

NATIONAL SUMMARY SETTLEMENT & FIX-IT SCHEDULE

<i>VIOLATION</i>	VIOLATION HISTORY – PENALTY AMOUNT		
	FIRST	SECOND	THIRD
MAGNUSON-STEVENSON ACT			
Angle or spearfish in the EEZ without a valid saltwater angler license or registration or without a valid exemption	Fix-It	\$100	\$250
Failure to mark gear or improperly marked gear	\$250	\$500	\$750
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)	\$500	\$750	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 VMS reports, when required to do so by regulation	\$400	\$500	NA
Interfere with the observer's ability to perform his/her duties such as cutting lines before the observer can identify the species caught, fail to assist in safely releasing protected species, etc.	\$1000	NA	NA

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	<i>FIRST</i>	<i>SECOND</i>	<i>THIRD</i>
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, when required to be – Single Trip	\$4,000	NA	NA
EM system on board but not operational, when required to be – Single Trip	\$2,000	NA	NA
Vessel fishing without EM installed, when required to be – Single Trip	\$4,000	NA	NA
Fail to adhere to the provisions of the vessel’s vessel monitoring plan (VMP) when using electronic monitoring (EM) in lieu of carrying an observer (for violations with no indication of reckless or intentional conduct, and with no economic gain from the violation)	\$500	\$1,000	\$1,500

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	FIRST	SECOND	THIRD
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
Fail to have on board or make available for inspection an issued federal fisheries or federal processor permit (issued but not on board)	Fix-It Notice (onboard prior to next trip)	\$450	\$750
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 have workshop certificate on board vessel or on premises	\$100	\$250	\$500
Failure to maintain, make, keep, submit or complete required dealer reports, logbook reports, trip reports, or catch reports – in compliance with required deadlines (if no related violation)	\$500	\$750	\$1000

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	<i>FIRST</i>	<i>SECOND</i>	<i>THIRD</i>
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 Atlantic bluefin tuna 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 landing 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, or fishing without using required bycatch mitigation gears and techniques (e.g. circle hooks, specified baits, etc.)	\$1,500	NA	NA

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	<i>FIRST</i>	<i>SECOND</i>	<i>THIRD</i>
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 or endorsement	\$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 valid permit or endorsement	\$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 or endorsement	\$2000	NA	NA
Retain or possess – undersized Atlantic HMS, or oversized Atlantic bluefin tuna – while fishing under the Angling category	\$500/fish (up to a maximum of five fish)	\$1,000/fish (up to five fish)	NA
Retain or possess undersized Atlantic bluefin tuna while fishing under commercial categories	\$1000	\$2000	NA

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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 commercial fishing and/or dealer permit and/or Charter/headboat sale endorsement	\$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	\$250/fish over the limit, up to 5 fish, plus abandon/seize overage	\$500/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 the vessel, offloaded from the vessel, or being offloaded from the vessel	\$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

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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 an 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

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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
Land a shortfin mako shark using pelagic longline gear that was alive at the side of the vessel, or land a shortfin mako shark using commercial gear other than pelagic longline gear	\$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
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 Commercial	\$1,000	NA	NA
Non-commercial			

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	\$500		
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 the doing of any other negligent or intentional act which results in disturbing a marine mammal)	\$100	\$500	NA
Import canned whale meat:			
1 to 5 cans:	\$250*	\$500*	NA
6 to 10 cans:	\$500*	\$1000*	NA
	*plus abandonment of whale meat	*plus abandonment of whale meat	
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

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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
Non-compliance with gear tending and configuration take reduction plan (TRP) requirements	\$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			
<i>Commercial violations</i> (involving contraband fish or wildlife valued less than \$10,000)			
Inadequate or improper marking of containers containing fish (for violations with no indication of reckless or intentional conduct, and with no economic gain from the violation)	\$250	\$500	NA

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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
<i>Recreational violations</i>			
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

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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
Sell or offer to sell parts in interstate or foreign commerce (Endangered or Threatened)	\$500	NA	NA
Import/Export for personal use (Endangered or Threatened)	\$500	NA	NA
Harassment (Endangered or Threatened) or an attempt to do so			
Commercial	\$1000	NA	NA
Non-Commercial	\$500		
Unknowingly commit a violation of the ESA (consultation with GCES is required)	\$750	NA	NA

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HIGH SEAS FISHING COMPLIANCE ACT OF 1995			
Fish on the high seas without a valid high seas permit	\$2,000	NA	NA