

112TH CONGRESS
2D SESSION

S. 3422

To prohibit the sale of billfish and for other purposes.

IN THE SENATE OF THE UNITED STATES

JULY 23, 2012

Mr. VITTER introduced the following bill; which was read twice and referred
to the Committee on Commerce, Science, and Transportation

A BILL

To prohibit the sale of billfish 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 “Billfish Conservation
5 Act of 2012”.

6 **SEC. 2. PROHIBITION ON THE SALE OF BILLFISH.**

7 (a) PROHIBITION.—No person shall offer for sale,
8 sell, or have custody, control, or possession of for purposes
9 of offering for sale or selling billfish or products con-
10 taining billfish.

11 (b) PENALTY.—For purposes of section 308(a) of the
12 Magnuson-Stevens Fishery Conservation and Manage-

1 ment Act (16 U.S.C. 1858(a)), a violation of this section
 2 shall be treated as an act prohibited by section 307 of
 3 that Act (16 U.S.C. 1857).

4 (c) EXEMPTION FOR TRADITIONAL FISHERIES AND
 5 MARKETS.—Subsection (a) does not apply to the State of
 6 Hawaii and Pacific Insular Area as defined in section
 7 3(35) of the Magnuson-Stevens Fishery Conservation and
 8 Management Act (16 U.S.C. 1802(35)), except that bill-
 9 fish may be sold under this exemption only in the United
 10 States and the Pacific Insular Area.

11 (d) BILLFISH DEFINED.—In this section, the term
 12 “billfish”—

13 (1) means any fish of the species—

14 (A) *Makaira nigricans* (blue marlin);

15 (B) *Kajikia audax* (striped marlin);

16 (C) *Istiompax indica* (black marlin);

17 (D) *Istiophorus platypterus* (sailfish);

18 (E) *Tetrapturus angustirostris* (shortbill
 19 spearfish);

20 (F) *Kajikia albida* (white marlin);

21 (G) *Tetrapturus georgii* (roundscale spear-
 22 fish);

23 (H) *Tetrapturus belone* (Mediterranean
 24 spearfish); and

- 1 (I) *Tetrapturus pfluegeri* (longbill spear-
2 fish); and
3 (2) does not include the species *Xiphias gladius*
4 (swordfish).

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