

114TH CONGRESS  
2D SESSION

# H. R. 5584

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

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## IN THE HOUSE OF REPRESENTATIVES

JUNE 24, 2016

Mr. SABLAN (for himself, Mr. GRIJALVA, Mr. HUFFMAN, Ms. BORDALLO, Mr. THOMPSON of California, Mr. BLUMENAUER, Mr. ROYCE, Mr. FARENTHOLD, Mr. MEEHAN, and Mr. KATKO) introduced the following bill; which was referred to the Committee on Natural Resources, and in addition to the Committees on Foreign Affairs, and Ways and Means, 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 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 Trade Elim-  
5       ination Act of 2016”.

6       **SEC. 2. PROHIBITION ON TRADE IN SHARK FINS.**

7       (a) PROHIBITION.—Except as provided in section 3,  
8       no person shall possess, trade, distribute, ship, transport,

1 offer for sale, sell, purchase, import, or export shark fins  
2 or products containing shark fins.

3 (b) PENALTY.—For purposes of section 308(a) of the  
4 Magnuson-Stevens Fishery Conservation and Manage-  
5 ment Act (16 U.S.C. 1858(a)), a violation of this section  
6 shall be treated as an act prohibited by section 307 of  
7 that Act (16 U.S.C. 1857).

8 **SEC. 3. EXEMPTION FOR TRADITIONAL FISHERIES, EDU-**  
9 **CATION, AND SCIENCE.**

10 A person may possess a shark fin that was taken law-  
11 fully under a State, territorial, or Federal license or per-  
12 mit to take or land sharks, if the shark fin is separated  
13 from the shark in a manner consistent with the license  
14 or permit and is—

15 (1) destroyed or discarded;

16 (2) retained by the license or permit holder for  
17 a noncommercial purpose;

18 (3) used for noncommercial subsistence pur-  
19 poses in accordance with State or territorial law; or

20 (4) used solely for display or research purposes  
21 by a museum, college, or university, or other person  
22 under a State or Federal permit to conduct non-  
23 commercial scientific research.

24 **SEC. 4. DEFINITIONS.**

25 In this Act:

1 (1) SHARK.—The term “shark”—

2 (A) except as provided in subparagraph  
3 (B), means any species of the subclass Elasmo-  
4 branchii; and

5 (B) does not include—

6 (i) any stock of the species *Mustelus*  
7 *canis* (smooth dogfish) or *Squalus acanthi-*  
8 *as* (spiny dogfish) that is managed pursu-  
9 ant to a fishery management plan prepared  
10 under section 303 of the Magnuson-Ste-  
11 vens Fishery Conservation and Manage-  
12 ment Act (16 U.S.C. 1853); or

13 (ii) any species in the superorder  
14 Batoidea that is managed pursuant to a  
15 fishery management plan prepared under  
16 section 303 of the Magnuson-Stevens Fish-  
17 ery Conservation and Management Act (16  
18 U.S.C. 1853).

19 (2) SHARK FIN.—The term “shark fin” means  
20 the raw, dried, or otherwise processed detached fin,  
21 or the raw, dried, or otherwise processed detached  
22 tail, of a shark.

23 (3) IMPORT.—The term “import” has the same  
24 meaning that term has under section 3 of the Mag-

1        nuson-Stevens Fishery Conservation and Manage-  
2        ment Act (16 U.S.C. 1802).

3    **SEC. 5. STATE AUTHORITY.**

4        Nothing in this Act precludes, denies, or limits any  
5        right of a State or territory of the United States to adopt  
6        or enforce any regulation or standard that is more strin-  
7        gent than a regulation or standard in effect under this  
8        Act.

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