

NATIONAL SUMMARY SETTLEMENT & FIX-IT SCHEDULE

<i>VIOLATION</i>	<i>VIOLATION HISTORY – PENALTY AMOUNT</i>		
	<i>FIRST</i>	<i>SECOND</i>	<i>THIRD</i>
MAGNUSON-STEVENSON ACT			
Failure to mark gear or improperly marked gear	Fix-It Notice (within 30 days, or prior to next trip)	\$50/per buoy, trap, pot, or net up to 10 buoys, traps, pots or nets	NA
Failure to affix and maintain vessel markings (void of all vessel markings)	Fix-It Notice (within 30 days, or prior to next trip)	\$100	\$250
Failure to monitor channel 16 (except in Alaska)	\$250	\$500	NA
Failure to provide a safe boarding ladder (except in Alaska)	\$250	\$500	NA
Failure to maintain operating VMS unit (Dockside only)	\$400	\$400/day, up to a maximum of 7 days (\$2,800)	NA
Failure to declare the proper fishing code in the vessel's VMS unit	\$250	\$750	NA
Failure to submit any of the following reports, when required to do so by regulation: declaration report, VMS activation report, or VMS exemption report	\$400	\$500	NA

Interfere with the observers ability to perform his/her duties such as cutting lines before observers can identify the species caught, fail to assist in safely releasing protected species, etc.	\$1000	NA	NA
Fail to show proof of passing USCG Commercial Fishing Vessel Safety examination or the alternate NMFS safety equipment examination	\$500	\$1,000	NA
Fail to maintain safe conditions for the protection of observers including compliance with all U.S. Coast Guard and other applicable rules, regulations, and statutes	\$1,000	NA	NA
Fail to provide appropriate accommodations for observer	\$1,000	NA	NA
Vessel fishing with a non-type approved VMS unit – Single Trip	\$1,500	NA	NA
VMS unit not reporting while vessel in use – Single Trip	\$2,000	NA	NA
Vessel fishing without VMS installed – Single Trip	\$4,000	NA	NA
EM system for vessel permitted for Atlantic HMS with pelagic longline onboard but not operational while vessel in use – Single Trip	\$2,000	NA	NA
Vessel permitted for Atlantic HMS with pelagic longline onboard fishing without EM installed – Single Trip	\$4,000	NA	NA
Non-fishing prohibited activity in a closed area, including, for example, non-continuous transit (drifting) or incursion incidental to gear malfunction.	\$500	\$750	\$1,000

Fail to collect or submit fees under a buyback program – delinquent for less than 3 months.	Fix-it Notice	NA	NA
Failure to provide a current valid NOAA Operator's Permit (issued and current, but not on board)	Fix-It Notice (onboard prior to next trip)	\$250	\$500
Failure to provide a current valid NOAA Vessel Permit and/or Letter of Authorization (issued and current, but not on board)	Fix-It Notice (onboard prior to next trip)	\$250	\$500
Failure to provide a current valid NOAA Dealer's Permit (issued and current, but not on the premises)	Fix-It Notice (on premises within 30 days)	\$250	\$500
Failure to report permit changes to NMFS	Fix-It Notice (report changes within 30 days)	\$250	\$500
Failure to attend a required workshop	Fix-It Notice (attend workshop within 120 days or first available workshop)	\$250	\$500
Failure to maintain, make, keep, submit or complete required dealer reports, log book reports, trip reports, or catch reports (if no related violation)	\$500	\$750	NA
Failure to land sharks with their fins naturally attached	\$1,000/fish (up to a maximum of five fish)	NA	NA
Possession, landing or transfer of a shark fin that is not naturally attached to the corresponding carcass	\$500/fin (up to a maximum of ten fins)	NA	NA

Fail to electronically submit an Atlantic HMS dealer report through an HMS electronic dealer reporting system (e.g., eDealer or Individual Bluefin Quota system) to report BAYS tunas, swordfish, sharks, and/or BFT to NMFS in accordance with § 635.5 and 635.15, if issued, or required to be issued, a Federal Atlantic HMS dealer permit pursuant to § 635.4.	\$1,000	\$2,000	\$3,000
Purchasing Atlantic HMS when electronic dealer reports have not been submitted as required	\$3,000	\$4,000	NA
Failure to report taking of Atlantic tuna tagged under a tag and release program	\$250	\$500	NA
Failure to write Atlantic bluefin tuna tag number on shipping container	Fix-It Notice (immediately record number on container)	\$250	\$500
Fishing with some, but not all, of the required sea turtle safe handling and release equipment	\$1,500	NA	NA
Failure of a vessel permitted in Atlantic HMS fisheries with longline or gillnet gear onboard to safely release using handling and release equipment any protected species	\$1500	NA	NA
Failure of a vessel permitted in Atlantic HMS fisheries with bottom longline gear onboard to use the equipment to release any prohibited shark.	\$500	NA	NA
Failure to maintain Atlantic HMS in specified form (other than shark finning).	\$750/fish (up to a maximum of five fish)	\$1,000/fish (up to five fish)	NA

Fish for, catch, possess, retain, or land Atlantic sharks without a valid permit	\$250 if no fish retained or \$250/fish (up to a maximum of five fish)	\$500 if no fish retained or \$500/fish (up to a maximum of five fish)	NA
Fish for, catch, possess, retain, or land Atlantic tunas (except bluefin tuna), swordfish, or sailfish without a valid permit	\$500 if no fish retained or \$500/fish (up to a maximum of five fish)	\$750 if no fish retained or \$750/fish (up to a maximum of five fish)	NA
Fish for, catch, possess, retain, or land Atlantic bluefin tuna, blue marlin, white marlin, or roundscale spearfish without a valid permit	\$2000	NA	NA
Retain or possess undersized Atlantic HMS	\$500/fish (up to a maximum of five fish)	\$1,000/fish (up to five fish)	NA
Possess, retain, or land Atlantic HMS that were caught with an unauthorized gear	\$250/fish (up to a maximum of five fish)	\$500/fish (up to a maximum of five fish)	NA
Sale, attempted sale, purchase, or attempted purchase of Atlantic HMS without a commercial fishing and/or dealer permit	\$750/fish (up to a maximum of five fish), plus abandon/seize	\$1000/fish (up to a maximum of five fish), plus abandon/seize	NA
Exceed recreational retention limit for Atlantic HMS	\$100/fish over the limit, up to 5 fish, plus abandon/seize overage	\$200/fish over the limit, up to 5 fish, plus abandon/seize overage	NA

Exceed commercial retention limit for Atlantic HMS	\$750/fish (up to a maximum of five fish), plus abandon/seize	\$1000/fish (up to a maximum of five fish), plus abandon/seize	NA
Retain or possess Atlantic sandbar sharks outside the shark research fishery, prohibited sharks or longbill spearfish	\$1000	1500	NA
Retain, possess, sell, attempt to sell, purchase, or attempt to purchase great, smooth, or scalloped hammerhead sharks, oceanic whitetip sharks, or silky sharks when Atlantic tunas, swordfish, or billfish are onboard or being offloaded	\$1000	\$1500	NA
Failure to register an Atlantic HMS tournament	\$1000	NA	NA
Failure of an Atlantic HMS tournament to report tournament landings if the tournament is selected to report	\$1000	NA	NA
Failure of an angler to report dead discards of Atlantic bluefin tuna or landings of Atlantic bluefin tuna, swordfish or billfish (non-tournament, not sold)	\$250	\$500	NA
Departing on a trip with pelagic longline gear onboard without the minimum IBQ allocation for Atlantic bluefin tuna (0.25 metric ton (mt) whole weight (ww) for Gulf of Mexico; 0.125 mt ww for Atlantic)	\$1500	\$2500	NA
Importing, exporting or re-exporting bluefin tuna, southern bluefin tuna, frozen bigeye tuna, swordfish or shark fins without a valid international fisheries trade permit	\$4,000	NA	NA

Importing any species covered under the Seafood Import Monitoring Program (other than shark fins, frozen Bigeye and Bluefin Tunas, and Swordfish*) without a valid international fisheries trade permit. <i>*Addressed above.</i>	\$1,500	\$3,000	NA
Importing, exporting or re-exporting bluefin tuna, southern bluefin tuna, frozen bigeye tuna or swordfish without the required documentation	\$2,000	NA	NA
Importing any species covered under the Seafood Import Monitoring Program without submitting complete and accurate information, as required	\$1,000	\$2,000	NA
Failure to timely submit required reports of imports, exports and re-exports of bluefin tuna, southern bluefin tuna, frozen bigeye tuna or swordfish	\$1,000	\$1,500	NA
Failure to retain or to make available for inspection or audit records required to be retained and made available under the Seafood Import Monitoring Program	\$2,000	\$3,500	NA
Possession of live baitfish, maintenance of live baitfish in a well or tank, or attachment of an aeration or water circulation device to any such tank or well onboard a pelagic longline vessel in the Gulf of Mexico	\$3,000	NA	NA
Failure to release Atlantic HMS in the manner specified	\$500	\$600	\$750
Commercial seafood dealer/seafood processor - possess HMS without required documentation	\$1,000	\$1,500	NA

Retain a billfish by a vessel with a pelagic longline aboard or harvested by gear other than rod and reel	\$1,000	\$1,500	NA
ANTARCTIC MARINE LIVING RESOURCES PROTECTION ACT			
Submission of application for preapproval to import frozen <i>Dissostichus</i> spp. later than required, but prior to import	\$2,000	\$3,000	NA
MARINE MAMMAL PROTECTION ACT			
Feeding a marine mammal in the wild	\$500	NA	NA
Level A/B Harassment – other than feeding (e.g., direct contact of marine mammals by humans, unauthorized removal/rescues, allowing pets to harass marine mammals, or any other action that causes a significant change or response in a marine mammal's behavior)	\$100	\$500	NA
Import canned whale meat: 1 to 5 cans:	\$250*	\$500*	NA
6 to 10 cans:	\$500* *plus abandonment of whale meat	\$1000* *plus abandonment of whale meat	NA
Unauthorized importation, possession, sale, purchase, and/or transport of marine mammal parts or products (non-commercial entities or for personal use)	\$250	NA	NA

Failing to register any bones, teeth or ivory of any dead marine mammal collected from a beach or from land within 1/4 of a mile of ocean. The term ocean includes bays and estuaries.	\$100	NA	NA
Failure to report the taking of a marine mammal (all vessels on List of Fisheries)	\$750	NA	NA
Failure to register for annual Authorization Certificate (MMPA Category I and II fisheries only)	\$750	NA	NA
Failure to have MMPA Take Authorization Certificate on board vessel (MMPA Category I and II fisheries only) (issued and current, but not on board)	Fix-It Notice (onboard prior to next trip)	\$250	\$500
Failure to display annual MMPA decal	Fix-It Notice (onboard or requested prior to next trip)	\$250	\$500
Fail to use gear required by ALWTRP	\$500	NA	NA
INTERNATIONAL DOLPHIN CONSERVATION PROGRAM ACT (MMPA TITLE III)			
Recordkeeping, reporting, or Fishery Certificate of Origin requirement violations: Minor Violations (e.g., fail to submit report)	\$500	\$500	NA

LACEY ACT

Commercial violations

(involving contraband fish or wildlife valued less than \$10,000)

Inadequate or improper marking of containers containing fish	Fix-It Notice (immediately properly mark container)	\$250	\$500
To import, export, transport, sell, receive, acquire, or purchase in interstate or foreign commerce – (A) any fish or wildlife taken, possessed, transported, or sold in violation of any law or regulation of any State or in violation of any foreign law.	\$2,000	NA	NA
Within the special maritime and territorial jurisdiction of the United States -- (A) to possess any fish or wildlife taken, possessed, transported, or sold in violation of any law or regulation of any State or in violation of any foreign law or Indian tribal law.	\$2,000	NA	NA
To attempt to commit any act described in paragraphs (2) and (3) of §3372(a)	\$2,000	NA	NA

Recreational violations			
To import, export, transport, sell, receive, acquire, or purchase in interstate or foreign commerce – (A) any fish or wildlife taken, possessed, transported, or sold in violation of any law or regulation of any State or in violation of any foreign law.	\$500	NA	NA
Within the special maritime and territorial jurisdiction of the United States -- (A) to possess any fish or wildlife taken, possessed, transported, or sold in violation of any law or regulation of any State or in violation of any foreign law or Indian tribal law.	\$500	NA	NA
ENDANGERED SPECIES ACT			
Approach right whales or fail to take required right whale avoidance measures			
Recreational:	\$500	NA	NA
Commercial:	\$1000	NA	NA
Collecting parts (Endangered or Threatened)	\$250	NA	NA
Import/Export for personal use (Endangered or Threatened)	\$500	NA	NA
Harassment (Endangered or Threatened) or an attempt to do so	\$750	NA	NA

HIGH SEAS FISHING COMPLIANCE ACT OF 1995

Fish on the high seas without a valid high seas permit	\$1000 plus forfeiture of unlawful catch or payment of FMV	NA	NA
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