

Union Calendar No. 218

116TH CONGRESS
1ST SESSION

H. R. 737

[Report No. 116-273]

To prohibit the sale of shark fins, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 23, 2019

Mr. SABLAN (for himself, Mr. McCAUL, Mr. BISHOP of Georgia, Ms. BONAMICI, Mr. BLUMENAUER, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. BUCHANAN, Mr. CALVERT, Mr. CARTWRIGHT, Mr. CHABOT, Mr. CRIST, Ms. DEGETTE, Mr. FITZPATRICK, Mr. GALLEGRO, Mr. GARAMENDI, Ms. HILL of California, Mr. HUFFMAN, Mr. JOHNSON of Georgia, Ms. KAPTUR, Mr. KATKO, Mr. KEATING, Mr. KENNEDY, Mr. KINZINGER, Ms. KUSTER of New Hampshire, Mr. LIPINSKI, Mr. LOWENTHAL, Mr. MCNERNEY, Mr. MITCHELL, Ms. NORTON, Mr. PANNETTA, Mr. PERLMUTTER, Mr. QUIGLEY, Mrs. RADEWAGEN, Mr. RASKIN, Mr. RESCHENTHALER, Ms. ROYBAL-ALLARD, Mr. RYAN, Mr. SCHWEIKERT, Mr. SMITH of Washington, Mr. SOTO, Mr. SUOZZI, Ms. TITUS, Mr. THOMPSON of California, Mrs. TORRES of California, Mr. VELA, Mrs. WATSON COLEMAN, Ms. WILSON of Florida, Mr. AGUILAR, Mr. RODNEY DAVIS of Illinois, Mr. GOMEZ, and Mr. WEBER of Texas) introduced the following bill; which was referred to the Committee on Natural Resources

NOVEMBER 8, 2019

Additional sponsors: Mr. DAVID SCOTT of Georgia, Mr. MOULTON, Ms. BASS, Mrs. DINGELL, Mr. DEUTCH, Mr. LOEBSACK, Ms. CLARKE of New York, Mr. BERA, Mr. RUPPERSBERGER, Mr. MICHAEL F. DOYLE of Pennsylvania, Mr. COHEN, Mr. KING of New York, Mr. GOTTHEIMER, Mr. FOSTER, Mr. YARMUTH, Mr. SEAN PATRICK MALONEY of New York, Ms. LEE of California, Ms. SCHAKOWSKY, Mr. LANGEVIN, Mr. ESPAILLAT, Ms. SPEIER, Ms. CASTOR of Florida, Mrs. BUSTOS, Mr. ESTES, Mr. SAN NICOLAS, Mr. SCHRADER, Mr. NEAL, Mrs. LOWEY, Mr. BEYER, Ms. MATSUI, Mr. PALLONE, Ms. SHALALA, Mr. DEFazio, Mrs. DAVIS of California, Mr. LYNCH, Mr. MEUSER, Ms. MCCOLLUM, Ms. WASSERMAN SCHULTZ, Mr. KIND, Mr. KRISHNAMOORTHY, Mr. CISNEROS, Mr. COSTA,

Ms. DEAN, Mr. DELGADO, Ms. GABBARD, Mr. GUTHRIE, Ms. HAALAND, Mr. HARDER of California, Mr. HECK, Mr. JOYCE of Ohio, Mrs. LAWRENCE, Mr. LAWSON of Florida, Mr. DAVID P. ROE of Tennessee, Mr. ROSE of New York, Mr. TAKANO, Mr. WALDEN, Mr. WATKINS, Mr. BACON, Mr. CASTEN of Illinois, Ms. DELAURO, Mr. DESAULNIER, Ms. JAYAPAL, Mr. MCGOVERN, Mr. NORCROSS, Mr. STIVERS, Mr. WELCH, Mr. WOODALL, Mr. MALINOWSKI, Mr. CONNOLLY, Mr. BRINDISI, Mr. CUMMINGS, Mr. FORTENBERRY, Mr. LARSON of Connecticut, Mrs. NAPOLITANO, Mr. PAPPAS, Mr. SIRES, Mr. SMUCKER, Mr. LAHOOD, Ms. BROWNLEY of California, Mr. CICILLINE, Mr. ENGEL, Ms. ESHOO, Mr. HIGGINS of New York, Mr. HIMES, Mr. KIM, Mr. LAMB, Mr. LARSEN of Washington, Mr. LUJÁN, Mr. MARSHALL, Mr. NEGUSE, Mr. O'HALLERAN, Mr. POCAN, Mr. RICHMOND, Mr. ROONEY of Florida, Mr. ROUDA, Mr. RUSH, Ms. STEFANIK, Mr. VARGAS, Ms. WEXTON, Mr. ZELDIN, Mrs. BEATTY, Mr. CARBAJAL, Mr. CASE, Mr. CORREA, Mr. COX of California, Ms. LOFGREN, Ms. MUCARSEL-POWELL, Mr. OLSON, Mr. SCHNEIDER, Mr. TONKO, Mr. WRIGHT, Ms. SLOTKIN, Mr. CUNNINGHAM, Mr. LEVIN of California, Mrs. WALORSKI, Mr. BABIN, Mr. CRENSHAW, Mr. STAUBER, Mr. WILSON of South Carolina, Mr. YOHO, Ms. BARRAGÁN, Ms. CRAIG, Mr. FLEISCHMANN, Mr. HUNTER, Ms. GRANGER, Mr. HAGEDORN, Mr. BROWN of Maryland, Mr. COLLINS of New York, Ms. JACKSON LEE, Mr. MARCHANT, Mr. PAYNE, Mr. PENCE, Mr. STEUBE, Mr. TURNER, Mr. UPTON, Mrs. AXNE, Mr. CROW, Mr. GROTHMAN, Mr. KELLY of Mississippi, Mr. MEEKS, Mr. PALAZZO, Ms. SHERRILL, Ms. DELBENE, Ms. FINKENAUER, Mr. HASTINGS, Mr. HORSFORD, Mr. SCHIFF, Mr. SHERMAN, Mrs. HAYES, Mr. MCEACHIN, Mrs. MURPHY of Florida, Mr. PRICE of North Carolina, Ms. CLARK of Massachusetts, Ms. FRANKEL, Mr. SARBANES, Ms. SCHRIER, Mr. TRONE, Ms. ESCOBAR, Mr. KILMER, Mr. LEVIN of Michigan, Ms. UNDERWOOD, Mr. SIMPSON, Mr. BUDD, Mr. BERGMAN, Mr. EMMER, Mrs. KIRKPATRICK, Ms. PORTER, Ms. SCANLON, Mr. BURCHETT, Mrs. DEMINGS, Mr. ALLRED, Mr. CARTER of Georgia, Miss RICE of New York, Mr. BUTTERFIELD, Ms. ADAMS, Mr. VEASEY, Mr. GREEN of Texas, Mr. NADLER, Mr. SWALWELL of California, Mr. GRIFFITH, Ms. SPANBERGER, Mr. TIMMONS, Mr. PETERS, Mr. GONZALEZ of Texas, Ms. PINGREE, Mrs. LURIA, Mrs. TRAHAN, Ms. KENDRA S. HORN of Oklahoma, Mr. MORELLE, Ms. PRESSLEY, Mr. CLAY, Ms. WILD, Mr. SERRANO, Mr. SCOTT of Virginia, Mr. COOPER, Ms. MOORE, Mrs. FLETCHER, Mr. JEFFRIES, Mr. CLEAVER, Mr. THOMPSON of Mississippi, Mrs. CAROLYN B. MALONEY of New York, Mrs. MCBATH, Mrs. LEE of Nevada, Ms. STEVENS, Mr. CARSON of Indiana, Ms. GARCIA of Texas, Mr. PASCRELL, Mr. GARCÍA of Illinois, Mr. GRIJALVA, Mr. DANNY K. DAVIS of Illinois, Mr. COURTNEY, Ms. BLUNT ROCHESTER, Mr. CÁRDENAS, Mr. THOMPSON of Pennsylvania, Mr. KILDEE, Ms. SÁNCHEZ, Mr. DOGGETT, Ms. HOULAHAN, Ms. TORRES SMALL of New Mexico, Mr. LAMALFA, Mr. KELLER, Mr. BILIRAKIS, Mr. CUELLAR, Ms. FUDGE, Mr. STANTON, Mr. PHILLIPS, Mr. EVANS, Ms. SEWELL of Alabama, Mr. GAETZ, Mr. STEIL, Mr. MCADAMS, Ms. VELÁZQUEZ, Ms. DAVIDS of Kansas, Mr. GOODEN, Ms. KELLY of Illinois, Mr. RIGGLEMAN, and Ms. TLAIB

NOVEMBER 8, 2019

Committed to the Committee of the Whole House on the State of the Union
and ordered to be printed

A BILL

To prohibit the sale of shark fins, 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.**

4 This Act may be cited as the “Shark Fin Sales Elimi-
5 nation Act of 2019”.

6 **SEC. 2. PROHIBITION ON SALE OF SHARK FINS.**

7 (a) PROHIBITION.—Except as provided in sections 3
8 and 4, no person shall possess, offer for sale, sell, or pur-
9 chase any shark fin or product containing any shark fin.

10 (b) PENALTY.—For purposes of section 308(a) of the
11 Magnuson-Stevens Fishery Conservation and Manage-
12 ment Act (16 U.S.C. 1858(a)), a violation of this section
13 shall be treated as an act prohibited by section 307 of
14 that Act.

15 **SEC. 3. EXEMPTION FOR TRADITIONAL FISHERIES, EDU-**
16 **CATION, AND SCIENCE.**

17 Section 2 shall not apply with respect to possession
18 of a shark fin that was taken lawfully under a State, terri-
19 torial, or Federal license or permit to take or land sharks,
20 if the shark fin is separated from the shark in a manner
21 consistent with the license or permit and is—

22 (1) destroyed or discarded upon separation;

23 (2) used for noncommercial subsistence pur-
24 poses in accordance with State or territorial law;

1 (3) used solely for display or research purposes
2 by a museum, college, or university, or by any other
3 person under a State or Federal permit to conduct
4 noncommercial scientific research; or

5 (4) retained by the license or permit holder for
6 a noncommercial purpose.

7 **SEC. 4. EXEMPTION FOR DOGFISH.**

8 (a) IN GENERAL.—It shall not be a violation of sec-
9 tion 2 for any person to possess, offer for sale, sell, or
10 purchase any fresh or frozen raw fin or tail from any stock
11 of the species *Mustelus canis* (smooth dogfish) or *Squalus*
12 *acanthias* (spiny dogfish).

13 (b) REPORT.—By not later than January 1, 2027,
14 the Secretary of Commerce shall review the exemption in
15 subsection (a) and shall prepare and submit to the Con-
16 gress a report that includes a recommendation on whether
17 the exemption should continue or be terminated. In pre-
18 paring such report and making such recommendation, the
19 Secretary shall analyze factors including—

20 (1) the economic viability of dogfish fisheries
21 with and without the continuation of the exemption;

22 (2) the impact to ocean ecosystems of con-
23 tinuing or terminating the exemption;

24 (3) the impact on enforcement of the ban con-
25 tained in section 3 caused by the exemption; and

1 (4) the impact of the exemption on shark con-
2 servation.

3 **SEC. 5. DEFINITIONS.**

4 In this Act:

5 (1) SHARK.—The term “shark” means any spe-
6 cies of the orders Pristiophoriformes, Squatini-
7 formes, Squaliformes, Hexanchiformes, Lamni-
8 formes, Carchariniformes, Orectolobiformes, and
9 Heterodontiformes.

10 (2) SHARK FIN.—The term “shark fin” means
11 the raw, dried, or otherwise processed detached fin,
12 or the raw, dried, or otherwise processed detached
13 tail, of a shark.

14 **SEC. 6. STATE AUTHORITY.**

15 Nothing in this Act affects any right of a State or
16 territory of the United States to adopt or enforce any reg-
17 ulation or standard that is more stringent than a regula-
18 tion or standard in effect under this Act.

Union Calendar No. 218

116TH CONGRESS
1ST Session

H. R. 737

[Report No. 116-273]

A BILL

To prohibit the sale of shark fins, and for other purposes.

NOVEMBER 8, 2019

Committed to the Committee of the Whole House on the
State of the Union and ordered to be printed