent misuse of this product and its linkage with bird deaths suggest the need for better labeling requirements.

A North Dakota farmer who shot hundreds of Canada geese to keep them from damaging his crops was fined \$875 after pleading guilty to a misdemeanor violation of the Migratory Bird Treaty Act. The Service investigated the man's activities after the North Dakota Game and Fish Department received a tip about the shootings. After agents found seven dead geese in a soybean field, the farmer admitted that he had killed 50 to 60 of the birds in 2002 and as many as 200 in the spring of 2001.

Other Investigative Accomplishments

Service agents teamed with the Colorado Division of Wildlife to investigate a father and son, both convicted felons, for waterfowl baiting. The father, whose previous convictions included one for possessing a machine gun, had threatened to harm anyone who interfered with his commercial hunting operation. When agents set up surveillance on the man's ranch, they documented large amounts of corn being placed near goose hunting blinds. Thousands of geese gathered in the area, and agents observed numerous successful hunting trips.

The investigation produced a 22-count Federal grand jury indictment charging the father and son with an array of violations, including unlawful possession of firearms and ammunition, unlawful sale of wildlife, hunting over a baited area, and placing bait with the intent to lure waterfowl to hunters. The father, who was the primary defendant and main operator of the hunting business, is negotiating a plea agreement, but the son may elect to go to trial.

The Service holds nearly 1.3 million acres of wetland easements under contract in North and South Dakota that provide habitat for migratory birds. In FY 2002, special agents continued to work with national wildlife refuges and wetland management districts to identify violations and secure restoration of wetlands that were unlawfully drained, burned, filled, or leveled. Officers usually succeed in obtaining voluntary compliance. During 2002, however, wetland restoration in two major cases in North Dakota occurred only after the U.S. Attorney's Office filed civil complaints against those involved.

Assisting Native American Tribes

Region Six Law Enforcement works closely with Native American tribes to protect tribal wildlife and cultural resources. In June 2002, for example, agents in the Dakotas joined 30 tribes and the U.S. Army Corps of Engineers to form a Cultural Resources Task Force to investigate violations of the Archeological Resources Protection Act occurring on Corps and tribal lands along the Missouri River in those States. Agents participated in three task force investigations that resulted in Federal charges.

In a case that was already underway, a South Dakota man who looted an 800-year-old grave on the Pine Ridge Indian Reservation in South Dakota will spend six months in prison and serve one year of supervised release for violating the Archeological Resources Protection Act. The man, who was investigated by the Service in cooperation with the Federal Bureau of Investigation and Bureau of Indian Affairs (BIA), must also pay \$1,675 in restitution. He had previously been indicted under the Migratory Bird Treaty Act and Eagle Protection Act for killing protected birds and trying to sell their parts.

In Colorado, agents teamed with State, BIA, and tribal officers to investigate two subjects who unlawfully entered Ute Mountain Ute tribal lands at night to shoot a bull elk. The pair cut off the animal's head, leaving the meat to waste. Both men were convicted in Federal court. The hunting guide was sentenced to serve four months in prison, followed by four months in a halfway house and an additional eight months of supervised release. He must also pay the Ute Mountain Ute Tribe \$1,000 in restitution and a \$500 fine and may not possess firearms, hunt, or guide until released from Federal supervision. The other subject was fined \$2,000 and placed on probation for three years. During this period, he cannot guide hunters or be in the field with them.

Policing Wildlife Trade

The Region's three wildlife inspectors are responsible for monitoring wildlife trade at 32 ports of entry along 850 miles of U.S./Canada border in North Dakota and Montana as well as at eight U.S. international airports. Seven border ports and the airport in Denver, Colorado, handle a significant volume of commercial wildlife traffic.

In addition to examining commercial shipments and personal imports and exports, inspectors conduct border checks of U.S. hunters and anglers returning from Canada. They complete numerous inspections of this kind every spring and fall. Typical violations include failure to declare, overlimits of fish and waterfowl, and lack of proper permits. Region Six wildlife inspectors also provide training to U.S. Customs officers, brokers, importers, and exporters to inform them about Federal wildlife laws, promote compliance, and expedite the import/export process.

One unusual seizure during the reporting year involved an express mail package that arrived in Montana from Canada containing a Native American dance bustle featuring 32 bald eagle feathers. The bustle was en route to a U.S. citizen in Bettendorf, Iowa, who had bought it from a resident of Calgary, Canada, via a well-known Internet auction site. The purchaser cooperated with Service agents, providing information that allowed Canadian authorities to prosecute the seller. The latter pleaded guilty to illegally selling and exporting eagle parts and was fined \$2,000.

An illegal 1997 importation of a \$3,000 set of trophy mule deer antlers from Mexico came to the attention of Service investigators and Federal prosecutors after the Wyoming man involved tried to cash in on the evidence of his crime. After having the antlers scored and tentatively accepted by Boone & Crockett as the "number two" mule deer trophy, the defendant sold the rack to a taxidermist in Reno, Nevada, for \$50,000 – more than 16 times what he had paid. The sale fell through, however, when the man, who promised the buyer legal documentation for the antlers, unsuccessfully tried to file an "after-the-fact" declaration and obtain a "permit" from a biologist in Mexico asserting the legality of the export. When Boone & Crockett learned of the questionable origin of the antlers, they dropped the proposed entry in the record book.

The man pleaded guilty in Federal court in Wyoming to violating the Lacey Act by importing wildlife unlawfully taken under foreign law. He forfeited the antlers and was ordered to pay a \$2,500 fine, serve 10 months in prison, and complete one year of supervised release. During this period, he may not possess firearms, archery equipment, or black powder equipment and may not guide, outfit, hunt, or fish in the United States or in any other country that regulates wildlife trade. He is also banned from entering all public lands, including those managed by the Forest Service and National Park Service.

Training Partnerships

Region Six special agents are actively involved in a number of wildlife law enforcement training partnerships. Beneficiaries of their expertise include State conservation officers as well as Federal counterparts with such agencies as the U.S. Customs Service and National Park Service. In recent years, Service training support has included assistance with simunitions exercises. This technique uses real-life scenarios, role playing, and non-lethal ammunition to expose officers to the type of situations they may face in the field. During FY 2002, Region Six agents also conducted training for international law enforcement agencies in Tanzania and the Galapagos Islands.

In May 2002, Region Six special agents presented a 40-hour law enforcement training program for 36 Native American conservation officers representing 16 tribes from New Mexico, Montana, Michigan, Mississippi, Arizona, Nebraska, and South Dakota. The course, which was conducted in Billings, Montana, in partnership with the Native American Fish and Wildlife Society, reviewed the basics of Federal wildlife laws and such statutes as the Archeological Resources Protection Act and the Native American Graves Protection and Repatriation Act. Instructors also covered authority and jurisdiction on Indian land, waterfowl identification, interviewing and interrogations techniques, and crime scene processing. Firearms training included traditional qualification exercises as well as simunitions scenarios.

Over the past six years, Region Six has provided basic wildlife law enforcement training to more than 450 tribal officers. During FY 2002, agents also presented a waterfowl identification class for North Dakota district wardens and conservation officers from 13 Native American tribes and met with tribal officers at the national meeting of the Native American Fish and Wildlife Society in Anchorage, Alaska.

Region Seven

Region Seven – the State of Alaska – encompasses 586,000 square miles, an area one-fifth the size of the lower 48 States. The region features 33,904 miles of coastline, 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 country as well as a variety of ecosystems.

During FY 2002, 12 special agents and three wildlife inspectors were responsible for enforcing Federal wildlife laws in Alaska. While Service officers here deal with many of the same problems as their counterparts in the lower 48, a number of factors – including the sheer scale of the State, the existence of unique subsistence hunting and fishing programs, and the tremendous volume of international express mail shipments transiting Anchorage – add special challenges to wildlife law enforcement work in Region Seven.

Protecting Big Game and Fishery Resources

Guiding and outfitting are important businesses in Alaska, and the State offers hunters and anglers many legal avenues for pursuing their sports. During FY 2002, the Service continued its efforts to police these lucrative industries and safeguard sporting opportunities and wildlife resources. Investigations uncovered unlawful guiding and take, illegal commercialization of wildlife, and violations of the National Wildlife Refuge System Act.

A cooperative Service/State investigation uncovered the unlawful hunting activities of a master big game guide, his son/assistant, and their out-of-state clients. The guide illegally used his Supercub aircraft to spot trophy moose and grizzly bear from the air and help clients on the ground take the game the same day, a violation of Alaska State law. He was also investigated for lacing carcasses with poison to kill wolves and other predators. The master guide helped a Minnesota client take a second moose, exceeding the bag limit, because the hunter was dissatisfied with the size of the first one he killed. The guide then conspired with his son, also an Alaska registered big game guide, and the client to have an employee falsely claim the small moose as his own kill.

The guide pleaded guilty to two misdemeanor Lacey Act counts. He forfeited his Master Big Game Guide License and license to transport hunters in the field for five years. He must also pay a \$15,000 fine and serve five years probation. His son, who pleaded guilty to one misdemeanor Lacey Act count, will pay a \$3,000 fine, forfeit his registered guide license, and spend five years on probation. Two clients involved in the illegal hunts each pleaded guilty to a Lacey Act misdemeanor count. Together they will pay over \$15,000 in fines and State restitution; forfeit rifles and trophies; and spend 30 months on probation.

A Service undercover investigation successfully exposed the unlawful activities of a commercial outfitter who took clients fishing for king and chum salmon in an area where harvest was limited to subsistence take by rural residents. The outfitter persisted in this profiteering even after being notified that he was breaking the law. The man will pay \$6,500 in fines for violating Federal subsistence fishing rules. Two other guides and eight sport fishermen who participated in the unlawful fishing case paid \$8,250 in penalties.

Service agents and Alaska State troopers teamed to investigate three Anchorage men involved in the illegal take of black bears for the parts trade. Officers believe that the three unlawfully snared at least 10 black bears in the Prince William Sound area with the intention of selling their parts. The men were caught aboard a 22-foot aluminum boat with four fresh gall bladders, over a dozen bear paws, and one bear head. State troopers seized the boat and bear parts for State violations, including over-limits, use of illegal hunting methods, and failure to salvage hides and skulls. When Service agents and State officers served associated search warrants, they seized four additional gall bladders from a freezer belonging to one of the subjects. This individual admitted that the group planned to sell the gall bladders in Korea for \$3,000 each. Federal and State prosecutors are both weighing possible felony charges against the three men.

In the fall of 2002, Service agents began helping the Selawik, Innoko, and Koyukuk National Wildlife Refuges investigate a commercial transporter who brought more than 54 hunters onto the refuges without the required permits. The mastermind of the operation hired a pilot with only 100 hours of float plane experience to transport his clients. All of the landing locations were in rural Alaska, where landings are often challenging. After dropping his passengers off at various

remote locations, the pilot crashed, essentially stranding the hunters. One group, which had been told that the plane would return that same day with their week's worth of camping gear, made a raft out of spruce trees; they floated down river and were eventually rescued nine days later. Many others were also left on their own without adequate gear. Service pilots, State troopers, and private contract pilots located all the remaining hunters. No one was seriously injured. The transporter, however, is being investigated for his unlawful activities.

An Oregon man paid a \$2,500 fine for wanton waste of a moose. The investigation began when a Service agent spotted a whole moose carcass in a lake on the Selawik National Wildlife Refuge. The agent determined that the moose ran into the lake and died after the subject shot it. The defendant made a minimal effort to salvage the moose and was charged with one count of violating the National Wildlife Refuge System Act.

Safeguarding Migratory Birds and Eagles

Region Seven efforts to protect migratory birds and eagles ranged from working with electric utilities to prevent avian electrocutions to enforcing sport hunting regulations. Agents also pursued cases involving the illegal take of protected birds, eggs, and nests.

During FY 2002, Region Seven Law Enforcement continued to make progress in eliminating bird electrocutions in Alaska. Since the region sponsored a Raptor Electrocution and Collision Workshop in April 2000, electric utilities in the State have voluntarily reported bird electrocution incidents on a bird mortality form. The resulting database, which is being converted to an internet-based reporting system, can help utilities identify problem areas and take appropriate remedial action.

An Alaskan special agent and a Department of Justice prosecutor began negotiating the first formal Memorandum of Understanding (MOU) for addressing bird electrocutions with an Alaskan electric utility. The utility has already hired a consultant to prepare a comprehensive Avian Protection Plan, an essential element of the MOU.

Other electric companies in the State are also trying to reduce or eliminate threats to migratory birds. One hired a consultant to develop an Avian Protection Plan while another already has a plan in place and is gradually implementing it. A third power association built the first electric substation in Alaska to use raptor-safe designs along with other state-of-the-art technology.

Efforts to enforce Federal migratory bird sport hunting regulations resulted in the issuance of 64 citations to 58 subjects in various parts of the State. Nearly \$9,500 in penalties were collected for violations that included hunting without a Federal duck stamp, using an unplugged shotgun, taking over-limits, shooting non-game species, possessing lead shot, shooting from boats under power, and hunting after hours.

Agents teamed with refuge officers from the Yukon Delta National Wildlife Refuge to investigate two Athmautlak residents who collected 300 eggs from an emperor goose colony and shot seven geese. Emperor geese are a species of concern, and no harvest (even for subsistence) is allowed in Alaska. The subjects, who were also carrying lead shot, were fined \$13,000 for violating the Migratory Bird Treaty Act.

An investigation into the illegal take of a swan near Fairbanks, Alaska, resulted in the discovery of numerous other State and Federal violations, including the illegal take of magpies, gray jays, moose, beaver, and fox. The case began when agents received photos of two women posing with various body parts of a swan. Agents and Alaska State troopers identified the women, conducted interviews, and secured confessions from them and their accomplices. Troopers also seized a sawed off shotgun from one of the subjects. The subjects were cited for State and Federal violations.

Agents investigated the destruction of an eagle nest tree in Homer. A developer admitted cutting the tree down, but claimed that the nest had already been destroyed during a wind storm. Numerous witnesses, including a State wildlife biologist, came forward to refute his claim. The developer paid a \$1,000 civil penalty.

A special agent, Alaska State trooper, and U.S. Forest Service officer teamed to investigate a Ketchikan trapper who caught a bald eagle in one of his traps. The trap was negligently set in an area visible to raptors and was unlawfully baited with a game species. When interviewed, the trapper lied to investigators about how the eagle died. Analysis by the Service's National Fish and Wildlife Forensics Laboratory determined that although the eagle had been caught in a trap-

type mechanism, the bird actually died of blunt trauma to the head. The trapper killed the bird after finding it in his trap and then buried the carcass in the woods to avoid detection.

Dealing with Subsistence Issues

Many people in rural Alaska depend on migratory birds, marine mammals, and fish for some portion of their diet. Some of these animals are also used to create Native Alaskan handicrafts, which are sold in gift shops and other businesses throughout Alaska. The Service and the Alaska Department of Fish and Game have developed regulations and management programs to govern subsistence hunting and fishing practices and the sale of handicrafts made from animals taken under subsistence harvests.

Service Law Enforcement had a hand in both developing and enforcing such regulations. During FY 2002, for example, agents worked with the Alaska Migratory Bird Co-Management Council regarding new amendments to the Migratory Bird Treaty. The amendments set the framework for regulations authorizing the subsistence hunting of migratory birds. The proposed regulations implementing the Treaty amendments are specific to Alaska, and Law Enforcement involvement is essential to their success. A spring hunt under the new regulations is anticipated for the spring/summer of 2003.

During the summer of 2002, agents returned to the far northern coast of Alaska for the second consecutive year to conduct patrols during subsistence waterfowl hunting. These efforts focused on enforcing Service rules banning the use of lead shot and the take of two threatened species – spectacled and Steller’s eiders. The Service suspended such enforcement efforts in the early 1960s. The patrols were resumed last summer for the first time in 40 years. Agents this summer again encountered a high rate of compliance; the 70 contacts made with hunters resulted in two citations for lead shot violations and none for taking protected eiders.

Agents also contacted numerous subsistence hunters along remote sections of the State’s western coast, finding a high rate of compliance with the ban on lead shot in these areas as well. Outreach efforts, which have included steel shot clinics, have helped inform hunters about this rule; enforcement patrols also help deter violations.

Agents in Alaska also supported the subsistence fishing program by patrolling the Yukon River to enforce subsistence fishing regulations. Since the summer of 1995, Chinook salmon runs in the Yukon River drainage of Alaska and the Yukon Territory have been in decline. For centuries, Alaskans have harvested this resource for food and for their livelihood. In October 1999, however, declining runs, statutory provisions of the Alaska National Interest Lands Conservation Act, and several court cases prompted the Secretary of the Interior and the Secretary of Agriculture to publish regulations for managing salmon stocks on waters within or adjacent to federally managed lands. These regulations meant new enforcement responsibilities for Service officers.

In the summer of 2002, agents worked in teams of two, using a 22-foot boat and a float-equipped aircraft to patrol the 1,000 miles of the Yukon River located in Alaska. Agents began their patrols in May at the mouth of the Yukon River during the first part of the Chinook salmon run. They monitored popular fishing areas during closures, contacted fishermen, checked nets for compliance with size restrictions, and monitored fish buyers and processors for sales of illegally harvested Yukon king salmon. Agents followed the pulse of the run upstream to the Canadian border, working out of remote, mobile field camps for the entire season. At the end of the Chinook run in early July, agents had traveled 3,279 miles, making hundreds of field contacts. Previous outreach to promote public understanding of subsistence regulations and past enforcement efforts had paid off in high rates of compliance. Although agents seized several nets, they issued only five Violation Notices.

Enforcing the Marine Mammal Protection Act

The possession and sale of marine mammal parts remains an enforcement concern in Region Seven. Increased use of X-ray examinations at the airport in Anchorage resulted in the detection of numerous non-Alaska natives traveling with walrus tusks that had not been significantly altered, as required by the Marine Mammal Protection Act. Agents also investigated residents of Bethel, Hooper Bay, and Wainwright who were selling walrus headmounts to non-Natives.

During FY 2002, the Service received multiple reports of walrus harassment, which is also a violation of the Marine Mammal Protection Act. The incidents involved the use of small aircraft to “stampede” the animals off their haulout areas. Investigation showed that the planes were clearly disturbing the walruses, forcing many of them into the sea. The owner

of one plane admitted to violating the Airborne Hunting Act and was issued a citation. Harassment of marine mammals is a controversial issue, and the Service and State have conducted outreach to promote greater understanding of the law in hopes of improving compliance.

Service agents teamed with Federal biologists and the North Slope Borough Department of Wildlife to help the residents of Barrow, Alaska, with a different type of polar bear problem. The community was overrun with bears after strong easterly winds blew the shore ice away from the coast, land-locking a large number of the animals. More bears roamed into town, raising concerns about public safety. Federal authorities helped community officials deal with more than 60 problems bears. Efforts are underway to develop long-term plans for addressing polar bear conservation, international harvest agreements, and public safety. Community support will be essential since longstanding game storage practices now lure bears into town, particularly when their numbers increase.

Monitoring Wildlife Trade

Wildlife inspectors in Region Seven monitor wildlife imports and exports that enter or leave the country via the port of Anchorage as well as Alaska's land border crossings with Canada. On March 13, 2002, Anchorage became the Nation's 14th designated port of entry for wildlife trade.

Designation was prompted by the growth of wildlife traffic and international trade at this location. Air freight volume at Anchorage's Ted Stevens International Airport is among the highest for any airport in the United States, and is expected to increase at an average annual rate of 11 percent over the next several years. The city is home to the second largest Federal Express hub in the country and is used by a number of other express mail shipping companies as well. The airport, which logged more than 6,600 wildlife imports and exports in FY 2002, ranked fourth in the Nation in annual volume of wildlife shipments. Wildlife trade at Anchorage grew by about 60 percent over the past three years and shows no sign of slowing. Given growth projections for international trade in general and growth patterns experienced by other ports in the years following designation, Region Seven officials project that wildlife traffic in Anchorage may triple over the next three to five years.

Wildlife inspectors in Anchorage intercepted a number of unlawful commercial and personal importations during FY 2002. When inspectors looked at a shipment of 46 pool cues coming in from Japan, for example, they discovered a major discrepancy between the information on the paperwork submitted and the products imported. While the documents claimed that the cues were inlaid with mother of pearl and worth about \$1,100, some of them were actually made from elephant ivory, including one cue bearing a price tag of \$6,200.

Other unusual interceptions included a set of Marco Polo sheep horns being imported from the Republic of Georgia with what appeared to be a fraudulent permit and two stuffed leopard cats. The latter were seized from a passenger traveling from Vietnam to New York whose flight stopped in Anchorage for refueling. Inspectors noted a paw sticking out of the end of a plastic garbage bag that the man had with him as his carry-on "luggage."

Service wildlife inspectors in Alaska also helped keep illegal drugs out of the country, breaking up smuggling attempts by air passengers and intercepting contraband drugs coming in as international cargo. Two key interdictions occurred after inspectors selected shipments for physical examination based on their review of cargo manifests. Although they were looking for undeclared wildlife, they uncovered 58 grams of GBL (the so-called "date rape" drug) with a street value of \$5,800 and 285 grams of the hormone testosterone valued at \$35,000. Both shipments were referred to U.S. Customs for investigation.

U.S. hunters pursuing big game in Russia often leave and return to the United States via the airport in Anchorage. In FY 2002, Service inspectors continued outreach efforts to help these individuals understand and comply with U.S. wildlife laws and regulations. More than 190 outbound hunters attended Service presentations that discussed rules and procedures for importing hunting trophies and wildlife souvenirs. These efforts over the years have resulted in improved compliance. Inspections of hunters returning from Russia resulted in only 24 seizures; items detained included illegal marine mammal products and sturgeon caviar. Service staff cleared over 200 trophies, including 136 Russian brown bears, 57 Siberian sheep, 11 moose, and one ibex. Inspectors supported a joint U.S./Russia research project on brown bear management by taking small tissue samples from the bear trophies for use by biologists.

As in previous years, Anchorage wildlife inspectors conducted a border check operation at the U.S. Customs port of Alcan. Service staff stopped and examined 2,400 vehicles, mostly driven by hunters and anglers leaving the State. They found wildlife in 175, detecting violations in 46 cases.

Outreach and Training

Both enforcement partnerships and public outreach play a key role in the success of Federal wildlife law enforcement in Alaska. During FY 2002, Service agents and inspectors provided training on Federal wildlife laws to various groups, including Alaska State troopers, commercial shipping companies, officers with other Federal agencies, importers, village councils, hunters, schools, trade associations, and other Service employees. Outreach efforts ranged from informal briefings for small groups to more structured presentations for larger audiences.

Agents, for example, conducted steel shot clinics in five remote villages. The clinics, which promote the use of steel shot when hunting waterfowl, include shooting and classroom exercises. These outreach events have helped the Service gain compliance with regulations banning the use of lead shot for waterfowl hunting, including subsistence take.

An agent briefed attendees at the Northwest Public Power Association conference in Anchorage about cooperative efforts to reduce raptor electrocutions associated with power lines. The Service presentation spotlighted utilities in the State that are working with the agency to reduce this threat to eagles and other protected birds.

Wildlife inspectors worked with the Alaska Department of Economic Development and the Alaska State Council on the Arts to update and distribute the brochure "A Customs Guide to Alaskan Native Handicrafts." This publication focuses on artisans, their work, and the legality of buying and exporting the materials used, which sometimes include parts of marine mammals and endangered species. Many retail stores in Alaska rely heavily on this brochure as a reference guide for their out-of-state customers.

Crisis Response

Wildlife law enforcement officers in Alaska handle their share of emergency situations. On July 16, 2002, for example, a Service special agent and an Alaska Fish and Wildlife Protection trooper who were flying separate aircraft over the Seward Peninsula spotted the wreck of a helicopter. Making several passes over the crash site, the agent determined that the helicopter belonged to a local Nome air taxi and that two survivors were on the ground. The agent climbed to altitude and was able to contact the Nome Flight Service Station and relay the GPS coordinates and location of the crash. Running low on fuel, he and the trooper landed on a nearby ridge top to wait for the helicopter. Landing at or near the crash site was not a viable option for fixed wing aircraft. The helicopter retrieved the crash survivors, who were both unharmed.

Homeland Security

The special agents and wildlife inspectors who work in the Service's seven regions are the Nation's "thin green line" for wildlife law enforcement. They help safeguard wildlife resources in the United States and around the world by investigating wildlife crimes and monitoring wildlife trade.

In FY 2002, however, many of these officers found themselves serving the Nation not only by protecting its resources but by protecting its people as well. The September 11 terrorist attacks on the World Trade Center and Pentagon resulted in an unprecedented national mobilization of the Federal law enforcement community – a mobilization that meant temporary details and assignments for officers in areas outside of their traditional and continuing enforcement mission.

Service Law Enforcement was among those who answered the Nation's call for help in the wake of the 9/11 attacks. This section documents the Office of Law Enforcement's contributions to homeland security and counter-terrorism work during FY 2002. These efforts drew officers from each regional law enforcement program.

Accomplishments

During FY 2002, the Service participated in three major cooperative interagency efforts targeting counter-terrorism and homeland security. A number of short-term or one-agent special security assignments were also undertaken by Service officers.

In the weeks following the September 11 attacks, 22 special agents in the Northeast were detailed in teams of five to eight officers to complete four 10-day security assignments at Boston's Logan International Airport, the point of departure for the two hijacked planes that were flown into the World Trade Center towers. In response to the terrorist attacks, the President ordered the Attorney General to provide an enhanced security presence at departure screening checkpoints at 17 airports across the country. The U.S. Marshal's Service office in Boston quickly organized a multi-agency task force to accomplish this mission at Logan International. Service special agents teamed with counterparts from the Drug Enforcement Administration, National Marine Fisheries Service, U.S. Customs Service, and U.S. Border Patrol to complete this special security assignment. The Federal officers, who were sworn in as deputy U.S. marshals, assisted Massachusetts State Police and private security personnel in implementing measures to enhance passenger safety at the airport.

Service Law Enforcement supported efforts by the Federal Aviation Administration (FAA) to revive and expand the Federal air marshal program, improving safety and security for U.S. air travelers. The agency initially agreed to provide as many as 90 experienced special agents over an 18-month period to serve as temporary air marshals while the government worked to recruit and train new officers to handle this job. With less than a week's notice, 29 special agents volunteered for this assignment, leaving their homes and duty stations to report for a six-month detail as Federal air marshals on October 1, 2001. For the next six months, these agents worked long shifts on schedules that allowed little time off; many flew between cities that were far from home, going weeks without seeing their families. Another 24 agents completed air marshal training and were prepared to report for duty on April 1, 2002; the FAA, however, notified the Service that continued assistance was no longer needed.

In February 2002, the Fish and Wildlife Service joined other Federal law enforcement agencies as part of the Secret Service-coordinated Federal Counter-Terrorism Security Team at the Winter Olympic Games in Salt Lake City. A contingent of 16 Service officers (including 10 special agents) helped safeguard athletes, dignitaries, and spectators from around the world, fulfilling the President's commitment to providing the highest level of security for this U.S.-hosted international event.

Service staff provided counter-terrorism perimeter security at the Soldier Hollow venue, where they logged 11-to-12-hour shifts on a daily basis from before the Games opened through the closing ceremonies. Assignments included supervising vehicle screening areas, running mobile patrols, manning fixed security posts in the mountains, and driving blocking vehicles.

Several Service special agents completed other homeland security related assignments during FY 2002. An agent from Region Two, for example, was detailed to the FBI's anti-terrorism task force in New Mexico while an officer from Region

Three completed a security planning assignment with the Bureau of Reclamation in Billings, Montana. Service wildlife inspectors maintained close liaison with Customs, Border Patrol, and other Federal inspection service staff as security was tightened at the Nation's airports, ocean ports, and border crossings.

Section IV. Washington Office Highlights

During FY 2002, the Washington Office provided overall direction and guidance for the law enforcement program. Its efforts helped the program work more effectively within the agency on issues that ranged from migratory bird conservation to preventing the introduction of invasive species. The Washington Office addressed funding and staffing concerns; responded to Departmental initiatives, including a Secretarial mandate for improving law enforcement programs; conducted international liaison and training; and improved customer service for the import/export community.

Washington Office staff also played a crucial role in coordinating the Service's response to requests for law enforcement support in the wake of the 9/11 terrorist attacks. Work in this area represented a major commitment of the Service's investigative resources, particularly during the first six months of the reporting period.

This section highlights selected accomplishments of the Washington Office, including those of the Branch of Investigations and Branch of Technical and Field Support. It also reports on law enforcement training; the investigative work of the Special Operations unit; and the Office of Law Enforcement's repository programs.

Funding and Staffing

During FY 2002, the Service realized tangible benefits from ongoing efforts to rebuild its enforcement capability. The 35 new special agents hired in the summer of 2001 completed training and reported to their first duty stations while the Office of Law Enforcement recruited and hired 25 additional new officers to fill other longstanding vacancies across the country.

During the transition year budget cycle (the first for the Bush Administration), Service Law Enforcement retained the \$9.36 million increase in base funding that had been secured for the program in FY 2001. With that initial budgetary infusion, the Office increased "per agent" funding by \$20,000 (making more money available to support investigative operations) and hired new special agents for the first time since 1998.

Budgetary stability during FY 2002 allowed the Office of Law Enforcement to maintain its operational funding base and add to its agent ranks. The new officers who reported for training at the end of September 2002 brought the agent workforce up to 238 (still more than 15 agents short of the Service's authorized level).

The Office of Law Enforcement also faces staffing-related challenges for the wildlife inspection program. Concerns range from the size of the inspection force and the location of ports to such issues as authority and inspection priorities. In FY 2002, a management work group supported by Washington Office staff reviewed the results of a preliminary port analysis and made initial recommendations for staffing, structural, policy, and procedural changes for the inspection program.

Conservation Issues and Concerns

During FY 2002, Washington Office staff continued to work closely with other Service offices on issues involving the conservation of migratory birds and eagles. Branch of Investigations work related to Federal agency accountability under the Migratory Bird Treaty Act included reviewing and commenting on a proposed rule addressing this issue as well as analyzing draft Memorandums of Understanding with Federal agencies that outline their conservation responsibilities.

Other areas of cross-programmatic concern included joint work on proposed Service regulations for migratory bird rehabilitators and draft conservation guidelines for the wind turbine industry and an initial look at the feasibility of issuing electronic duck stamps. Washington Office staff also continued working with the Office of Migratory Bird Management on issues such as seabird bycatch by the gillnet and longline fishing industries and bird mortality linked to power lines and communication towers.

The Office of Law Enforcement made progress in working on issues related to the cross-border movement of eagle feathers and other eagle items used by Native Americans and their Mexican and Canadian counterparts for religious purposes. Discussions with the Canadian government proved particularly promising, and the Service anticipated introducing new procedures for cross-border travel by Canadian aboriginals in FY 2003. Efforts to work with the government of Mexico on this issue also continued.

Coordination with other Service programs in the area of invasive species became increasingly important during the reporting period. A Service ban on importing brush-tail possums, which was implemented in July 2002, represented the first addition to the list of “injurious species” regulated under the Lacey Act in over a decade. The discovery of snakeheads (an extremely voracious nonnative fish) in a Maryland pond during the summer of 2002 focused national attention on the problem of invasive species, spurring the Service to propose listing this entire fish family as injurious. Washington Office staff contributed to the development of this and other listing proposals addressing injurious species concerns.

During FY 2002, Service senior wildlife inspectors and senior special agents worked closely with International Affairs staff on issues involving the regulation of wildlife trade. Collaborative efforts included preparations for the 12th meeting of the Conference of Parties (COP12) of the Convention on International Trade in Endangered Species (CITES); publication of a “vision” document for the use of permits as a conservation tool; and work on the development of a “one-stop shopping” website for individuals seeking Service permits, including those needed for the import and export of wildlife.

Service agents teamed with the Division of Management Authority (DMA) to deal with a complex high-profile issue involving seven captive polar bears that were imported into the United States by a Mexican circus with permits issued under CITES and the Marine Mammal Protection Act. A number of wildlife conservation and animal welfare groups and members of Congress raised questions about the origin of the bears; the validity of their CITES documents; the conditions in which they were being kept; and the extent to which the circus was complying with Service permit conditions. Washington Office staff examined legal issues with DMA and the Solicitor's Office and coordinated requests for investigative assistance from foreign governments. In April 2002, a team of Service agents (including an agent from the Branch of Investigations) seized one of the bears from the circus, which was performing in Puerto Rico, after scrutiny of permits and contacts with other management authorities revealed that the animal in question was not the bear listed on import documents.

In July 2002, Law Enforcement and International Affairs staff joined the CITES Secretariat and the State Department's Office of Ecology and Terrestrial Conservation to conduct a week-long CITES training program for 36 government officials and industry representatives in Almaty, Kazakhstan. Participants included Customs officers, national police, and scientists from the management and scientific authorities of Kazakhstan and Uzbekistan. The training provided an introduction to CITES and its structure and covered CITES administration, law enforcement, and protections for species of concern in the region.

Law Enforcement and International Affairs also worked with nonprofit conservation groups (including the World Wildlife Fund, the Wildlife Conservation Society, the International Fund for Animal Welfare, and WildAid) to organize and present a symposium on protecting plants and animals used in traditional Chinese medicine (TCM). Held in New York City on September 8, 2002, this “Consensus Conference” promoted dialogue and cooperation among conservationists and TCM educators and practitioners. Future work will include developing a conservation curriculum for use in U.S. acupuncture schools.

Interagency and International Liaison

Senior special agents, senior wildlife inspectors, and managers in the Washington Office worked closely with other Federal and State agencies to address cross-cutting issues. During FY 2002, for example, the Office of Law Enforcement participated in the Public Lands Drug Control Committee – a committee under the direction of the Office of National Drug Control Policy. This interagency group assesses threats; develops policies and programs to stem drug trafficking, production, and smuggling on or via public lands; and coordinates interdiction and deterrence strategies with State and local enforcement agencies. The Washington Office also continued participating in Department of the Interior efforts to address law enforcement issues along the Nation's southern border.

Service Law Enforcement strengthened partnerships with other Federal inspection service agencies via active participation in the Border Station Partnership Council and the Maritime Federal Facilities Council. Liaison with State wildlife law enforcement chiefs was maintained through the International Association of Fish and Wildlife Agencies and through Washington Office presence at regional forums such as the annual meeting of the Rocky Mountains/Great Plains law enforcement chiefs.

Washington Office efforts in FY 2002 to improve liaison with the international wildlife law enforcement community included detailing a senior-level special agent to Interpol's U.S. National Central Bureau in Washington, D.C. Assigned to the Economic Crimes Division, this agent handles international coordination of wildlife and natural resource investigations and assists Interpol and the international law enforcement community with cases involving economic crime.

During FY 2002, the Interpol agent assisted Service agents, National Park Service investigators, and a number of foreign law enforcement agencies with investigative coordination. Liaison efforts included representing the Service at meetings of the Interpol Wildlife Working Group and Environmental Crimes Group and serving as the Interpol representative to the President's Initiative on Combating Illegal Logging.

In April 2002, Service Law Enforcement personnel participated for the first time in the annual conference of the International Network for Environmental Compliance and Enforcement. The meeting, which was held in San Jose, Costa Rica, brought together over 200 officials from more than 130 countries to examine international environmental enforcement concerns.

The Office of Law Enforcement remained an active member of the North American Wildlife Enforcement Group (NAWEG). FY 2002 activities included hosting a Trilateral Conference on Wildlife Enforcement Activities and Public Participation to explore mechanisms for citizen participation in wildlife law enforcement issues in Canada, Mexico, and the United States. Participants at the three-day meeting, which was held in Washington, D.C., included officials from U.S., Canadian, and Mexican wildlife enforcement and resource management agencies and representatives from conservation organizations working in North America.

Customer Service

During FY 2002, the Washington Office worked on a number of projects to improve the efficiency and effectiveness of the Division's wildlife inspection program – a program that regulates the business activities of thousands of licensed wildlife importers and exporters.

Progress was made in providing these customers access to "e-Government" inspection services, resolving problems experienced by specific trade sectors, and improving communication and coordination with the wildlife import/export community.

The Office of Law Enforcement completed the development and pilot testing of an Internet-based filing system for declaring imports and exports that require Service clearance. Named "eDecs," this system allows an individual, business, or broker to file a Declaration for Importation or Exportation of Fish and Wildlife (Form 3-177) electronically with the port where the import or export will occur.

Service wildlife inspectors can review these documents online and use the system's e-mail notification features to let filers know the status of their submissions well before the shipment is slated to arrive at or leave the port. The use of eDecs facilitates prompt Service feedback to importers and exporters, allowing the quick resolution of problems and avoiding potentially costly delays in clearing shipments. The system was made available for use by all importers and exporters nationwide in FY 2003.

Other FY 2002 efforts to facilitate legitimate wildlife trade included the designation of Anchorage to meet customer needs and provide more effective regulation of growing trans-Asia wildlife trade. The Washington Office also introduced an Internet-based electronic public notice system to alert wildlife importers and exporters about new trade restrictions and regulatory or procedural changes and teamed with industry groups to resolve import/export problems.

Washington Office staff, for example, worked with representatives of the watch industry to address concerns about clearance delays at specific ports of entry. As a result of these discussions, many importers bringing in watch bands and straps made from wildlife have moved their shipments to alternate ports where expedited inspection services are available. Service Law Enforcement also increased liaison with the National Customs Brokers Association by participating in the group's national meeting and working with the Association on eDecs design, pilot testing, and implementation.

Managerial Improvements

The September 11 terrorist attacks prompted new attention to law enforcement and security issues within the Department

of the Interior (DOI), giving increased importance to a comprehensive Office of the Inspector General (OIG) review of DOI enforcement programs. In January 2002, this OIG study offered 25 recommendations to improve the leadership, organization, control, and accountability of DOI law enforcement.

Service Law Enforcement reviewed and analyzed the OIG findings and participated in an interagency Departmental work group tasked to advise the Secretary on this issue. In July 2002, Secretary Norton announced that the Department would implement most of the OIG recommendations.

Some of these reforms mandated changes that were already underway within the Service. In FY 2002, for example, the Office of Law Enforcement continued working to establish an internal affairs unit for the agency; this unit will provide a formal mechanism for reviewing and resolving complaints involving Service officers. Law Enforcement headquarters staff progressed with efforts to review and update the agency's enforcement policies and procedures.

The Washington Office also made significant progress in addressing other reforms called for by the Secretary. Plans were completed for implementing line authority for the Office of Law Enforcement as of October 1, 2002. Under line authority, officials supervising law enforcement operations in the Service's seven regions no longer report to the relevant Regional Director, but are instead directly accountable to the Chief, Office of Law Enforcement.

This new reporting structure mirrors that of other Federal law enforcement agencies. It will demand increased accountability from law enforcement managers; facilitate nationally coordinated efforts to address conservation priorities; and support the Interior Department's goal of ensuring that its law enforcement bureaus provide independent oversight of criminal investigations, achieve greater consistency, and improve responsiveness in emergency situations.

Other accomplishments in implementing the Secretary's law enforcement reforms in FY 2002 included assessing officer and public safety needs and identifying needed remedial action; identifying security responsibilities and roles for Service offices; and working with the Department's Office of Law Enforcement and Security to draft updated law enforcement chapters for the Department Manual.

Training Programs

During FY 2002, the Branch of Training and Inspection planned and conducted training programs for Service special agents and wildlife inspectors. The Branch also provided training on wildlife protection laws to other Federal agencies and helped develop and coordinate training programs for wildlife law enforcement officers overseas.

To accommodate the large class of 35 new special agents hired at the end of FY 2001, the Branch began the new fiscal year planning and conducting two Special Agent Basic Schools. The first nine-week training session, which was held at the Federal Law Enforcement Training Center (FLETC) in Glynco, Georgia, trained 24 special agents from October 24-December 20, 2001. The second session, which accommodated 11 special agents, began with five weeks at FLETC followed by four weeks at the National Conservation Training Center (NCTC) in Shepherdstown, West Virginia.

After completing basic training, the 35 new special agents entered the Field Training and Evaluation Program. This 12-month "on the job" training program teams rookie agents with specially trained veteran agents, providing new officers invaluable guidance and "real world" experience while they work under close supervision.

The Branch organized and presented a national wildlife inspector in-service program. Two one-week training sessions for inspection staff were presented at NCTC during the weeks of October 29-November 2 and November 4-November 9, 2001. The program included classes on authority and jurisdiction, the Civil Asset Forfeiture Reform Act, wildlife laws in Canada and Mexico, the new eDecs system, and tactics for self defense.

In July 2002, the Branch conducted a four-week Wildlife Inspector Basic School at FLETC. Fifteen wildlife inspectors successfully completed the training program, which covered a wide range of topics, including wildlife laws and import/export regulations, species identification, safety issues, and interviewing techniques.

The Branch presented a leadership seminar for Office of Law Enforcement staff in August 2002. Over 60 Service law enforcement supervisors and managers attended the three-day training, which was held in Denver, Colorado. Speakers focused on managing generational differences, challenging the law enforcement management culture, and other leadership-related topics.

At the end of September 2002, a class of 25 new special agents reported to FLETC to begin basic training. The Branch conducted a three-day orientation program for the group. This “pre-Basic” session covered such fundamentals as use of force and firearms policy, computer skills, and health and fitness.

After completing pre-Basic, 17 of the new agents started FLETC’s Criminal Investigator Training Program – a course that new officers complete before Special Agent Basic School. The eight other new agents (who had completed the Criminal Investigator course while employed with other Federal law enforcement agencies) reported to their first duty stations for on-the-job training.

The assistance of other Federal 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 U.S. Customs Inspector Basic Training programs at FLETC. In FY 2002, Service staff conducted 30 classes for over 925 Customs inspectors.

The Branch of Training and Inspection took on a more active role in developing and coordinating international training programs during the reporting period. In the summer of 2002, the International Law Enforcement Academy (ILEA) in Botswana contacted the Branch to discuss the feasibility of developing a wildlife investigator training course focused on wildlife poaching in the Sub-Saharan African region. The Branch agreed to develop a curriculum and provide experienced law enforcement officers as instructors.

In September 2002, a team of four Service law enforcement professionals conducted this training at the ILEA in Gaborone, Botswana, as the first program of its kind presented by any of the ILEA facilities. The Service-developed Wildlife Poaching Investigators Course was completed by 30 enforcement officers from five African nations – Botswana, Tanzania, Zambia, Namibia, and South Africa. This partnership promises an effective mechanism for delivering wildlife law enforcement training in Africa and potentially other global regions as well.

During the two-week course, Service instructors covered a variety of law enforcement topics including endangered species laws, CITES, surveillance, crime scene processing, undercover operations, use of informants, raid planning, and writing case reports. Special agents teamed with officers from Botswana Wildlife and National Parks to act as role players during practical exercises, which the students completed at the Gaborone Game Reserve.

From June 24-28, 2002, the Branch of Training teamed with the National Park Service to present a resource protection training program for 28 South African enforcement officers at Kruger National Park in South Africa. The course covered team tactics, undercover operations, and surveillance techniques and equipment.

During 2002, special agents assisted DOI and the Agency for International Development by providing instruction for on-going law enforcement training programs in Tanzania and the Galapagos Islands. Service officers also conducted CITES training for law enforcement officials in China and Kazakhstan.

Special Operations

The Branch of Special Operations conducts long-term, complex investigations of wildlife crimes. Key activities in FY 2002 included completion of prosecutions in cases involving cycad trafficking, the sale of Native American cultural artifacts, and the smuggling and sale of medicinals made from protected species. FY 2002 also saw initial efforts undertaken to establish an intelligence unit within the Special Operations group.

In 2001, a Service undercover investigation of illegal trafficking in cycads and orchids confirmed that rare plant species are being plundered for the global black market trade. The smuggling focused on species listed in CITES Appendix I – species that cannot generally enter commercial trade. The Service investigation exposed trafficking that virtually spanned the globe, involving cycads and orchids from more than 20 different countries and profiteers on four continents. Some of

the cycad specimens were plants approaching 100 years old; many came from government-protected lands off limits to collectors.

During 2002, three South Africans and one Australian who were arrested in the United States as a result of this investigation were convicted of various felony counts. Another subject (a resident of Southern California who received many of the illegal cycads) pleaded guilty to violating the Endangered Species Act. Special Operations staff also assisted the governments of South Africa, Australia, and Zimbabwe in their prosecutions of subjects in those countries who participated in the cycad trafficking.

A two-year investigation conducted by the Branch of Special Operations in conjunction with the Australian Customs Service resulted in the elimination of a syndicate involved in the smuggling of high-value reptiles from Australia and Mexico into the United States. The contraband reptiles were brought into the United States by various methods, including use of a private plane with hidden compartments and express mail shipments. A leader of the syndicate was indicted and convicted in U.S. District Court in San Francisco.

Prosecutions continued in Operation Native American Cultural Exchange, an undercover investigation conducted by Special Operations agents in conjunction with the FBI, Bureau of Indian Affairs, and the National Park Service. This investigation, which utilized a Norwegian law enforcement officer posing as a European buyer, focused on the illegal trade of Native American religious and cultural items, many of which contain migratory bird feathers and eagle parts. Two major southwestern dealers specializing in Native American art and artifacts were convicted during 2002 for violating the Native American Graves Protection and Repatriation Act and the Migratory Bird Treaty Act. Many of the items that were purchased or seized during the investigation were stolen from Native American tribes in the Southwest.

In August 2002, a businessman in Oakland, California, pleaded guilty to conspiracy to violate the Rhinoceros and Tiger Conservation Act, the Endangered Species Act, and regulations enforced by the U.S. Department of Agriculture and Food and Drug Administration. A cooperative Service investigation with these agencies revealed that the defendant, a dealer of traditional Chinese medicinals and herbs, had imported hundreds of patented medicines labeled to contain rhino and tiger, raw herbs without CITES permits, herbs that were subject to quarantine, and patented medicines that contained drugs controlled by U.S. laws. The man had been convicted of similar violations in 1996 and was still on probation when a search warrant was served at his retail store and warehouse in October 2001.

The Branch of Special Operations also undertook efforts to improve intelligence gathering and analysis – capabilities that have become increasingly important given the global scope and growing sophistication of wildlife crime. The addition of an intelligence analyst to the Special Operations staff provided the nucleus for an intelligence unit that would be fully staffed in FY 2003 to support regional, national, and international investigations.

During 2002, the Branch focused on building national and international agency contacts to aid in the development of wildlife trade intelligence information. Contacts were established with wildlife enforcement officers and analysts in Canada, Australia, New Zealand, China, Germany, the Netherlands, the United Kingdom, as well as with other U.S. and State enforcement agencies. Intelligence staff also developed a pilot computer database program to facilitate the collection, storage, and analysis of wildlife trade information.

National Eagle and Wildlife Property Repository

The National Eagle and Wildlife Property Repository, located within the Rocky Mountain Arsenal National Wildlife Refuge near Commerce City, Colorado, is responsible for receiving, storing, and distributing wildlife property that has been abandoned or forfeited to the government. It also collects and salvages dead eagles and eagle parts so that it can supply these items to Native Americans for religious use.

During FY 2002, the Repository received 287 boxes of wildlife property from Law Enforcement offices and filled 130 requests for wildlife items for educational use from schools, zoos, museums, aquariums, and Service field stations. Support was also provided to the “Suitcase for Survival” program, a partnership effort involving the Service, World Wildlife Fund, American Zoological and Aquarium Association, National Oceanic and Atmospheric Administration, and the National Fish and Wildlife Foundation.

This educational program, which was reintroduced in 2001, uses wildlife items from the Service and professionally developed instructional materials to teach the public about the threat of illegal wildlife trade. During 2002, the Repository assembled and shipped 46 Suitcase for Survival educational kits to schools, zoos, and aquariums. Repository staff also participated in a "train the trainer" Suitcase for Survival workshop at the Denver Zoological Gardens in Denver, Colorado, providing a presentation on the storage, care, handling, and security of wildlife artifacts.

The Repository received 1,583 eagles and eagle parts from the field during FY 2002. This total included 1,021 bald eagles and 562 golden eagles. Repository staff filled 1,549 requests from Native Americans seeking eagles and eagle parts for religious use; 1,095 whole eagles were distributed while 454 requests were filled with loose feathers or other eagle parts. The Repository received 1,749 new requests during the reporting period.

Shipping methods for eagles and eagle parts were improved in FY 2002 after Repository staff discovered that dry ice was not cooling shipments for the amount of time needed for some eagle deliveries. After experimenting with other shipping materials and consulting shipping vendors, the Repository switched to the use of gel packs, heavier grade boxes, and styrene and shredded paper insulation. The new shipping method will keep eagles and eagle parts frozen for a longer time, ensuring their arrival in the best condition possible.

Although the Repository typically hosts a number of outreach programs and public tours each year, visitor access to the facility was limited during FY 2002 because of continuing efforts to locate and remove unexploded ordnance left over from military use of the Arsenal property. Because of safety concerns, Repository tours were limited to Service staff; visitors during the year included the Service Director and Deputy Director and the National Wildlife Refuge Centennial Team. The Region Two Native American liaison escorted elders from the Jemez Pueblo, New Mexico, to the Repository to meet with staff and discuss the Service's eagle distribution program.

The Repository also participated in the Refuge's annual "Take Your Child to Work Day" program by providing a hands-on activity focused on the role of consumers in fueling wildlife trade. External venues for outreach programs and exhibits included local Earth Day celebrations; Trail Days in Evergreen, Colorado; and the annual Harvest Festival in Arvada, Colorado.

Repository staff provided a presentation on the Service's eagle distribution program at the annual Eagle Conference in Klamath Falls, Oregon, and attended the annual meeting of the Service's Migratory Bird Permit Program in Albuquerque, New Mexico. Topics discussed included ways to streamline the eagle permit process and the creation of a new "miscellaneous eagle feather" request category to meet specific needs within the Native American community.

Work to expand the Repository proceeded in FY 2002. A contract was awarded for the addition of 8,800 square feet to the current building and groundbreaking was slated for December 2002.

Section 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 authorities from 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 6,700 cases, analyzing more than 49,000 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 an expert witness to testify in a Federal, State, or international court of law.

In addition to performing casework and conducting 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 wildlife forensic science as criminalistics, morphology, serology, chemistry, and pathology. Technical support professionals also make key contributions.

FY 2002 Overview

In FY 2002, the Laboratory earned re-accreditation from the American Society of Crime Laboratory Directors/Laboratory Accreditation Board (ASCLD/LAB). This significant accomplishment required considerable preparation work from Laboratory staff. These efforts included reviewing and updating written analytical protocols and lab-wide quality assurance/quality control guidelines (i.e., proficiency tests, quality control audits, and technical and administrative review of evidentiary cases) and ensuring the existence of a stringent safety program. After a five-day audit/review by four ASCLD/LAB inspectors, the Forensics Laboratory once again achieved accreditation.

In FY 2002, Laboratory staff worked on 610 cases involving 1,144 requests for analysis and the examination of 5,546 items of evidence. While most of these cases (439) were submitted by Federal law enforcement officers, State agencies accounted for 159 of the cases that lab scientists worked on while 12 case submissions were received from international law enforcement organizations.

Interest in the Laboratory's work remained strong. The Laboratory's website (www.lab.fws.gov) received more than 1.6 million hits in FY 2002.

During the reporting period, the Laboratory noted an increased need for forensic support related to the seizure and analysis of digital evidence (computers, networks, etc.). Laboratory scientists were also increasingly called on to assist with the analysis of difficult and complex crime scenes.

Scientific and Analytical Accomplishments

This section spotlights Laboratory work in five key areas: morphology, criminalistics, pathology, genetics, and technical support. It also looks at the Laboratory's contributions to Service and other law enforcement training programs.

Morphology

The Morphology Unit includes specialists in ornithology, herpetology, and mammalogy. These experts use visual and microscopic comparison techniques to identify wildlife and wildlife parts and products to family, genus, and species level. During FY 2002, approximately 800 specimens were added to the Unit's comparative collection for direct visual comparison with evidence items submitted by enforcement officers for species identification.

The Ornithology Team completed about 3,400 species identifications. Some 44 percent of these analyses involved examining the remains of birds recovered from oil pits.

The Herpetology Team processed an increased number of requests that involved identifying newly discovered reptile species that were being imported into the United States for the collector market. Research continued on the osteology (bone structure) of Asian turtles and Asian snakes.

The Mammalogy Team saw its caseload increase in the area of identifying mislabeled fur skins, especially those from Asian weasels. Research continued on the osteology of bears, wolves, wild dogs, and wild cats.

Criminalistics

The Criminalistics Unit uses microscopic, chemical, and instrumental techniques to identify and compare items submitted as evidence. The Unit includes scientists specializing in chemical analysis, firearms studies, and latent print analysis.

In late summer 2001, the Chemistry Team acquired a Matrix Assisted Laser Desorption Time of Flight (MALDI/TOF) mass spectrometer and an ion trap liquid chromatographic mass spectrometer. Both of these powerful analytical tools were brought online for use in case-related analyses during FY 2002. Lab scientists established a new protocol for performing species identifications from blood and tissue samples employing the MALDI mass spectrometer. Progress was made in developing a screen for anticoagulant toxins using a high-performance liquid chromatographic method, which surpasses the sensitivity of existing methods for this class of toxins. The Chemistry Team also developed a chemical test to determine the species origin of ginseng.

The Firearms Team upgraded its scanning electron microscope and successfully used the new instrumentation to complete cartridge case and bullet comparisons that were beyond the capabilities of conventional optical comparison microscopes. The team also used a newly obtained X-ray fluorescence spectrometer to identify elemental composition of shot pellets and metallic fragments found in recovered wildlife; determine bullet manufacturers based on the elemental composition of the bullet jacket; and distinguish 22 rimfire magnum bullets from 22 long rifle bullets.

The Latent Print Team supported several interagency investigations involving cooperation between State, Federal, and international law enforcement agencies. The team maintained its cooperative partnership with the Oregon State Police Latent Lab for exchange of information and case confirmation.

Pathology

Staff in the Pathology Unit conduct "cause of death" analyses that provide essential evidence for officers investigating the illegal take of protected species. In 2002, for example, Laboratory pathologists examined 11 wolf carcasses. Necropsy results showed that the four Mexican wolves recovered had all been shot. Of the seven gray wolves submitted for examination, three were shot, one was hit by a vehicle, one drowned, and two died of undetermined causes.

The Pathology Unit examined three California condors for cause of death determinations. The Laboratory concluded that one bird died of ingested lead poisoning. A second California condor had been shot with an arrow, while the third died from a shotgun wound.

Poisoning of eagles and other birds with agricultural pesticides remained a common diagnostic finding for the Pathology Unit. Carbofuran continued to be the pesticide most often encountered in bird poisonings; this poison was detected in 11 cases involving eagles. Pentobarbital, a euthanasia product used by veterinarians, was detected in three cases involving four eagles. Famphur also remained a common product used to poison protected birds.

During FY 2002, the Pathology Unit also worked on four cases involving birds that died as a result of structural collisions. Two cases (one with a whooping crane and the other with piping plovers) involved power line collisions. In a third case, eider ducks died after striking offshore oil platforms. A fourth case involved bald eagles that collided with wind turbines.

Genetics

Scientists in the Genetics Unit use information from protein and DNA analysis to support the investigation of wildlife crimes. During FY 2002, the Unit developed a faster and less expensive DNA-based test to verify the species-origin of caviar from Eurasian sturgeon, North American sturgeon, and paddlefish. Scientists expanded the number of species that can be individualized by the Laboratory. As a result, DNA-based individualization can now be carried out in cases involving moose, bald eagles, and golden eagles. The Genetics Unit also developed DNA-based SRY/STR multi-plex marker panels for simultaneously determining the gender origin and individual identity of trace evidence from bears, white-tailed deer, elk, moose, and wolves.

Work to increase DNA analysis capabilities responded to emerging issues and concerns for wildlife law enforcement and wildlife management. The growing threat of the bushmeat trade to species in the wild prompted the Genetics Unit to develop a mitochondrial DNA sequencing method for identifying the species origin of wild animal meats from African and Asian species, including crocodilians and snakes as well as mammals. With wolf populations on the rebound – and on the move – in some parts of this country, Laboratory scientists have developed a test that uses a mitochondrial and nuclear DNA database of wolves to determine the geographic population of origin of migrant wolves.

Technical Support

The number of computer seizures made during wildlife crime investigations has grown logarithmically in recent years. During FY 2002, the Laboratory's Technical Support Branch received numerous requests from the field for assistance on site during the seizure of complex computer networks. The group also found itself devoting an increased amount of time to supporting crime investigations by analyzing data from seized hardware.

Training

Laboratory staff taught new Service special agents the basics of crime scene investigation, reviewed crime scene analysis techniques for agents participating in the Region One annual agent in-service training program, and provided training in the morphological identification of birds and mammals for officers attending Special Agent Basic School and Wildlife Inspector Basic School. A laboratory scientist conducted training on animal hair identification for the Northwest Association of Forensic Scientists in Spokane, Washington, in April 2002. A forensics specialist served as an instructor for a Service-developed wildlife criminal investigators training program, which was presented in September 2002 at the International Law Enforcement Academy in Gaborone, Botswana.

Presentations and Publications

Donn, T. and Yates, B.C. Guidelines for the Identification of Shahtoosh and Pashmina. USFWS National Fish and Wildlife Forensics Laboratory Publication. 2002.

Kirms, M.A. and Kirms, L.M. "The Identification of Sodium Fluoroacetate (Compound 1080) Employing NMR Spectroscopy." *Journal of Forensics Science*, v. 47, no. 3, pp. 573-77. May 2002.

Stroud, Richard K. "Wildlife Forensics Techniques at the USFWS Laboratory." Proceedings of the Second Annual Tufts Animal Expo 2001 Educational Conference. Boston, MA. October 10-13, 2001.

Stroud, Richard K. "Wildlife Forensics: The Role of the Veterinary Pathologist." Proceedings of the 3rd Annual Northwest Wildlife Consortium Conference. Corvallis, OR. February 21-23, 2002.

Stroud, Richard K.; Ralston, Rhonda; Kirms, Mark; McClure, Pamela; and O'Connell, Shelly. "Patterns of Illegal Wildlife Poisoning in the United States - A Review of Cases Submitted to the National Fish & Wildlife Forensics Laboratory, 1990-2001." Abstract in Proceedings of the Wildlife Disease Conference. Arcata, CA. July 28-August 1, 2002.

Yates, B.C. "The evidentiary dog: a review of the antrozoological and archaeozoological stufie of Canis." Congress of the International Council for Archaeozoology, Durham, England. August 2002.

Section 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 20th 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 rhinos 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 Service 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 Office of Law Enforcement today focuses on combating international wildlife trafficking, unlawful commercial exploitation of native species, environmental contaminants, 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.

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 also 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 established a moratorium on the take and importation of marine mammals, including polar bears, sea otters, dugongs, walrus, manatees, whales, porpoises, seals, and sea lions.

The Eagle Protection Act was amended to increase maximum 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 interstate commerce. It provided 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.

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 previous decade.

The Lacey Act was amended to include 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.

The Wild Bird Conservation Act 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 and 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.

2002. Anchorage, Alaska, became the Nation's 14th designated port for wildlife trade.

The Secretary of the Interior mandated line authority for all special agents in the Department of the Interior. To meet this requirement, the Division of Law Enforcement was reorganized as the Office of Law Enforcement under the direction of an executive level chief. Regional law enforcement managers who previously reported to Service Regional Directors became Special Agents in Charge reporting directly to the Chief, Office of Law Enforcement.

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 Ward
1928-34	U.S. Game Protector
1934-73	U.S. Game Management Age
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. Janz
1964-70	John S. Gotts
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
1997-2001	Jamie Rappaport Clark
2002-present	Steven A. Williams

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	Joseph P. Linduska
1952-57	Jesse F. Thompson
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