

115TH CONGRESS
2D SESSION

H. R. 5697

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

IN THE HOUSE OF REPRESENTATIVES

MAY 8, 2018

Ms. BORDALLO (for herself and Mr. YOUNG of Alaska) introduced the following bill; which was referred to the Committee on Natural Resources, and in addition to the Committee on the Judiciary, 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

A BILL

To support wildlife conservation, improve anti-trafficking enforcement, provide dedicated funding for wildlife conservation 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.**

4 This Act may be cited as the “Wildlife Conservation
5 and Anti-Trafficking Act of 2018”.

1 **SEC. 2. PURPOSES.**

2 The purposes of this Act are to—

3 (1) direct Federal agencies to implement au-
4 thorities under current law to reward whistleblowers
5 who furnish information that leads to an arrest,
6 criminal conviction, civil penalty assessment, or for-
7 feiture of property for any wildlife trafficking viola-
8 tion;

9 (2) provide a standardized process for deter-
10 mining and adjudicating awards to whistleblowers
11 under such authorities;

12 (3) amend the Marine Turtle Conservation Act
13 of 2004 (16 U.S.C. 6601 et seq.) to make United
14 States territories eligible for Federal funding and as-
15 sistance and provide for the conservation of fresh-
16 water turtles and tortoises under such Act;

17 (4) direct any fines, penalties, and forfeitures of
18 property from violations of the Marine Mammal Pro-
19 tection Act of 1972 (16 U.S.C. 1361 et seq.) to sup-
20 port marine mammal conservation;

21 (5) direct any fines, penalties, and forfeitures of
22 property from shark finning violations under the
23 Magnuson-Stevens Fishery Conservation and Man-
24 agement Act (16 U.S.C. 1801 et seq.) to support
25 shark conservation;

1 (6) authorize the International Wildlife Con-
2 servation Program to be administered by the United
3 States Fish and Wildlife Service;

4 (7) authorize the Secretary of the Interior to
5 station United States Fish and Wildlife Service offi-
6 cials in high-intensity wildlife trafficking areas
7 abroad;

8 (8) make wildlife trafficking a predicate offense
9 under section 1892 of title 18, United States Code
10 (popularly known as the Travel Act), and the racket-
11 eering prohibitions (RICO) of chapter 96 of such
12 title;

13 (9) direct any civil penalties, fines, forfeitures,
14 and restitution from wildlife trafficking violations
15 under section 1892 of title 18, United States Code
16 (popularly known as the Travel Act), and the racket-
17 eering prohibitions (RICO) of chapter 96 of such
18 title to support wildlife conservation;

19 (10) make violations for illegal, unreported, and
20 unregulated fishing under the Magnuson-Stevens
21 Fishery Conservation and Management Act (16
22 U.S.C. 1801 et seq.) a predicate offense under the
23 money laundering statute (section 1956 of title 18,
24 United States Code); and

1 (11) direct any civil penalties, fines, forfeitures,
2 and restitution from wildlife trafficking violations of
3 money laundering statutes (including section 1956
4 of title 18, United States Code, as enacted by Public
5 Law 114–231) to support wildlife conservation.

6 **SEC. 3. DEFINITIONS.**

7 In this Act:

8 (1) **FOCUS COUNTRY.**—The term “focus coun-
9 try” has the meaning given to that term by the
10 Eliminate, Neutralize, and Disrupt Wildlife Traf-
11 ficking Act of 2016 (Public Law 114–231; 16
12 U.S.C. 7601 et seq.).

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

20 (3) **SHARK.**—The term “shark” means any spe-
21 cies of the orders Hexanchiformes, Pristiophori-
22 formes, Squaliformes, Squatiniformes, Heterodonti-
23 formes, Orectolobiformes, Lamniformes, and Car-
24 chariniformes.

1 (4) SPECIES.—The term “species” has the
2 meaning given that term in section 3 of the Endan-
3 gered Species Act of 1973 (16 U.S.C. 1532).

4 (5) WILDLIFE.—The term “wildlife” has the
5 meaning given to the term “fish or wildlife” in sec-
6 tion 3 of the Endangered Species Act of 1973 (16
7 U.S.C. 1532).

8 (6) WILDLIFE TRAFFICKING.—The term “wild-
9 life trafficking” has the meaning given to that term
10 by the Eliminate, Neutralize, and Disrupt Wildlife
11 Trafficking Act of 2016 (Public Law 114–231; 16
12 U.S.C. 7601 et seq.).

13 (7) TAKE.—The term “take” has the meaning
14 given to that term by the Endangered Species Act
15 of 1973 (16 U.S.C. 1532(19)).

16 **SEC. 4. WILDLIFE TRAFFICKING WHISTLEBLOWERS.**

17 (a) PLAN OF ACTION.—In coordination with other
18 Federal agencies as appropriate, the Secretary of the Inte-
19 rior, the Secretary of Commerce, the Secretary of State,
20 the Secretary of the Treasury, and the Attorney General
21 shall within 1 year after the date of the enactment of this
22 Act develop a plan of action to fully implement existing
23 authorities for rewards to whistleblowers of violations of
24 anti-wildlife-trafficking laws. Such plan of action shall—

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

4 (A) section 6(d) of the Lacey Act Amend-
5 ments of 1981 (16 U.S.C. 3375(d));

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

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

10 (D) section 3 of the Fish and Wildlife Im-
11 provement Act of 1978 (16 U.S.C. 742l);

12 (E) section 7(f) of the Rhinoceros and
13 Tiger Conservation Act of 1994 (16 U.S.C.
14 5305a(f)); and

15 (F) other applicable anti-wildlife-traf-
16 ficking laws;

17 (2) delineate short-term and long-term goals for
18 increasing anti-wildlife-trafficking enforcement in-
19 cluding recruitment of whistleblowers, as appro-
20 priate;

21 (3) describe specific actions to be taken to
22 achieve such goals and the means necessary to do so,
23 including—

24 (A) formal partnerships with nongovern-
25 mental organizations; and

1 (B) the establishment of Whistleblower Of-
2 fices to coordinate the receipt of whistleblower
3 disclosures, ensure referrals to the appropriate
4 law enforcement offices, and communicate with
5 whistleblowers regarding the status of their re-
6 spective cases and potential rewards;

7 (4) be published on the internet website of the
8 Federal Register for public comment for no fewer
9 than 60 days; and

10 (5) be finalized within 90 days after the end of
11 the public comment period and made readily avail-
12 able on a public Government internet website.

13 (b) UPDATES TO PLAN OF ACTION.—In coordination
14 with other Federal agencies as appropriate, the Secretary
15 of the Interior, the Secretary of Commerce, the Secretary
16 of State, the Secretary of the Treasury, and the Attorney
17 General shall review the plan of action under subsection
18 (a) at least every 5 years and update it, as appropriate,
19 following public notice and comment.

20 (c) AWARDS TO WHISTLEBLOWERS.—

21 (1) IN GENERAL.—If any of the Secretaries re-
22 ferred to in subsection (b), or the Attorney General,
23 proceeds with any administrative or judicial action
24 under any of the laws referred to in subsection (a)
25 based on information brought to the Secretary's or

1 the Attorney General's attention by a person quali-
2 fied to receive an award under this subsection, such
3 Secretary or the Attorney General, respectively, shall
4 pay such person an award, subject to paragraph (2),
5 in an amount that is at least 15 percent but not
6 more than 50 percent of the amounts received by the
7 United States as penalties, interest, fines, forfeit-
8 ures, community service payments, restitution pay-
9 ments, and additional amounts in such action (in-
10 cluding any related civil or criminal actions) or any
11 under settlement or plea agreement in response to
12 such action. The Secretary or the Attorney General,
13 as applicable, shall determine the amount of such
14 award based on the extent to which the person sub-
15 stantially contributed to such action. The amount of
16 the award shall be determined within 90 days after
17 the date of the applicable plea agreement, judgment,
18 or settlement or plea agreement in such action, and
19 shall be paid from the amounts so received by the
20 United States.

21 (2) REDUCTION IN OR DENIAL OF AWARD.—If
22 the Secretary or Attorney General determines that
23 the claim for an award under paragraph (1) is
24 brought by a person who planned and initiated the
25 actions that led to the violation, then the Secretary

1 or Attorney General may appropriately reduce such
2 award. If such person is convicted of criminal con-
3 duct arising from the role described in the preceding
4 sentence, the Secretary or Attorney General shall
5 deny any award.

6 (3) APPEAL OF AWARD DETERMINATION.—Any
7 determination regarding an award under paragraph
8 (1) may, within 30 days after the date of such deter-
9 mination, be appealed to the appropriate United
10 States Court of Appeals pursuant to section 706 of
11 title 5, United States Code.

12 (4) SUBMISSION OF INFORMATION.—The Secre-
13 taries and the Attorney General shall permit the
14 submission of confidential and anonymous reports
15 under this section consistent with the procedures set
16 forth in subsections (d)(2) and (h) of section 21F of
17 the Securities and Exchange Act of 1934 (15 U.S.C.
18 78u–6(d)(2) and (h)).

19 (5) APPLICATION OF PARAGRAPH (1).—The pro-
20 cedures set forth in paragraph (1) shall be applica-
21 ble only in a case in which the total sanction from
22 all penalties, fines, community service payments, res-
23 titution, interest, forfeitures, or civil or criminal re-
24 coveries (including in related actions) exceeds
25 \$100,000.

1 (6) ANNUAL REPORT.—The Secretaries and the
2 Attorney General shall each year conduct a study
3 and report to Congress on the use of authorities,
4 claims filed, awards paid, and outreach conducted
5 under this section. Such report requirement may be
6 satisfied by incorporating such report into the plan
7 of action required under subsection (a) and updates
8 under subsection (b).

9 (7) LIMITATION ON APPLICATION.—This sec-
10 tion shall apply only with respect to amounts re-
11 ceived by the United States referred to in paragraph
12 (1) on or after the date of the enactment of this sec-
13 tion.

14 **SEC. 5. AUTHORIZATION OF INTERNATIONAL WILDLIFE**
15 **CONSERVATION PROGRAM.**

16 (a) IN GENERAL.—The Secretary of the Interior shall
17 carry out the International Wildlife Conservation Program
18 within the United States Fish and Wildlife Service to—

19 (1) implement global habitat and conservation
20 initiatives under the jurisdiction of the Secretary;

21 (2) address global conservation threats;

22 (3) combat wildlife trafficking, poaching, and
23 the trade in illegal wildlife products;

24 (4) provide financial, scientific, and other tech-
25 nical assistance;

1 (5) facilitate implementation of treaties, conven-
2 tions, accords, or similar international agreements
3 entered into by the United States to promote fish,
4 wildlife, plant, or habitat conservation; and

5 (6) carry out other international wildlife con-
6 servation and habitat activities authorized by Fed-
7 eral law, as considered appropriate by the Secretary.

8 (b) PROGRAM COMPONENTS.—The Program shall in-
9 clude the following:

10 (1) REGIONAL COMPONENT.—A regional com-
11 ponent that shall—

12 (A) address grassroots conservation prob-
13 lems through capacity building within regions of
14 range States to achieve comprehensive land-
15 scape or ecosystem-level fish or wildlife con-
16 servation; and

17 (B) develop and implement a plan to—

18 (i) expand existing regional wildlife
19 conservation programs as considered ap-
20 propriate by the Secretary; and

21 (ii) establish new regional conserva-
22 tion programs in other critical landscapes
23 and wildlife habitat globally, including the
24 Asia-Pacific Region.

1 (2) SPECIES COMPONENT.—A species compo-
2 nent that shall be comprised of administration of the
3 programs authorized by—

4 (A) the African Elephant Conservation Act
5 (16 U.S.C. 4201 et seq.);

6 (B) the Rhinoceros and Tiger Conservation
7 Act of 1994 (16 U.S.C. 5301 et seq.);

8 (C) the Asian Elephant Conservation Act
9 of 1997 (16 U.S.C. 4261 et seq.);

10 (D) the Great Ape Conservation Act of
11 2000 (16 U.S.C. 6301 et seq.);

12 (E) the Marine Turtle Conservation Act of
13 2004 (16 U.S.C. 6601 et seq.);

14 (F) the Neotropical Migratory Bird Con-
15 servation Act (16 U.S.C. 6101 et seq.);

16 (G) Wild Bird Conservation Act of 1992
17 (16 U.S.C. 4901 et seq.);

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

22 (I) any similar authority provided to the
23 Secretary of the Interior concerning wildlife
24 conservation internationally.

1 (3) ANTI-TRAFFICKING COMPONENT.—An anti-
2 trafficking component that shall be comprised of ad-
3 ministration of the programs authorized by—

4 (A) the Endangered Species Act of 1973
5 (16 U.S.C. 1531 et seq.);

6 (B) the Lacey Act Amendments of 1981
7 (16 U.S.C. 3371 et seq.);

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

11 (D) the Eliminate, Neutralize, and Disrupt
12 Wildlife Trafficking Act of 2016 (16 U.S.C.
13 7601 et seq.);

14 (E) other applicable anti-wildlife-traf-
15 ficking laws; and

16 (F) activities authorized by section 6 of
17 this Act.

18 (4) CONVENTION COMPONENT.—A convention
19 component that shall be comprised of the Division of
20 Management Authority and the Division of Scientific
21 Authority to implement the Convention on Inter-
22 national Trade in Endangered Species of Wild
23 Fauna and Flora (CITES) under section 8A of the
24 Endangered Species Act of 1973 (16 U.S.C. 1537a)

1 and carry out other related duties, as considered ap-
2 propriate by the Secretary.

3 (c) **ADDITIONAL COMPONENTS.**—The Secretary of
4 the Interior may include additional components in the
5 Program as the Secretary considers appropriate.

6 (d) **RELATIONSHIP TO OTHER LAW.**—Nothing in this
7 section alters the responsibilities of the Secretary of the
8 Interior under section 8 of the Fish and Wildlife Act of
9 1956 (16 U.S.C. 742g) and the Endangered Species Act
10 of 1973 (16 U.S.C. 1531 et seq.).

11 (e) **ACCEPTANCE AND USE OF DONATIONS.**—In ad-
12 ministering the Program, the Secretary of the Interior
13 may accept donations of funds, gifts, and in-kind contribu-
14 tions and use such donations without further appropria-
15 tion for capacity building, grants, and other on-the-ground
16 uses carried out by the program components authorized
17 by this section.

18 **SEC. 6. USFWS OFFICERS ABROAD.**

19 (a) **PLACEMENT OF OFFICERS.**—The Secretary of
20 the Interior, in consultation with the Secretary of State,
21 may station at least one United States Fish and Wildlife
22 Service officer in the primary United States diplomatic or
23 consular post in—

24 (1) each focus country;

1 (2) each foreign country certified by the Sec-
2 retary of the Interior under section 8(a) of the Fish-
3 ermen’s Protective Act of 1967 (22 U.S.C. 1978(a))
4 as a significant transit or destination point for wild-
5 life trafficking; or

6 (3) other countries identified by the Secretary
7 of the Interior, in consultation with the Secretary of
8 State.

9 (b) DUTIES.—United States Fish and Wildlife Serv-
10 ice officers stationed under subsection (a) shall—

11 (1) assist local wildlife rangers in the protection
12 of wildlife and on-the-ground conservation;

13 (2) facilitate apprehension of individuals who il-
14 legally kill or take, or assist the illegal killing or tak-
15 ing of, wildlife;

16 (3) support local wildlife rangers, host country
17 agencies, and regional partners in wildlife trafficking
18 investigations;

19 (4) support United States-based wildlife traf-
20 ficking investigations with nexus to host country or
21 region;

22 (5) provide technical assistance and support to
23 build capacity in-country for wildlife conservation
24 and anti-trafficking enforcement by host country
25 partner agencies;

1 (6) advise on leveraging United States Govern-
2 ment assets in combating wildlife trafficking;

3 (7) support effective implementation of the
4 Convention on International Trade in Endangered
5 Species of Wild Fauna and Flora (CITES) and
6 other international agreements pertaining to wildlife
7 conservation, in coordination with the Secretary of
8 State;

9 (8) work to reduce global demand for illegally
10 traded wildlife products and illegally taken wildlife;
11 and

12 (9) conduct other duties considered appropriate
13 by the Secretary of the Interior, in consultation with
14 the Secretary of State, to combat wildlife trafficking
15 and promote conservation of at-risk species.

16 **SEC. 7. AMENDMENT OF MARINE TURTLE CONSERVATION**
17 **ACT OF 2004.**

18 (a) IN GENERAL.—The Marine Turtle Conservation
19 Act of 2004 (Public Law 108–266) is amended—

20 (1) in section 2(b) (16 U.S.C. 6601(b))—

21 (A) in the heading, by striking “PURPOSE”
22 and inserting “PURPOSES”; and

23 (B) by striking “purpose of this Act is”
24 and inserting “purposes of this Act are”;

1 (2) in sections 2(b) and 3(2) (16 U.S.C.
2 6601(b), 6602(2)), by inserting “and territories of
3 the United States” after “foreign countries” each
4 place it occurs;

5 (3) in section 3 (16 U.S.C. 6602)—

6 (A) in paragraph (2)(C), by striking “and
7 regional” and inserting “, regional, and terri-
8 torial”;

9 (B) in paragraph (3), by striking “Marine
10 Turtle Conservation Fund” and inserting “Tur-
11 tle and Tortoise Conservation Fund”;

12 (C) by inserting after paragraph (2) the
13 following:

14 “() FRESHWATER TURTLE.—

15 “(A) IN GENERAL.—The term ‘freshwater
16 turtle’ means any member of the family Caret-
17 tochelyidae, Chelidae, Chelydridae, Dermatemy-
18 didae, Emydidae, Geoemydidae, Kinosternidae,
19 Pelomedusidae, Platysternidae, Podocnemidi-
20 dae, or Trionychidae.

21 “(B) INCLUSIONS.—The term ‘freshwater
22 turtle’ includes—

23 “(i) any part, product, egg, or off-
24 spring of a turtle described in subpara-
25 graph (A); and

1 “(ii) a carcass of such a turtle.”;

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

3 “(____) TERRITORY OF THE UNITED STATES.—

4 The term ‘territory of the United States’ means each
 5 of American Samoa, Guam, the Commonwealth of
 6 the Northern Mariana Islands, the Commonwealth
 7 of Puerto Rico, the United States Virgin Islands,
 8 and any other territory or possession of the United
 9 States.

10 “(____) TORTOISE.—

11 “(A) IN GENERAL.—The term ‘tortoise’
 12 means any member of the family Testudinidae.

13 “(B) INCLUSIONS.—The term ‘tortoise’ in-
 14 cludes—

15 “(i) any part, product, egg, or off-
 16 spring of a tortoise described in subpara-
 17 graph (A); and

18 “(ii) a carcass of such a tortoise.”;

19 and

20 (E) by redesignating the paragraphs of
 21 such section in order as paragraphs (1) through
 22 (9);

23 (4)(A) in each of sections 2(a)(4), 2(a)(5),
 24 2(a)(8), and 2(a)(9) (16 U.S.C. 6601(a)(4),
 25 6601(a)(5), and 6601(a)(9)), by striking “marine

1 turtle” each place it appears and inserting “marine
2 turtle, freshwater turtle, and tortoise”;

3 (B) in each of sections 4(b) and 4(d), (16
4 U.S.C. 6603(b) and 6603(d)), by striking “marine
5 turtle” each place it appears and inserting “marine
6 turtle, freshwater turtle, or tortoise”;

7 (C) in each of sections 2(a)(5), 2(a)(6), 2(a)(7),
8 2(a)(9), 2(b), and 4(a) (16 U.S.C. 6601(a)(5),
9 6601(a)(6), 6601(a)(7), 6601(a)(9), 6601(b), and
10 6603(a)), by striking “marine turtles” each place it
11 appears and inserting “marine turtles, freshwater
12 turtles, and tortoises”;

13 (D) in each of sections 3(2), 4(b), 4(d), 4(e),
14 and 6(a) (16 U.S.C. 6602(2), 6603(b), 6603(d),
15 6603(e), and 6605(a)), by striking “marine turtles”
16 each place it appears and inserting “marine turtles,
17 freshwater turtles, or tortoises”;

18 (E) in the heading for section 4 (16 U.S.C.
19 6603), by striking “**MARINE TURTLE**” and insert-
20 ing “**TURTLE AND TORTOISE**”; and

21 (F) in section 5 (16 U.S.C. 6604)—

22 (i) in the section heading, by striking “**MA-**
23 **RINE TURTLE**” and inserting “**TURTLE AND**
24 **TORTOISE**”; and

1 (ii) in subsection (a), by striking “Marine
2 Turtle” and inserting “Turtle and Tortoise”—

3 (I) by striking “Marine Turtle” and
4 inserting “Turtle and Tortoise”;

5 (5) in section 4 (16 U.S.C. 6603)—

6 (A) in subsection (b)(1)(A), by inserting
7 “or territory of the United States” after “for-
8 eign country”; and

9 (B) in subsection (d) by inserting “or ter-
10 ritories of the United States” after “foreign
11 countries”;

12 (6) in section 5(a) (16 U.S.C. 6604(a)), by
13 striking “and” after the semicolon at the end of
14 paragraph (2), striking the period at the end of
15 paragraph (3) and inserting “; and”, and by adding
16 at the end the following:

17 “(4) any amounts received by the United States
18 for any violation of law pertaining to marine turtles,
19 freshwater turtles, or tortoises under the Endan-
20 gered Species Act of 1973 (16 U.S.C. 1531 et seq.),
21 the Lacey Act Amendments of 1981 (16 U.S.C.
22 3371 et seq.), or regulations implementing those
23 Acts, including such amounts received as—

24 “(A) fines or penalties;

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

3 “(C) restitution to the Federal Govern-
4 ment.”; and
5 (7) in section 7 (16 U.S.C. 6606)—

6 (A) by inserting before the text the fol-
7 lowing: “(a) IN GENERAL.—”; and

8 (B) by adding at the end the following:

9 “(b) ALLOCATION.—Of the amount authorized by
10 subsection (a) for each fiscal year—

11 “(1) an amount not exceeding \$1,510,000 is
12 authorized only for use by the Secretary for marine
13 turtle conservation purposes under this Act; and

14 “(2) of the amount appropriated in excess of
15 \$1,510,000, not less than 40 percent is authorized
16 only for use by the Secretary for freshwater turtle
17 and tortoise conservation purposes under this Act.”.

18 **SEC. 8. FUNDING FOR MARINE MAMMAL CONSERVATION.**

19 All amounts collected by the Secretary of Commerce,
20 including fines, penalties, and proceeds from sales of for-
21 feited assets or cargo, for violations of the Marine Mam-
22 mal Protection Act of 1972 (16 U.S.C. 1361 et seq.) or
23 regulations implementing that Act shall be used by the
24 Secretary for—

1 (1) the benefit of the marine mammal species
2 impacted by the applicable violation, to the extent
3 practicable;

4 (2) marine mammal conservation purposes, as
5 determined by the Secretary;

6 (3) responding to marine mammal strandings,
7 entanglements, or unusual mortality events, includ-
8 ing activities under the John H. Prescott Marine
9 Mammal Rescue Assistance Grant Program author-
10 ized by section 408 of the Marine Mammal Protec-
11 tion Act of 1972 (16 U.S.C. 4121f–1);

12 (4) payment of awards to whistleblowers on the
13 applicable violation under section 4(c) of this Act; or

14 (5) enforcement of the Marine Mammal Protec-
15 tion Act of 1972 (16 U.S.C. 1361 et seq.) and regu-
16 lations implementing that Act.

17 **SEC. 9. FUNDING FOR SHARK CONSERVATION.**

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

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

3 (2) shark conservation purposes, including to
 4 carry out the provisions of law enacted by the Shark
 5 Conservation Act of 2010 (Public Law 111–348);

6 (3) payment of awards to whistleblowers on the
 7 applicable violation under section (4)(c) of this Act;
 8 or

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

13 **SEC. 10. WILDLIFE TRAFFICKING VIOLATIONS AS PREDI-**
 14 **CATE OFFENSES UNDER TRAVEL ACT AND**
 15 **RACKETEERING STATUTE.**

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

18 (1) in subsection (b)—

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

21 (B) by striking “of this title and (ii)” and
 22 inserting the following: “of this title, or (4) any
 23 act that is a criminal violation of any of sub-
 24 paragraphs (A) through (F) of section 9(a)(1)
 25 of the Endangered Species Act of 1973 (16

1 U.S.C. 1538(a)(1)), section 2203 of the African
2 Elephant Conservation Act (16 U.S.C. 4223),
3 or section 7(a) of the Rhinoceros and Tiger
4 Conservation Act of 1994 (16 U.S.C.
5 5305a(a)), if the endangered or threatened spe-
6 cies of fish or wildlife, products, items, or sub-
7 stances involved in the violation and relevant
8 conduct, as applicable, have a total value of
9 more than \$10,000 and (ii)”; and

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

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

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

19 (1) in section 1961(1)—

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

22 (B) by inserting before the semicolon at
23 the end the following: “, or (H) any act that is
24 a criminal violation of any of subparagraphs
25 (A) through (F) of section 9(a)(1) of the En-

1 dangered Species Act of 1973 (16 U.S.C.
2 1538(a)(1)), section 2203 of the African Ele-
3 phant Conservation Act (16 U.S.C. 4223), or
4 section 7(a) of the Rhinoceros and Tiger Con-
5 servation Act of 1994 (16 U.S.C. 5305a(a)), if
6 the endangered or threatened species of fish or
7 wildlife, products, items, or substances involved
8 in the violation and relevant conduct, as appli-
9 cable, have a total value of more than
10 \$10,000”; and

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

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

19 (c) SPORT-HUNTED TROPHIES.—Nothing in this sec-
20 tion and the amendments made by this section nullifies
21 or supersedes any other provision of Federal law and regu-
22 lations pertaining to the import of sport-hunted wildlife
23 trophies. Nothing in this section or any amendments made
24 by this section shall be—

1 (1) construed to prohibit any citizen or legal
2 resident of the United States, or an agent of such
3 an individual, from importing a lawfully taken sport-
4 hunted trophy for personal or similar noncommercial
5 use if such importation is in compliance with sec-
6 tions 4(d) and 10 of the Endangered Species Act of
7 1973 (16 U.S.C. 1533(d) and 1539), section 3(a) of
8 the Lacey Act Amendments of 1981 (16 U.S.C.
9 3372(a)), and regulations implementing those sec-
10 tions; or

11 (2) used to prosecute any citizen or legal resi-
12 dent of the United States, or an agent of such an
13 individual, for importing a lawfully taken sport-hunt-
14 ed trophy for personal or similar noncommercial use
15 if such importation is in compliance with sections
16 4(d) and 10 of the Endangered Species Act of 1973
17 (16 U.S.C. 1533(d) and 1539), section 3(a) of the
18 Lacey Act Amendments of 1981 (16 U.S.C.
19 3372(a)), and regulations implementing those sec-
20 tions.

21 **SEC. 11. ILLEGAL, UNREPORTED, AND UNREGULATED FISH-**
22 **ING AS PREDICATE OFFENSES UNDER MONEY**
23 **LAUNDERING STATUTE.**

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

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

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

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

6 “(H) any act that is a violation of sub-
 7 paragraph (Q) of paragraph (1) of section 307
 8 of the Magnuson-Stevens Fishery Conservation
 9 and Management Act (16 U.S.C. 1857(1)(Q)),
 10 if the fish involved in the violation and relevant
 11 conduct, as applicable, have a total value of
 12 more than \$10,000.”.

13 **SEC. 12. FUNDS FROM WILDLIFE TRAFFICKING VIOLA-**
 14 **TIONS OF MONEY LAUNDERING STATUTE.**

15 Section 1956 of title 18, United States Code, is fur-
 16 ther amended by adding at the end the following:

17 “(j) The Secretary of the Treasury shall transfer to
 18 the Secretary of the Interior any amounts received by the
 19 United States as civil penalties, fines, forfeitures of prop-
 20 erty or assets, or restitution to the Federal Government
 21 for any violation under this section that involves an unlaw-
 22 ful activity described in subsection (c)(7)(G).”.

1 **SEC. 13. USES OF TRANSFERRED FUNDS FOR CONSERVA-**
2 **TION.**

3 All amounts made available to the Secretary of the
4 Interior under section 10 and section 12 shall be used—

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

7 (2) for payment of rewards under section 4(c)
8 on the applicable violation; or

9 (3) to carry out—

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

12 (B) the Rhinoceros and Tiger Conservation
13 Act of 1994 (16 U.S.C. 5301 et seq.);

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

16 (D) the Great Ape Conservation Act of
17 2000 (16 U.S.C. 6301 et seq.);

18 (E) the Marine Turtle Conservation Act of
19 2004 (16 U.S.C. 6601 et seq.);

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

22 (G) the Wild Bird Conservation Act of
23 1992 (16 U.S.C. 4901 et seq.);

24 (H) the Critically Endangered Animals
25 Conservation Fund established by the Secretary

1 and administered by the United States Fish
2 and Wildlife Service; and

3 (I) any other wildlife conservation pro-
4 grams or activities authorized by Federal law,
5 as considered appropriate by the Secretary, in-
6 cluding activities pursuant to sections 5 and 6
7 of this Act.

8 **SEC. 14. TECHNICAL AND CONFORMING AMENDMENTS.**

9 (a) USE OF AMOUNTS FROM FINES.—Section
10 1402(b)(1)(A) of the Victims of Crime Act of 1984 (42
11 U.S.C. 10601(b)(1)(A)) is amended—

12 (1) in clause (i), by striking “and”; and

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

14 “(iii) 1952(e), 1956(j), and 1963(n)
15 of title 18, United States Code; and”.

16 (b) USE OF AMOUNTS FROM FORFEITURES.—Sec-
17 tion 524(c)(4)(A) of title 28, United States Code, is
18 amended by inserting before “or the Postmaster General”
19 the following: “, the Secretary of the Treasury pursuant
20 to section 1952(e), 1956(j), or 1963(n) of title 18,”.

○