

## **Q&A**

### **Auction of Wildlife Property**

#### **Why is the Service selling wildlife items?**

The Service is disposing of excess wildlife products that have been forfeited or abandoned to the government as a result of law enforcement actions. The agency has been storing and maintaining these products at the National Wildlife Property Repository at considerable cost. Unlike other items handled by the Repository, these products have no value for use in conservation AND may be sold legally in the United States.

Selling these items will provide funds that can be used to support both conservation education and other activities that benefit wildlife. The sale will also make storage space available at the Repository for additional seized and forfeited items. (Shipments of new items to the Repository were temporarily suspended during 2009 due to lack of storage space).

#### **Is it common for government agencies to sell seized and forfeited property?**

Yes. Federal, State, and local law enforcement agencies routinely sell property that they have seized in carrying out their law enforcement duties. Common examples include cars, trucks, boats, and other vehicles. In fact, other Federal and State law enforcement agencies are among the clients utilizing the auction company that is handling the sale of Service wildlife property.

#### **Does the Service have specific authority to sell forfeited and abandoned wildlife items?**

Yes. The Fish and Wildlife Improvement Act of 1978 authorized the Service to sell wildlife property forfeited as a result of the agency's law enforcement actions. (Other authorized disposal methods include donation for educational purposes and destruction.)

The Fish and Wildlife Improvement Act was unanimously amended by Congress in 1998 to allow the Service to sell abandoned property as well and use sale proceeds to pay the expenses of conducting such sales.

(Forfeiture of property is a legal penalty imposed by a judge or solicitor for a statutory or regulatory violation. Those involved in wildlife violations are sometimes given the option of voluntarily turning wildlife or wildlife items over to the government – i.e., abandonment.)

#### **Has the Service ever done this before?**

Yes. A similar collection of wildlife items was sold at a live auction in the Denver area in 1999.

#### **How will the upcoming sale be conducted?**

The Service has contracted with [Lone Star Auctioneers](#) of Fort Worth, Texas, to conduct this sale. This company, whose clients include other Federal, State, and local government agencies, will

sell items in lots via a “24/7” online auction. New lots will be posted every few weeks over a period of up to six months.

### **Who is paying for the sale?**

Proceeds from the auction will be used to pay auction expenses.

### **How will the proceeds be used?**

After auction expenses have been paid, remaining funds will help support conservation education and other activities that benefit wildlife.

Specifically, proceeds from selling wildlife forfeited or abandoned to the Service are deposited in a special account. By law, monies in this account may be used to:

- Pay for the costs of making wildlife property available for educational or scientific use
- Pay for the costs of shipping, storing, and maintaining wildlife property at the Repository
- Pay for the care of live wildlife seized by the Service
- Pay rewards for information that leads to the arrest and conviction of wildlife criminals
- Pay for processing and shipping eagle parts and feathers for Native American religious purposes from the National Eagle Repository

### **The Service enforces laws that prohibit the sale of migratory birds, eagles, marine mammals, and endangered species. How then can the Service sell items that its law enforcement officers seized while enforcing those laws?**

The Service regulates virtually all trade in live wildlife, wildlife parts, and products made from wildlife. This trade encompasses a vast array of products that are legal to import and legal to sell provided the importer has complied with Service import/export regulations. Importers, for example, must declare wildlife shipments to the Service and make them available for inspection; failure to do so may result in seizure and forfeiture of the goods and other penalties.

Federal wildlife laws do indeed prohibit the sale and export of specific types of wildlife, and the auction inventory does not include any items made from endangered and threatened species, migratory birds, marine mammals, and species listed under Appendix I of the Convention on International Trade in Endangered Species (CITES).

Species listed on CITES Appendix II, however, may be legally imported and sold in this country with appropriate permits. The auction inventory includes some items made from CITES Appendix II species that could have been legally imported had the importer complied with permit and other CITES and Service requirements.

### **Will any live wildlife be sold?**

No. No live wildlife will be sold – only manufactured products made from wildlife materials.

### **How many and what type of items are being sold?**

Products slated for sale total more than 300,000. Most are reptilian leather goods made from common snake and lizard skin or manufactured products (such as jewelry and home décor items) featuring seashells and coral.

### **May anyone in the United States buy these items?**

Yes. The sale of these items is legal under Federal wildlife laws. Buyers, however, are responsible for determining whether the items they buy may legally enter their State of residence or the State to which the items will be shipped. They must also ensure that any subsequent sale or transfer within the State is lawful under State law and regulation.

### **Can purchasers export items?**

No items will be available for immediate export, and none will be shipped directly to locations outside the United States.

Purchasers who decide to export items in the future are responsible for complying with applicable wildlife trade regulations in this country and in the country of import. Some items, for example, will require CITES Appendix II export permits to be lawfully exported. In addition, all wildlife exports must meet basic requirements under Service wildlife import/export regulations ([50 CFR 14](#)).

### **What is the National Wildlife Property Repository?**

The Repository is a Service-owned, Service-managed facility located outside of Denver, Colorado, that collects, stores, and maintains items made from wildlife that have been turned over to the government in connection with a violation of Federal wildlife laws.

### **How many items were stored at the Repository when it was at full capacity?**

At one point in 2009, more than 1.5 million wildlife parts and products were stored at the Repository.

### **What does the Service do with other wildlife property stored at the Repository?**

Many of the items sent to the Repository are made from protected species and can be used to support conservation education.

Each year, the Service donates wildlife items to schools, nature centers, museums, zoos, and other groups involved in educating the public about wildlife trade and the conservation of species worldwide. Educational efforts that utilize wildlife property include the popular “Suitcase for Survival” program. This program pairs a formal curriculum on wildlife trade and conservation (which was developed in partnership with several non-profit conservation organizations) with suitcase-size collections of seized wildlife items provided by the Repository.

Items are sometimes donated or loaned to other Federal agencies and to universities and other groups for use in scientific research. The Service also uses wildlife items as instructional aids for teaching wildlife law enforcement officers to recognize and identify illegal products.

**How can people participate in the auction?**

You can find out more about the auction and auction procedures by checking the Lone Star Auctioneers website at <http://www.lonestarauctioneers.com/> or calling the company at (817) 740-9400.

Before making a purchase, please remember to check the laws of the State in which you live to ensure that your receipt of specific items and purchase of them in interstate commerce is legal in your State or the State where you plan to have the items shipped.