

117TH CONGRESS  
1ST SESSION

# H. R. 6059

To support wildlife conservation, improve anti-trafficking enforcement, provide dedicated funding at no expense to taxpayers, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 19, 2021

Mr. GARAMENDI (for himself and Mr. YOUNG) introduced the following bill; which was referred to the Committee on Natural Resources, and in addition to the Committees on the Judiciary, and Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To support wildlife conservation, improve anti-trafficking enforcement, provide dedicated funding at no expense to taxpayers, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

### 3 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the  
5 “Wildlife Conservation and Anti-Trafficking Act of 2021”.

6 (b) TABLE OF CONTENTS.—The table of contents for  
7 this Act is the following:

Sec. 1. Short title; table of contents.

Sec. 2. Definitions.

#### TITLE I—WILDLIFE TRAFFICKING WHISTLEBLOWERS

Sec. 101. Definition of Secretary concerned.  
 Sec. 102. Plan of action.  
 Sec. 103. Awards to whistleblowers.

#### TITLE II—WILDLIFE CONSERVATION

Sec. 201. International Wildlife Conservation Program.  
 Sec. 203. Amendments to Great Ape Conservation Act of 2000.  
 Sec. 204. Funding for Exotic Bird Conservation.  
 Sec. 205. Funding for Rhinoceros and Tiger Conservation.  
 Sec. 206. Funding for Neotropical Migratory Bird Conservation.  
 Sec. 207. Amendments to Marine Turtle Conservation Act of 2004.  
 Sec. 208. Funding for marine mammal conservation.  
 Sec. 209. Funding for shark conservation.  
 Sec. 210. Uses of transferred funds for wildlife conservation.

#### TITLE III—ANTI-TRAFFICKING AND POACHING

Sec. 301. United States Fish and Wildlife Service officers abroad.  
 Sec. 302. Wildlife trafficking violations as predicate offenses under Travel Act and racketeering statute.  
 Sec. 303. Funds from wildlife trafficking violations of money laundering statute.  
 Sec. 304. Technical and conforming amendments.  
 Sec. 305. Publication of Certifications under the Pelly Amendment.

#### TITLE IV—ILLEGAL, UNREPORTED, AND UNREGULATED FISHING

Sec. 401. Funding for illegal, unreported, and unregulated fishing enforcement.  
 Sec. 402. Illegal, unreported, and unregulated fishing as predicate offenses under money laundering statute.  
 Sec. 403. Funds from illegal, unreported, and unregulated fishing violations of money laundering statute.  
 Sec. 404. Uses of transferred funds for illegal, unreported, and unregulated fishing enforcement.  
 Sec. 405. Department of State Rewards for Justice Program.

### 1 **SEC. 2. DEFINITIONS.**

2 In this Act:

3 (1) CITES.—The term “CITES” means the  
 4 Convention on International Trade in Endangered  
 5 Species of Wild Fauna and Flora (27 UST 1087;  
 6 TIAS 8249).

7 (2) COUNTRY OF CONCERN; FOCUS COUNTRY;  
 8 WILDLIFE TRAFFICKING.—The terms “country of

1 concern”, “focus country”, and “wildlife trafficking”  
 2 have the meanings given those terms in section 2 of  
 3 the Eliminate, Neutralize, and Disrupt Wildlife  
 4 Trafficking Act of 2016 (16 U.S.C. 7601).

5 (3) SHARK.—The term “shark” means any spe-  
 6 cies of the orders Hexanchiformes,  
 7 Pristiophoriformes, Squaliformes, Squatiniformes,  
 8 Heterodontiformes, Orectolobiformes, Lamniformes,  
 9 and Carchariniiformes.

10 (4) IMPORT; SPECIES; TAKE; WILDLIFE.—The  
 11 terms “import”, “species”, “take”, and “wildlife”  
 12 have the meaning given those terms in section 3 of  
 13 the Endangered Species Act of 1973 (16 U.S.C.  
 14 1532).

## 15 **TITLE I—WILDLIFE TRAF-** 16 **FICKING WHISTLEBLOWERS**

### 17 **SEC. 101. DEFINITION OF SECRETARY CONCERNED.**

18 In this title, the term “Secretary concerned” means,  
 19 as applicable—

- 20 (1) the Attorney General;
- 21 (2) the Secretary of the Interior;
- 22 (3) the Secretary of Commerce;
- 23 (4) the Secretary of State; and
- 24 (5) the Secretary of the Treasury.

1 **SEC. 102. PLAN OF ACTION.**

2 (a) IN GENERAL.—In coordination with other Fed-  
3 eral agencies as appropriate, not later than 1 year after  
4 the date of enactment of this Act, the Secretaries con-  
5 cerned shall develop a plan of action to fully carry out  
6 existing authorities for awards to whistleblowers of viola-  
7 tions of laws applicable to wildlife trafficking.

8 (b) REQUIREMENTS.—The plan of action under sub-  
9 section (a) shall—

10 (1) include a strategy to raise public awareness  
11 in the United States and abroad for reward opportu-  
12 nities for whistleblowers provided under—

13 (A) section 3 of the Fish and Wildlife Im-  
14 provement Act of 1978 (16 U.S.C. 742l);

15 (B) section 106(c) of the Marine Mammal  
16 Protection Act of 1972 (16 U.S.C. 1376(c));

17 (C) section 11(d) of the Endangered Spe-  
18 cies Act of 1973 (16 U.S.C. 1540(d));

19 (D) section 6(d) of the Lacey Act Amend-  
20 ments of 1981 (16 U.S.C. 3375(d));

21 (E) section 2205 of the African Elephant  
22 Conservation Act (16 U.S.C. 4225);

23 (F) section 7(f) of the Rhinoceros and  
24 Tiger Conservation Act of 1994 (16 U.S.C.  
25 5305a(f)); and

1 (G) other laws applicable to wildlife traf-  
2 ficking;

3 (2) delineate short-term and long-term goals for  
4 increasing enforcement against wildlife trafficking,  
5 including recruitment of whistleblowers, as appro-  
6 priate;

7 (3) describe specific actions to be taken to  
8 achieve the goals under paragraph (2) and the  
9 means necessary to do so, including—

10 (A) formal partnerships with nongovern-  
11 mental organizations; and

12 (B) the establishment of Whistleblower Of-  
13 fices—

14 (i) to coordinate the receipt of whistle-  
15 blower disclosures;

16 (ii) to ensure referrals to the appro-  
17 priate law enforcement offices; and

18 (iii) to communicate with whistle-  
19 blowers regarding the status of the respec-  
20 tive cases referred by the whistleblowers  
21 and potential awards;

22 (4) be published in the Federal Register for  
23 public comment for a period of not less than 60  
24 days; and

1           (5) not later than 90 days after the end of the  
2           period described in paragraph (4), be finalized and  
3           made readily available on a public Federal Govern-  
4           ment internet website.

5           (c) UPDATES TO PLAN OF ACTION.—In coordination  
6           with other Federal agencies as appropriate, not less fre-  
7           quently than once every 5 years, the Secretaries concerned  
8           shall review the plan of action under this section and, as  
9           necessary, revise the plan of action following public notice  
10          and comment.

11   **SEC. 103. AWARDS TO WHISTLEBLOWERS.**

12          (a) AWARD.—

13               (1) IN GENERAL.—Subject to paragraphs (2)  
14               and (3), if a Secretary concerned proceeds with any  
15               judicial or administrative action under any of the  
16               laws described in section 102(b)(1) based on infor-  
17               mation brought to the attention of the Secretary  
18               concerned by a person qualified to receive an award  
19               under this section, the Secretary concerned shall pay  
20               that person an award.

21               (2) AWARD AMOUNT.—

22                       (A) IN GENERAL.—Subject to subpara-  
23                       graph (B), in determining the amount of an  
24                       award made under this subsection, the Sec-  
25                       retary concerned shall take into consideration—

1 (i) the significance of the information  
2 provided by the whistleblower to the suc-  
3 cess of covered judicial or administrative  
4 action;

5 (ii) the degree of assistance provided  
6 by the whistleblower and any legal rep-  
7 resentative of the whistleblower in a cov-  
8 ered judicial or administrative action; and

9 (iii) the programmatic interest of the  
10 Secretary in deterring violations of laws  
11 applicable to wildlife trafficking by making  
12 awards to whistleblowers who provide in-  
13 formation that lead to the successful en-  
14 forcement of such laws.

15 (B) REQUIREMENT.—The award under  
16 paragraph (1) shall be not less than 10 percent,  
17 and not more than 30 percent, of the amounts  
18 received by the United States as penalties, in-  
19 terest, fines, forfeitures, community service pay-  
20 ments, restitution payments, and additional  
21 amounts in the action (including any related  
22 civil or criminal actions) or under any settle-  
23 ment or plea agreement in response to that ac-  
24 tion.

1 (C) TIMELINE.—The amount of the award  
2 under paragraph (1) shall be—

3 (i) determined not later than 90 days  
4 after the date of the applicable plea agree-  
5 ment, judgment, or settlement in that ac-  
6 tion; and

7 (ii) paid from the amounts so received  
8 by the United States.

9 (3) APPLICATION.—A Secretary concerned may  
10 make an award under this subsection only in a case  
11 in which the total sanction from all penalties, fines,  
12 community service payments, restitution, interest,  
13 forfeitures, or civil or criminal recoveries (including  
14 in related actions) exceeds \$100,000.

15 (b) REDUCTION IN OR DENIAL OF AWARD.—

16 (1) REDUCTION OF AWARD.—If the applicable  
17 Secretary concerned determines that the claim for  
18 an award under subsection (a) is brought by a per-  
19 son who planned and initiated the actions that led  
20 to the violation, the Secretary concerned may appro-  
21 priately reduce the amount of the award.

22 (2) DENIAL OF AWARD.—If the person de-  
23 scribed in paragraph (1) is convicted of criminal  
24 conduct arising from the role described in that para-



1 graph, the applicable Secretary concerned shall deny  
2 any award under this subsection.

3 (c) APPEAL OF AWARD DETERMINATION.—Any de-  
4 termination with respect to an award under subsection (a)  
5 may be appealed to the appropriate court of appeals of  
6 the United States pursuant to section 706 of title 5,  
7 United States Code, not later than 30 days after the date  
8 of the determination.

9 (d) SUBMISSION OF INFORMATION.—The Secretaries  
10 concerned shall permit the submission of confidential and  
11 anonymous reports under this subsection consistent with  
12 the procedures set forth in subsections (d)(2) and (h) of  
13 section 21F of the Securities Exchange Act of 1934 (15  
14 U.S.C. 78u–6).

15 (e) LIMITATION ON APPLICATION.—This section  
16 shall apply only with respect to amounts received by the  
17 United States described in subsection (a) on or after the  
18 date of enactment of this Act.

19 (f) ANNUAL REPORT.—

20 (1) IN GENERAL.—The Secretaries concerned  
21 shall submit to Congress a report describing their  
22 use of whistleblower authorities in law enforcement,  
23 including claims filed, awards paid, the provision or  
24 provisions of law violated from which whistleblower

1 payments were derived, and outreach conducted  
2 under this section.

3 (2) INCORPORATION ALLOWED.—The require-  
4 ment under paragraph (1) may be satisfied by incor-  
5 porating the report into the plan of action required  
6 under section 102 or a revision under section 102(c).

7 (g) RETALIATION.—

8 (1) PROHIBITION ON RETALIATION.—No em-  
9 ployer shall retaliate against any employee, former  
10 employee, or applicant for employment because the  
11 employee, former employee, or applicant for employ-  
12 ment filed a claim under this provision, raised con-  
13 cerns to other federal, state or local regulatory or  
14 law enforcement authorities concerning a potential  
15 violation of any wildlife trafficking law covered  
16 under this provision, or reported such violation to  
17 his or her supervisor or another person working on  
18 behalf of the employer who has the authority to in-  
19 vestigate or correct any such potential violation.

20 (2) COMPLAINTS.—An employee alleging dis-  
21 charge or discrimination in violation of subsection  
22 (g) of this section, or another person at the employ-  
23 ee's request, may file a complaint with respect to  
24 such allegation in the same manner as a complaint  
25 may be filed under subsections (c) and (d) of section

1 5567 of title 12, United States Code. Such com-  
2 plaint shall be subject to the procedures, require-  
3 ments and rights described in those sections.

## 4 **TITLE II—WILDLIFE** 5 **CONSERVATION**

### 6 **SEC. 201. INTERNATIONAL WILDLIFE CONSERVATION PRO-** 7 **GRAM.**

8 (a) DEFINITIONS.—In this section:

9 (1) PROGRAM.—The term “Program” means  
10 the International Wildlife Conservation Program es-  
11 tablished under subsection (b).

12 (2) RANGE STATE.—The term “range state”  
13 means a foreign country, a freely associated state  
14 (pursuant to the Compact of Free Association au-  
15 thorized by Public Law 99–239 (99 Stat. 1770)), or  
16 any territory or possession of the United States, any  
17 portion of which is within the natural range of dis-  
18 tribution of a wildlife species.

19 (3) SECRETARY.—The term “Secretary” means  
20 the Secretary of the Interior.

21 (b) AUTHORIZATION OF PROGRAM.—The Secretary  
22 shall carry out the International Wildlife Conservation  
23 Program in the United States Fish and Wildlife Service—

1           (1) to implement global habitat and conserva-  
2           tion initiatives under the jurisdiction of the Sec-  
3           retary;

4           (2) to address global conservation threats;

5           (3) to combat wildlife trafficking, poaching, and  
6           trade in illegal wildlife products;

7           (4) to provide financial, scientific, and other  
8           technical assistance;

9           (5) to facilitate implementation of treaties, con-  
10          ventions, accords, or similar international agree-  
11          ments entered into by the United States to promote  
12          fish, wildlife, plant, or habitat conservation; and

13          (6) to carry out other international wildlife con-  
14          servation and habitat activities authorized by Fed-  
15          eral law, as the Secretary determines to be appro-  
16          priate.

17          (c) PROGRAM COMPONENTS.—The Program shall in-  
18          clude the following:

19               (1) REGIONAL COMPONENT.—A regional com-  
20               ponent that shall—

21                       (A) address grassroots conservation prob-  
22                       lems through capacity building within regions of  
23                       range states to achieve comprehensive landscape  
24                       or ecosystem-level fish or wildlife conservation;  
25                       and

- 1 (B) develop and implement a plan—  
2 (i) to expand existing regional wildlife  
3 conservation programs as the Secretary de-  
4 termines to be appropriate; and  
5 (ii) to establish new regional conserva-  
6 tion programs in other critical landscapes  
7 and wildlife habitat globally.

8 (2) SPECIES COMPONENT.—A species compo-  
9 nent that shall consist of administration of the pro-  
10 grams authorized under—

11 (A) the African Elephant Conservation Act  
12 (16 U.S.C. 4201 et seq.);

13 (B) the Asian Elephant Conservation Act  
14 of 1997 (16 U.S.C. 4261 et seq.);

15 (C) the Wild Bird Conservation Act of  
16 1992 (16 U.S.C. 4901 et seq.);

17 (D) the Rhinoceros and Tiger Conservation  
18 Act of 1994 (16 U.S.C. 5301 et seq.);

19 (E) the Neotropical Migratory Bird Con-  
20 servation Act (16 U.S.C. 6101 et seq.);

21 (F) the Great Ape Conservation Act of  
22 2000 (16 U.S.C. 6301 et seq.);

23 (G) the Marine Turtle Conservation Act of  
24 2004 (16 U.S.C. 6601 et seq.);

1 (H) the Amphibians in Decline Fund es-  
2 tablished by the Secretary and administered by  
3 the United States Fish and Wildlife Service;

4 (I) the Critically Endangered Animals  
5 Conservation Fund established by the Secretary  
6 and administered by the United States Fish  
7 and Wildlife Service; and

8 (J) any similar authority provided to the  
9 Secretary relating to international wildlife con-  
10 servation.

11 (3) ANTI-TRAFFICKING COMPONENT.—An anti-  
12 trafficking component that shall consist of adminis-  
13 tration of the programs authorized under—

14 (A) the Endangered Species Act of 1973  
15 (16 U.S.C. 1531 et seq.);

16 (B) the Lacey Act Amendments of 1981  
17 (16 U.S.C. 3371 et seq.);

18 (C) the Eliminate, Neutralize, and Disrupt  
19 Wildlife Trafficking Act of 2016 (16 U.S.C.  
20 7601 et seq.);

21 (D) subsections (a) and (d) of section 8 of  
22 the Fishermen’s Protective Act of 1967 (22  
23 U.S.C. 1978);

24 (E) other laws applicable to wildlife traf-  
25 ficking, as determined by the Secretary; and

1 (F) activities authorized under section 301.

2 (4) CONVENTION COMPONENT.—A convention  
3 component that shall consist of the Division of Man-  
4 agement Authority and the Division of Scientific Au-  
5 thority of the United States Fish and Wildlife Serv-  
6 ice to implement CITES and carry out other related  
7 duties, as the Secretary determines to be appro-  
8 priate.

9 (5) ADDITIONAL COMPONENTS.—The Secretary  
10 may include additional components in the Program  
11 as the Secretary determines to be appropriate.

12 (d) RELATIONSHIP TO OTHER LAW.—Nothing in this  
13 section alters the responsibilities of the Secretary under  
14 section 8 of the Fish and Wildlife Act of 1956 (16 U.S.C.  
15 742g) and the Endangered Species Act of 1973 (16  
16 U.S.C. 1531 et seq.).

17 (e) ACCEPTANCE AND USE OF DONATIONS.—In car-  
18 rying out the Program, the Secretary may—

19 (1) accept donations of funds, gifts, and in-kind  
20 contributions; and

21 (2) use those donations, without further appro-  
22 priation, for capacity building, grants, and other on-  
23 the-ground uses under the program components de-  
24 scribed in subsection (c).

1 **SEC. 202. AMENDMENTS TO GREAT APE CONSERVATION**  
2 **ACT OF 2000.**

3 Section 5(a) of the Great Ape Conservation Act of  
4 2000 (16 U.S.C. 6304) is amended—

5 (1) in paragraph (2), by striking “and” at the  
6 end;

7 (2) in paragraph (3), by striking the period at  
8 the end and inserting “; and”; and

9 (3) by adding at the end the following:

10 “(4) any amounts, other than amounts paid as  
11 awards to whistleblowers, received by the United  
12 States for any violation of law pertaining to great  
13 apes under the Endangered Species Act of 1973 (16  
14 U.S.C. 1531 et seq.), the Lacey Act Amendments of  
15 1981 (16 U.S.C. 3371 et seq.), or regulations imple-  
16 menting those Acts, including any of those amounts  
17 received as—

18 “(A) fines or penalties;

19 “(B) proceeds from sales of forfeited prop-  
20 erty, assets, or cargo; or

21 “(C) restitution to the Federal Govern-  
22 ment.”.

23 **SEC. 203. FUNDING FOR EXOTIC BIRD CONSERVATION.**

24 Section 114(b)(2)(A) of the Wild Bird Conservation  
25 Act of 1992 (16 U.S.C. 4913(b)(2)(A)) is amended to  
26 read as follows:



1           “(A) all amounts received by the United  
2           States in the form of penalties, fines, or for-  
3           feiture of property (or proceeds from the sale of  
4           that forfeited property) collected under this Act  
5           or imposed for violations pertaining to exotic  
6           birds under the Endangered Species Act of  
7           1973 (16 U.S.C. 1531 et seq.), the Lacey Act  
8           Amendments of 1981 (16 U.S.C. 3371 et seq.),  
9           or regulations implementing those Acts in ex-  
10          cess of the cost of paying rewards under section  
11          4912(c);”.

12 **SEC. 204. FUNDING FOR RHINOCEROS AND TIGER CON-**  
13 **SERVATION.**

14          Section 7(f) of the Rhinoceros and Tiger Conserva-  
15          tion Act of 1994 (16 U.S.C. 5305a(f)) is amended to read  
16          as follows:

17          “(f) USE OF PENALTY AMOUNTS.—Amounts received  
18          as penalties, fines, or forfeiture of property (or proceeds  
19          from the sale of forfeited property) under this section—

20                 “(1) shall be made available to the Secretary  
21          without further appropriation for purposes described  
22          in section 6(d) of the Lacey Act Amendments of  
23          1981 (16 U.S.C. 3375(d)) relating to the purposes  
24          of this Act; and

1 “(2) such funds as the Secretary determines ex-  
 2 ceed amounts necessary for purposes described in  
 3 paragraph (1) shall be deposited in the Fund.”.

4 **SEC. 205. FUNDING FOR NEOTROPICAL MIGRATORY BIRD**  
 5 **CONSERVATION.**

6 (a) IN GENERAL.—Section 9 of the Neotropical Mi-  
 7 gratory Bird Conservation Act (16 U.S.C. 6108) is  
 8 amended—

9 (1) in the section heading, by striking “**AC-**  
 10 **COUNT**” and inserting “**FUND**”;

11 (2) in subsection (a), by striking “Neotropical  
 12 Migratory Bird Conservation Account” and inserting  
 13 “Neotropical Migratory Bird Conservation Fund”;  
 14 and

15 (3) by amending subsection (b) to read as fol-  
 16 lows:

17 “(b) DEPOSITS INTO THE FUND.—The Secretary of  
 18 the Treasury shall deposit into the Fund—

19 “(1) all amounts, other than amounts paid as  
 20 rewards to whistleblowers, received by the United  
 21 States that are attributable to fines, penalties, and  
 22 forfeitures of property (or proceeds from the sale of  
 23 that forfeited property) imposed for violations per-  
 24 taining to neotropical migratory birds under the En-  
 25 dangered Species Act of 1973 (16 U.S.C. 1531 et

1       seq.), the Lacey Act Amendments of 1981 (16  
2       U.S.C. 3371 et seq.), or regulations implementing  
3       those Acts;

4               “(2) all amounts received by the Secretary in  
5       the form of donations under subsection (d); and

6               “(3) other amounts appropriated to the Fund.”;  
7       and

8               (4) in subsections (c) and (d), by striking “Ac-  
9       count” each place it appears and inserting “Fund”.

10       (b) CONFORMING AMENDMENT.—Paragraph (1) of  
11       section 4 of such Act (16 U.S.C. 6103) is amended to read  
12       as follows:

13               “(1) FUND.—The term ‘Fund’ means the  
14       Neotropical Migratory Bird Conservation Fund es-  
15       tablished by section 9(a).”.

16       **SEC. 206. AMENDMENTS TO MARINE TURTLE CONSERVA-**  
17               **TION ACT OF 2004.**

18       Section 5 of the Marine Turtle Conservation Act of  
19       2004 (16 U.S.C. 6604) is amended—

20               (1) in paragraph (2), by striking “and” at the  
21       end;

22               (2) in paragraph (3), by striking the period at  
23       the end and inserting “; and”; and

24               (3) by adding at the end the following:

1           “(4) any amounts, other than amounts paid as  
 2           awards to whistleblowers, received by the United  
 3           States for any violation of law pertaining to marine  
 4           turtles, freshwater turtles, or tortoises under the  
 5           Endangered Species Act of 1973 (16 U.S.C. 1531 et  
 6           seq.), the Lacey Act Amendments of 1981 (16  
 7           U.S.C. 3371 et seq.), or regulations implementing  
 8           those Acts, including any of those amounts received  
 9           as—

10                   “(A) fines or penalties;

11                   “(B) proceeds from sales of forfeited prop-  
 12           erty, assets, or cargo; or

13                   “(C) restitution to the Federal Govern-  
 14           ment.”.

15 **SEC. 207. FUNDING FOR MARINE MAMMAL CONSERVATION.**

16           (a) DEPOSITS INTO THE MARINE MAMMAL UN-  
 17           USUAL MORTALITY EVENT FUND.—Section 405(c) of the  
 18           Marine Mammal Protection Act of 1972 (16 U.S.C.  
 19           1421d(c)) is amended—

20                   (1) in paragraph (2), by striking “and” at the  
 21           end;

22                   (2) in paragraph (3), by striking the period at  
 23           the end and inserting a semicolon; and

24                   (3) by adding at the end the following:

1           “(4) all amounts, other than amounts paid as  
2       rewards to whistleblowers, collected by the Secretary  
3       of Commerce, including assessment costs, fines, pen-  
4       alties, restitution, natural resource damages, and  
5       forfeitures of property (or proceeds from sales of  
6       forfeited assets or cargo), for violations of this Act  
7       or regulations implementing this Act; and

8           “(5) sums received from emergency declaration  
9       grants for marine mammal conservation.”.

10       (b) APPROPRIATION OF FUNDS RECEIVED.—Section  
11   509 of the Marine Mammal Protection Act of 1972 (16  
12   U.S.C. 1423(h)) is amended by adding at the end the fol-  
13   lowing new subsection:

14       “(d) APPROPRIATION OF FUNDS RECEIVED.—All  
15   amounts received by the Director of the United States  
16   Fish and Wildlife Service for violations of this Act shall  
17   be available without further appropriation and until ex-  
18   pended to carry out the purposes this Act.”.

19   **SEC. 208. FUNDING FOR SHARK CONSERVATION.**

20       All amounts available to the Secretary of Commerce  
21   that are attributable to fines, penalties, and forfeitures of  
22   property (or proceeds from the sale of that forfeited prop-  
23   erty) imposed for violations under section 307(1)(P) of the  
24   Magnuson-Stevens Fishery Conservation and Manage-  
25   ment Act (16 U.S.C. 1857(1)(P)) or violations of any fish-

1 ery management plan for sharks prepared under title III  
2 of that Act (16 U.S.C. 1851 et seq.) shall be used by the  
3 Secretary of Commerce for—

4 (1) the benefit of the shark species impacted by  
5 the applicable violation, to the extent practicable;

6 (2) shark conservation purposes, including to  
7 carry out amendments made by the Shark Conserva-  
8 tion Act of 2010 (Public Law 111–348);

9 (3) payment of awards to whistleblowers on an  
10 applicable violation under section 311(e)(1)(B) of  
11 the Magnuson-Stevens Fishery Conservation and  
12 Management Act (16 U.S.C. 1861(e)(1)(B)); or

13 (4) enforcement of section 307(1)(P) of the  
14 Magnuson-Stevens Fishery Conservation and Man-  
15 agement Act (16 U.S.C. 1857(1)(P)) or any fishery  
16 management plan for sharks under that Act.

17 **SEC. 209. USES OF TRANSFERRED FUNDS FOR WILDLIFE**  
18 **CONSERVATION.**

19 All amounts made available to the Secretary of the  
20 Interior under the amendments made by sections 302 and  
21 303 shall be used—

22 (1) for the benefit of the species impacted by  
23 the applicable violation, to the extent practicable;

24 (2) for payment of awards to whistleblowers on  
25 an applicable violation under section 103; or

1 (3) to carry out—

2 (A) the African Elephant Conservation Act  
3 (16 U.S.C. 4201 et seq.);

4 (B) the Asian Elephant Conservation Act  
5 of 1997 (16 U.S.C. 4261 et seq.);

6 (C) the Wild Bird Conservation Act of  
7 1992 (16 U.S.C. 4901 et seq.);

8 (D) the Rhinoceros and Tiger Conservation  
9 Act of 1994 (16 U.S.C. 5301 et seq.);

10 (E) the Neotropical Migratory Bird Con-  
11 servation Act (16 U.S.C. 6101 et seq.);

12 (F) the Great Ape Conservation Act of  
13 2000 (16 U.S.C. 6301 et seq.);

14 (G) the Marine Turtle Conservation Act of  
15 2004 (16 U.S.C. 6601 et seq.);

16 (H) the Amphibians in Decline Fund es-  
17 tablished by the Secretary and administered by  
18 the United States Fish and Wildlife Service;

19 (I) the Critically Endangered Animals  
20 Conservation Fund established by the Secretary  
21 and administered by the United States Fish  
22 and Wildlife Service; or

23 (J) any other international wildlife con-  
24 servation programs or activities authorized by  
25 Federal law, as considered appropriate by the

1 Secretary, including activities pursuant to sec-  
2 tions 201 and 301.

3 **TITLE III—ANTI-TRAFFICKING**  
4 **AND POACHING**

5 **SEC. 301. UNITED STATES FISH AND WILDLIFE SERVICE OF-**  
6 **FICERS ABROAD.**

7 (a) DEFINITIONS.—In this section:

8 (1) HOST COUNTRY.—The term “host country”  
9 means a country that is hosting a United States  
10 Fish and Wildlife officer under this section.

11 (2) SECRETARY.—The term “Secretary” means  
12 the Secretary of the Interior.

13 (b) PLACEMENT OF OFFICERS.—The Secretary, in  
14 consultation with the Secretary of State, may station not  
15 less than one United States Fish and Wildlife Service offi-  
16 cer in the primary diplomatic or consular post of the  
17 United States in—

18 (1) a focus country or country of concern;

19 (2) a country that has a national who has been  
20 certified by the Secretary under section 8(a)(2) of  
21 the Fishermen’s Protective Act of 1967 (22 U.S.C.  
22 1978(a)(2)) as engaging in trade or taking which di-  
23 minishes the effectiveness of any international pro-  
24 gram for endangered or threatened species; or



1           (3) other countries identified by the Secretary,  
2           in consultation with the Secretary of State.

3           (c) DUTIES.—A United States Fish and Wildlife  
4 Service officer stationed under subsection (b) shall—

5           (1) assist local agencies or officials responsible  
6           for the protection of wildlife in the protection of  
7           wildlife and on-the-ground conservation;

8           (2) facilitate apprehension of individuals who il-  
9           legally kill or take, or assist in the illegal killing or  
10          taking of, wildlife;

11          (3) support local agencies or officials respon-  
12          sible for the protection of wildlife in the host country  
13          and regional partners of the United States in wild-  
14          life trafficking investigations;

15          (4) support wildlife trafficking investigations  
16          based in the United States with a nexus to a host  
17          country or region;

18          (5) provide technical assistance and support to  
19          build capacity in the host country for wildlife con-  
20          servation and anti-trafficking enforcement by agen-  
21          cies that partner with the host country;

22          (6) advise on leveraging the assets of the  
23          United States Government to combat wildlife traf-  
24          ficking;

1           (7) support effective implementation of CITES  
 2           and other international agreements relating to wild-  
 3           life conservation, in coordination with the Secretary  
 4           of State;

5           (8) work to reduce global demand for illegally  
 6           traded wildlife products and illegally taken wildlife;  
 7           and

8           (9) conduct other duties as the Secretary, in  
 9           consultation with the Secretary of State, determines  
 10          to be appropriate to combat wildlife trafficking and  
 11          promote conservation of at-risk species.

12 **SEC. 302. WILDLIFE TRAFFICKING VIOLATIONS AS PREDI-**  
 13 **CATE OFFENSES UNDER TRAVEL ACT AND**  
 14 **RACKETEERING STATUTE.**

15          (a) TRAVEL ACT.—Section 1952 of title 18, United  
 16 States Code, is amended—

17           (1) in subsection (b)—

18                   (A) by striking “or (3)” and inserting  
 19                   “(3)”; and

20                   (B) by striking “of this title and (ii)” and  
 21           inserting the following: “of this title, or (4) any  
 22           act that is a criminal violation of subparagraph  
 23           (A), (B), (C), (D), (E), or (F) of section  
 24           9(a)(1) of the Endangered Species Act of 1973  
 25           (16 U.S.C. 1538(a)(1)), section 2203 of the Af-

1           rican Elephant Conservation Act (16 U.S.C.  
2           4223), or section 7(a) of the Rhinoceros and  
3           Tiger Conservation Act of 1994 (16 U.S.C.  
4           5305a(a)), if the endangered or threatened spe-  
5           cies of fish or wildlife, products, items, or sub-  
6           stances involved in the violation and relevant  
7           conduct, as applicable, have a total value of  
8           more than \$10,000 and (ii)”; and  
9           (2) by adding at the end the following:

10          “(f) The Secretary of the Treasury shall transfer to  
11          the Secretary of the Interior any amounts received by the  
12          United States as civil penalties, fines, forfeitures of prop-  
13          erty or assets, or restitution to the Federal Government  
14          for any violation under this section that involves an unlaw-  
15          ful activity described in subsection (b)(i)(4).”.

16          (b) RICO.—Chapter 96 of title 18, United States  
17          Code, is amended—

18               (1) in section 1961(1)—

19                   (A) by striking “or (G)” and inserting  
20                   “(G)”; and

21                   (B) by inserting before the semicolon at  
22                   the end the following: “, or (H) any act that is  
23                   a criminal violation of subparagraph (A), (B),  
24                   (C), (D), (E), or (F) of section 9(a)(1) of the  
25                   Endangered Species Act of 1973 (16 U.S.C.

1           1538(a)(1)), section 2203 of the African Ele-  
2           phant Conservation Act (16 U.S.C. 4223), or  
3           section 7(a) of the Rhinoceros and Tiger Con-  
4           servation Act of 1994 (16 U.S.C. 5305a(a)), if  
5           the endangered or threatened species of fish or  
6           wildlife, products, items, or substances involved  
7           in the violation and relevant conduct, as appli-  
8           cable, have a total value of more than  
9           \$10,000”; and

10           (2) in section 1963, by adding at the end the  
11           following:

12           “(n) The Secretary of the Treasury shall transfer to  
13           the Secretary of the Interior any amounts received by the  
14           United States as civil penalties, fines, forfeitures of prop-  
15           erty or assets, or restitution to the Federal Government  
16           for any violation of section 1962 that is based on racket-  
17           eering activity described in section 1961(1)(H).”.

18           (c) SPORT-HUNTED TROPHIES.—Nothing in this sec-  
19           tion or the amendments made by this section—

20           (1) nullifies or supersedes any other provision  
21           of Federal law or any regulation pertaining to the  
22           import of sport-hunted wildlife trophies;

23           (2) prohibits any citizen, national, or legal resi-  
24           dent of the United States, or an agent of such an  
25           individual, from importing a lawfully taken sport-

1       hunted trophy for personal or similar noncommercial  
 2       use if the importation is in compliance with sections  
 3       4(d) and 10 of the Endangered Species Act of 1973  
 4       (16 U.S.C. 1533(d), 1539), section 3(a) of the  
 5       Lacey Act Amendments of 1981 (16 U.S.C.  
 6       3372(a)), and regulations implementing those sec-  
 7       tions; or

8               (3) may be used to prosecute any citizen, na-  
 9       tional, or legal resident of the United States, or an  
 10      agent of such an individual, for importing a lawfully  
 11      taken sport-hunted trophy for personal or similar  
 12      noncommercial use if the importation is in compli-  
 13      ance with sections 4(d) and 10 of the Endangered  
 14      Species Act of 1973 (16 U.S.C. 1533(d), 1539), sec-  
 15      tion 3(a) of the Lacey Act Amendments of 1981 (16  
 16      U.S.C. 3372(a)), and regulations implementing  
 17      those sections.

18 **SEC. 303. FUNDS FROM WILDLIFE TRAFFICKING VIOLA-**  
 19 **TIONS OF MONEY LAUNDERING STATUTE.**

20       Section 1956 of title 18, United States Code, is  
 21      amended by adding at the end the following:

22       “(j) The Secretary of the Treasury shall transfer to  
 23      the Secretary of the Interior any amounts received by the  
 24      United States as civil penalties, fines, forfeitures of prop-  
 25      erty or assets, or restitution to the Federal Government

1 for any violation under this section that involves an unlaw-  
 2 ful activity described in subsection (c)(7)(G).”.

3 **SEC. 304. TECHNICAL AND CONFORMING AMENDMENTS.**

4 (a) USE OF AMOUNTS FROM FINES.—Section  
 5 1402(b)(1)(A) of the Victims of Crime Act of 1984 (34  
 6 U.S.C. 20101(b)(1)(A)) is amended—

7 (1) in clause (i), by striking “and” at the end;

8 and

9 (2) by adding at the end the following:

10 “(iii) section 1952(f), section 1956(j),  
 11 and section 1963(n) of title 18, United  
 12 States Code; and”.

13 (b) USE OF AMOUNTS FROM FORFEITURES.—Sec-  
 14 tion 524(c)(4)(A) of title 28, United States Code, is  
 15 amended by inserting “the Secretary of the Treasury pur-  
 16 suant to section 1952(f), section 1956(j), or section  
 17 1963(n) of title 18,” before “or the Postmaster General”.

18 **SEC. 305. PUBLICATION OF CERTIFICATIONS UNDER THE**  
 19 **PELLY AMENDMENT.**

20 Section 8 of the Fisherman’s Protective Act of 1967  
 21 (22 U.S.C. 1978) is amended—

22 (1) in subsection (a)—

23 (A) in paragraph (4), by inserting at the  
 24 end the following: “The Secretary of the Inte-  
 25 rior or the Secretary of Commerce, as appro-

1           appropriate, shall make readily available on an appro-  
 2           priate public internet website of the Federal  
 3           Government a list of all certifications made  
 4           under subsection (a) and maintain such listing  
 5           until a termination of each such certification is  
 6           made under subsection (d).”; and

7           (B) in paragraph (5), by inserting at the  
 8           end the following: “The Secretary of the Treas-  
 9           ury shall make readily available on an appro-  
 10          priate public internet website of the Federal  
 11          Government a list of all offending countries for  
 12          which a prohibition was made at the direction  
 13          of the President under this paragraph.”; and

14          (2) in subsection (d), by inserting “and on the  
 15          public Federal Government internet website required  
 16          under subsection (a)(4)” before the period.

17 **TITLE       IV—ILLEGAL,       UNRE-**  
 18 **PORTED, AND UNREGULATED**  
 19 **FISHING**

20 **SEC. 401. FUNDING FOR ILLEGAL, UNREPORTED, AND UN-**  
 21 **REGULATED FISHING ENFORCEMENT.**

22          All amounts available to the Secretary of Commerce  
 23          that are attributable to fines, penalties, and forfeitures of  
 24          property (or proceeds from the sale of that forfeited prop-  
 25          erty) imposed for violations under section 307(1)(Q) of the

1 Magnuson-Stevens Fishery Conservation and Manage-  
 2 ment Act (16 U.S.C. 1857(1)(Q)) shall be used by the  
 3 Secretary of Commerce for fisheries enforcement, includ-  
 4 ing for payment of awards to whistleblowers under section  
 5 103 or other applicable laws and to carry out amendments  
 6 made by the Illegal, Unreported, and Unregulated Fishing  
 7 Enforcement Act of 2015 (Public Law 114–81; 129 Stat.  
 8 649).

9 **SEC. 402. ILLEGAL, UNREPORTED, AND UNREGULATED**  
 10 **FISHING AS PREDICATE OFFENSES UNDER**  
 11 **MONEY LAUNDERING STATUTE.**

12 Section 1956(c)(7) of title 18, United States Code,  
 13 is amended—

14 (1) in subparagraph (F), by striking “; or” and  
 15 inserting a semicolon;

16 (2) in subparagraph (G), by striking the semi-  
 17 colon and inserting “; or”; and

18 (3) by adding at the end the following:

19 “(H) any act that is a violation of section  
 20 307(1)(Q) of the Magnuson-Stevens Fishery  
 21 Conservation and Management Act (16 U.S.C.  
 22 1857(1)(Q)), if the fish involved in the violation  
 23 and relevant conduct, as applicable, have a total  
 24 value of more than \$10,000;”.



1 **SEC. 403. FUNDS FROM ILLEGAL, UNREPORTED, AND UN-**  
2 **REGULATED FISHING VIOLATIONS OF MONEY**  
3 **LAUNDERING STATUTE.**

4 Section 1956 of title 18, United States Code, is  
5 amended by adding at the end the following:

6 “(j) The Secretary of the Treasury shall transfer to  
7 the Secretary of Commerce any amounts received by the  
8 United States as civil penalties, fines, forfeitures of prop-  
9 erty or assets, or restitution to the Federal Government  
10 for any violation under this section that involves an unlaw-  
11 ful activity described in subsection (c)(7)(H).”.

12 **SEC. 404. USES OF TRANSFERRED FUNDS FOR ILLEGAL, UN-**  
13 **REPORTED, AND UNREGULATED FISHING EN-**  
14 **FORCEMENT.**

15 All amounts made available to the Secretary of Com-  
16 merce under the amendments made by sections 402 and  
17 403 shall be used for fisheries enforcement purposes, in-  
18 cluding to carry out amendments made by the Illegal, Un-  
19 reported, and Unregulated Fishing Enforcement Act of  
20 2015 (Public Law 114–81; 129 Stat. 649).

21 **SEC. 405. DEPARTMENT OF STATE REWARDS FOR JUSTICE**  
22 **PROGRAM.**

23 Subparagraph (B) of section 36(k)(5) of the State  
24 Department Basic Authorities Act of 1956 (22 U.S.C.  
25 2708(k)(5)) is amended by inserting “, illegal fishing, un-  
26 reported fishing, or unregulated fishing (as such terms are

1 defined in paragraph 3 of the International Plan of Action  
2 to Prevent, Deter, and Eliminate Illegal, Unreported, and  
3 Unregulated Fishing, adopted at the 24th Session of the  
4 Committee on Fisheries in Rome on March 2, 2001),”  
5 after “wildlife trafficking (as defined by section 7601(12)  
6 of title 16)”.

○