

115TH CONGRESS
2D SESSION

S. 3605

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 SENATE OF THE UNITED STATES

OCTOBER 11, 2018

Mr. WYDEN introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

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”.

6 **SEC. 2. PURPOSES.**

7 The purposes of this Act are—

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

7 (2) to provide a standardized process for deter-
8 mining and adjudicating awards to whistleblowers
9 under authorities under existing law;

10 (3) to amend the Marine Turtle Conservation
11 Act of 2004 (16 U.S.C. 6601 et seq.)—

12 (A) to make United States territories eligi-
13 ble for Federal funding and assistance;

14 (B) to support the conservation of fresh-
15 water turtles and tortoises; and

16 (C) to provide dedicated funding at no cost
17 to taxpayers under that Act;

18 (4) to direct any fines, penalties, and forfeitures
19 of property from violations of the Marine Mammal
20 Protection Act of 1972 (16 U.S.C. 1361 et seq.) to
21 support marine mammal conservation;

22 (5) to direct any fines, penalties, and forfeitures
23 of property from shark finning violations under the
24 Magnuson-Stevens Fishery Conservation and Man-

1 agement Act (16 U.S.C. 1801 et seq.) to support
2 shark conservation;

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

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

10 (8) to make wildlife trafficking a predicate of-
11 fense under section 1952 of title 18, United States
12 Code (commonly known as the “Travel Act”), and
13 the racketeering prohibitions of chapter 96 of title
14 18, United States Code (commonly known as the
15 “Racketeer Influenced and Corrupt Organizations
16 Act”);

17 (9) to direct any civil penalties, fines, forfeit-
18 ures, and restitution from wildlife trafficking viola-
19 tions under section 1952 of title 18, United States
20 Code (commonly known as the “Travel Act”), and
21 the racketeering prohibitions of chapter 96 of title
22 18, United States Code (commonly known as the
23 “Racketeer Influenced and Corrupt Organizations
24 Act”), to support wildlife conservation;

1 (10) to make violations for illegal, unreported,
2 and unregulated fishing under the Magnuson-Ste-
3 vens Fishery Conservation and Management Act (16
4 U.S.C. 1801 et seq.) a predicate offense under sec-
5 tion 1956 of title 18, United States Code;

6 (11) to direct any civil penalties, fines, forfeit-
7 ures, and restitution from wildlife trafficking viola-
8 tions of money laundering statutes (including section
9 1956 of title 18, United States Code) to support
10 wildlife conservation; and

11 (12) to direct any civil penalties, fines, forfeit-
12 ures, and restitution for illegal, unreported, and un-
13 regulated fishing violations of money laundering
14 statutes (including section 1956 of title 18, United
15 States Code) to support fisheries enforcement, in-
16 cluding to carry out amendments made by the Ille-
17 gal, Unreported, and Unregulated Fishing Enforce-
18 ment Act of 2015 (Public Law 114–81; 129 Stat.
19 649).

20 **SEC. 3. DEFINITIONS.**

21 In this Act:

22 (1) CITES.—The term “CITES” has the
23 meaning given the term in section 3 of the Marine
24 Turtle Conservation Act of 2004 (16 U.S.C. 6602).

1 (2) FOCUS COUNTRY; WILDLIFE TRAF-
 2 FICKING.—The terms “focus country” and “wildlife
 3 trafficking” have the meanings given those terms in
 4 section 2 of the Eliminate, Neutralize, and Disrupt
 5 Wildlife Trafficking Act of 2016 (16 U.S.C. 7601).

6 (3) SHARK.—The term “shark” means any spe-
 7 cies of the orders Hexanchiformes, Pristiophori-
 8 formes, Squaliformes, Squatiniformes, Heterodonti-
 9 formes, Orectolobiformes, Lamniformes, and Car-
 10 chariniformes.

11 (4) SPECIES; TAKE.—The terms “species” and
 12 “take” have the meanings given those terms in sec-
 13 tion 3 of the Endangered Species Act of 1973 (16
 14 U.S.C. 1532).

15 (5) WILDLIFE.—The term “wildlife” has the
 16 meaning given the term “fish or wildlife” in section
 17 3 of the Endangered Species Act of 1973 (16 U.S.C.
 18 1532).

19 **SEC. 4. WILDLIFE TRAFFICKING WHISTLEBLOWERS.**

20 (a) DEFINITION OF SECRETARY CONCERNED.—In
 21 this section, the term “Secretary concerned” means, as
 22 applicable—

- 23 (1) the Attorney General;
- 24 (2) the Secretary of the Interior;
- 25 (3) the Secretary of Commerce;

1 (4) the Secretary of State; and

2 (5) the Secretary of the Treasury.

3 (b) PLAN OF ACTION.—

4 (1) IN GENERAL.—In coordination with other
5 Federal agencies as appropriate, not later than 1
6 year after the date of enactment of this Act, the
7 Secretaries concerned shall develop a plan of action
8 to fully carry out existing authorities for rewards to
9 whistleblowers of violations of anti-wildlife-traf-
10 ficking laws.

11 (2) REQUIREMENTS.—The plan of action under
12 paragraph (1) shall—

13 (A) include a strategy to raise public
14 awareness in the United States and abroad for
15 reward opportunities for whistleblowers pro-
16 vided under—

17 (i) section 6(d) of the Lacey Act
18 Amendments of 1981 (16 U.S.C. 3375(d));

19 (ii) section 11(d) of the Endangered
20 Species Act of 1973 (16 U.S.C. 1540(d));

21 (iii) section 106(c) of the Marine
22 Mammal Protection Act of 1972 (16
23 U.S.C. 1376(c));

1 (iv) section 3 of the Fish and Wildlife
2 Improvement Act of 1978 (16 U.S.C.
3 742l);

4 (v) section 7(f) of the Rhinoceros and
5 Tiger Conservation Act of 1994 (16 U.S.C.
6 5305a(f)); and

7 (vi) other applicable anti-wildlife-traf-
8 ficking laws;

9 (B) delineate short-term and long-term
10 goals for increasing anti-wildlife-trafficking en-
11 forcement, including recruitment of whistle-
12 blowers, as appropriate;

13 (C) describe specific actions to be taken to
14 achieve the goals under subparagraph (B) and
15 the means necessary to do so, including—

16 (i) formal partnerships with non-
17 governmental organizations; and

18 (ii) the establishment of Whistleblower
19 Offices—

20 (I) to coordinate the receipt of
21 whistleblower disclosures;

22 (II) to ensure referrals to the ap-
23 propriate law enforcement offices; and

24 (III) to communicate with whis-
25 tleblowers regarding the status of the

1 respective cases referred by the whis-
2 tleblowers and potential rewards;

3 (D) be published in the Federal Register
4 for public comment for a period of not less than
5 60 days; and

6 (E) not later than 90 days after the end
7 of the period described in subparagraph (D), be
8 finalized and made readily available on a public
9 Federal Government internet website.

10 (c) UPDATES TO PLAN OF ACTION.—In coordination
11 with other Federal agencies as appropriate, not less fre-
12 quently than once every 5 years, the Secretaries concerned
13 shall review the plan of action under subsection (b) and,
14 as necessary, revise the plan of action following public no-
15 tice and comment.

16 (d) AWARDS TO WHISTLEBLOWERS.—

17 (1) AWARD.—

18 (A) IN GENERAL.—Subject to subpara-
19 graphs (B) and (C), if a Secretary concerned
20 proceeds with any administrative or judicial ac-
21 tion under any of the laws described in sub-
22 section (b)(2)(A) based on information brought
23 to the attention of the Secretary concerned by
24 a person qualified to receive an award under

1 this subsection, the Secretary concerned shall
2 pay that person an award.

3 (B) AWARD AMOUNT.—

4 (i) IN GENERAL.—Subject to clause
5 (ii), the Secretary concerned shall deter-
6 mine the amount of the award under sub-
7 paragraph (A) based on the extent to
8 which the person substantially contributed
9 to the action.

10 (ii) REQUIREMENT.—The award
11 under subparagraph (A) shall be not less
12 than 15 percent, and not more than 50
13 percent, of the amounts received by the
14 United States as penalties, interest, fines,
15 forfeitures, community service payments,
16 restitution payments, and additional
17 amounts in the action (including any re-
18 lated civil or criminal actions) or any
19 under settlement or plea agreement in re-
20 sponse to that action.

21 (iii) TIMELINE.—The amount of the
22 award under subparagraph (A) shall be—

23 (I) determined not later than 90
24 days after the date of the applicable

1 plea agreement, judgment, or settle-
2 ment in that action; and

3 (II) paid from the amounts so re-
4 ceived by the United States.

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

12 (2) REDUCTION IN OR DENIAL OF AWARD.—

13 (A) REDUCTION OF AWARD.—If the appli-
14 cable Secretary concerned determines that the
15 claim for an award under paragraph (1) is
16 brought by a person who planned and initiated
17 the actions that led to the violation, the Sec-
18 retary concerned may appropriately reduce the
19 amount of the award.

20 (B) DENIAL OF AWARD.—If the person de-
21 scribed in subparagraph (A) is convicted of
22 criminal conduct arising from the role described
23 in that subparagraph, the applicable Secretary
24 concerned shall deny any award under this sub-
25 section.

1 (3) APPEAL OF AWARD DETERMINATION.—Any
2 determination with respect to an award under para-
3 graph (1) may be appealed to the appropriate court
4 of appeals of the United States pursuant to section
5 706 of title 5, United States Code, not later than 30
6 days after the date of the determination.

7 (4) SUBMISSION OF INFORMATION.—The Secre-
8 taries concerned shall permit the submission of con-
9 fidential and anonymous reports under this sub-
10 section consistent with the procedures set forth in
11 subsections (d)(2) and (h) of section 21F of the Se-
12 curities Exchange Act of 1934 (15 U.S.C. 78u–6).

13 (5) LIMITATION ON APPLICATION.—This sub-
14 section shall apply only with respect to amounts re-
15 ceived by the United States described in paragraph
16 (1) on or after the date of enactment of this Act.

17 (6) ANNUAL REPORT.—

18 (A) IN GENERAL.—The Secretaries con-
19 cerned shall each year conduct a study on, and
20 submit to Congress a report describing the use
21 of, authorities, claims filed, awards paid, and
22 outreach conducted under this section.

23 (B) INCORPORATION ALLOWED.—The re-
24 quirement under subparagraph (A) may be sat-
25 isfied by incorporating the report into the plan

1 of action required under subsection (b) or a re-
2 vision under subsection (c).

3 **SEC. 5. AUTHORIZATION OF INTERNATIONAL WILDLIFE**
4 **CONSERVATION PROGRAM.**

5 (a) DEFINITIONS.—In this section:

6 (1) PROGRAM.—The term “Program” means
7 the International Wildlife Conservation Program es-
8 tablished under subsection (b).

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

16 (3) SECRETARY.—The term “Secretary” means
17 the Secretary of the Interior.

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

21 (1) to implement global habitat and conserva-
22 tion initiatives under the jurisdiction of the Sec-
23 retary;

24 (2) to address global conservation threats;

1 (3) to combat wildlife trafficking, poaching, and
2 trade in illegal wildlife products;

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

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

9 (6) to carry out other international wildlife con-
10 servation and habitat activities authorized by Fed-
11 eral law, as the Secretary determines to be appro-
12 priate.

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

15 (1) REGIONAL COMPONENT.—A regional com-
16 ponent that shall—

17 (A) address grassroots conservation prob-
18 lems through capacity building within regions of
19 range states to achieve comprehensive landscape
20 or ecosystem-level fish or wildlife conservation;
21 and

22 (B) develop and implement a plan—

23 (i) to expand existing regional wildlife
24 conservation programs as the Secretary de-
25 termines to be appropriate; and

1 (ii) to establish new regional conserva-
2 tion programs in other critical landscapes
3 and wildlife habitat globally, including the
4 Asia-Pacific Region.

5 (2) SPECIES COMPONENT.—A species compo-
6 nent that shall consist of administration of the pro-
7 grams authorized under—

8 (A) the African Elephant Conservation Act
9 (16 U.S.C. 4201 et seq.);

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

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

14 (D) the Great Ape Conservation Act of
15 2000 (16 U.S.C. 6301 et seq.);

16 (E) the Marine Turtle Conservation Act of
17 2004 (16 U.S.C. 6601 et seq.);

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

20 (G) the Wild Bird Conservation Act of
21 1992 (16 U.S.C. 4901 et seq.);

22 (H) the Critically Endangered Animals
23 Conservation Fund established by the Secretary
24 and administered by the United States Fish
25 and Wildlife Service; and

1 (I) any similar authority provided to the
2 Secretary relating to international wildlife con-
3 servation.

4 (3) ANTI-TRAFFICKING COMPONENT.—An anti-
5 trafficking component that shall consist of adminis-
6 tration of the programs authorized under—

7 (A) the Endangered Species Act of 1973
8 (16 U.S.C. 1531 et seq.);

9 (B) the Lacey Act Amendments of 1981
10 (16 U.S.C. 3371 et seq.);

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

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

17 (E) other anti-wildlife-trafficking laws, as
18 determined by the Secretary; and

19 (F) activities authorized under section 6.

20 (4) CONVENTION COMPONENT.—A convention
21 component that shall consist of the Division of Man-
22 agement Authority and the Division of Scientific Au-
23 thority of the United States Fish and Wildlife Serv-
24 ice to implement CITES and carry out other related

1 duties, as the Secretary determines to be appro-
 2 priate.

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

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

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

13 (1) accept donations of funds, gifts, and in-kind
 14 contributions; and

15 (2) use those donations, without further appro-
 16 priation, for capacity building, grants, and other on-
 17 the-ground uses under the program components de-
 18 scribed in subsection (c).

19 **SEC. 6. UNITED STATES FISH AND WILDLIFE SERVICE OFFI-
 20 CERS ABROAD.**

21 (a) DEFINITIONS.—In this section:

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

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

3 (b) PLACEMENT OF OFFICERS.—The Secretary, in
4 consultation with the Secretary of State, may station not
5 less than 1 United States Fish and Wildlife Service officer
6 in the primary diplomatic or consular post of the United
7 States in—

8 (1) a focus country;

9 (2) a country that has a national who has been
10 certified by the Secretary under section 8(a)(2) of
11 the Fishermen’s Protective Act of 1967 (22 U.S.C.
12 1978(a)(2)) as engaging in trade or taking which di-
13 minishes the effectiveness of any international pro-
14 gram for endangered or threatened species; or

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

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

19 (1) assist local agencies or officials responsible
20 for the protection of wildlife in the protection of
21 wildlife and on-the-ground conservation;

22 (2) facilitate apprehension of individuals who il-
23 legally kill or take, or assist in the illegal killing or
24 taking of, wildlife;

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

5 (4) support wildlife trafficking investigations
6 based in the United States with a nexus to a host
7 country or region;

8 (5) provide technical assistance and support to
9 build capacity in the host country for wildlife con-
10 servation and anti-trafficking enforcement by agen-
11 cies that partner with the host country;

12 (6) advise on leveraging the assets of the
13 United States Government to combat wildlife traf-
14 ficking;

15 (7) support effective implementation of CITES
16 and other international agreements relating to wild-
17 life conservation, in coordination with the Secretary
18 of State;

19 (8) work to reduce global demand for illegally
20 traded wildlife products and illegally taken wildlife;
21 and

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

1 **SEC. 7. MARINE TURTLE CONSERVATION ACT OF 2004.**

2 (a) FINDINGS AND PURPOSE.—Section 2 of the Ma-
3 rine Turtle Conservation Act of 2004 (16 U.S.C. 6601)
4 is amended—

5 (1) in subsection (a)—

6 (A) in paragraphs (5), (6), (7), and (9), by
7 striking “marine turtles” each place it appears
8 and inserting “marine turtles, freshwater tur-
9 tles, and tortoises”; and

10 (B) in paragraphs (4), (5), (8), and (9), by
11 striking “marine turtle” each place it appears
12 and inserting “marine turtle, freshwater turtle,
13 and tortoise”; and

14 (2) by striking subsection (b) and inserting the
15 following:

16 “(b) PURPOSES.—The purposes of this Act are to as-
17 sist in the conservation of marine turtles, freshwater tur-
18 tles, and tortoises and the nesting habitats of marine tur-
19 tles, freshwater turtles, and tortoises in foreign countries
20 and territories of the United States by supporting and
21 providing financial resources for projects—

22 “(1) to conserve those nesting habitats;

23 “(2) to conserve marine turtles, freshwater tur-
24 tles, and tortoises in those habitats; and

25 “(3) to address other threats to the survival of
26 marine turtles, freshwater turtles, and tortoises.”.

1 (b) DEFINITIONS.—Section 3 of the Marine Turtle
2 Conservation Act of 2004 (16 U.S.C. 6602) is amended—

3 (1) in paragraph (2)—

4 (A) in the matter preceding subparagraph
5 (A)—

6 (i) by striking “marine turtles” each
7 place it appears and inserting “marine tur-
8 tles, freshwater turtles, or tortoises”; and

9 (ii) by inserting “and territories of the
10 United States” after “foreign countries”;
11 and

12 (B) in subparagraph (C), by striking “na-
13 tional and regional” and inserting “national, re-
14 gional, and territorial”;

15 (2) in paragraph (3), by striking “Marine Tur-
16 tle Conservation Fund” and inserting “Turtle and
17 Tortoise Conservation Fund”;

18 (3) by redesignating paragraphs (3) through
19 (6) as paragraphs (4) through (7), respectively;

20 (4) by inserting after paragraph (2) the fol-
21 lowing:

22 “(3) FRESHWATER TURTLE.—

23 “(A) IN GENERAL.—The term ‘freshwater
24 turtle’ means any member of the family Caret-
25 tochelyidae, Chelidae, Chelydridae, Dermatemy-

1 didae, Emydidae, Geoemydidae, Kinosternidae,
 2 Pelomedusidae, Platysternidae, Podocnemidi-
 3 dae, or Trionychidae.

4 “(B) INCLUSIONS.—The term ‘freshwater
 5 turtle’ includes—

6 “(i) any part, product, egg, or off-
 7 spring of a turtle described in subpara-
 8 graph (A); and

9 “(ii) a carcass of such a turtle.”; and
 10 (5) by adding at the end the following:

11 “(8) TERRITORY OF THE UNITED STATES.—

12 The term ‘territory of the United States’ means each
 13 of American Samoa, Guam, the Commonwealth of
 14 the Northern Mariana Islands, the Commonwealth
 15 of Puerto Rico, the United States Virgin Islands,
 16 and any other territory or possession of the United
 17 States.

18 “(9) TORTOISE.—

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

21 “(B) INCLUSIONS.—The term ‘tortoise’ in-
 22 cludes—

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

1 “(ii) a carcass of such a tortoise.”.

2 (c) MARINE TURTLE CONSERVATION ASSISTANCE.—

3 Section 4 of the Marine Turtle Conservation Act of 2004

4 (16 U.S.C. 6603) is amended—

5 (1) in the section heading, by striking “**MA-**
6 **RINE TURTLE**” and inserting “**TURTLE AND TOR-**
7 **TOISE**”;

8 (2) in subsection (a), by striking “marine tur-
9 tles” and inserting “marine turtles, freshwater tur-
10 tles, and tortoises”;

11 (3) in subsections (b), (d), and (e), by striking
12 “marine turtles” each place it appears and inserting
13 “marine turtles, freshwater turtles, or tortoises”;

14 (4) in subsection (b)(1)(A)—

15 (A) by inserting “or territory of the United
16 States” after “foreign country”; and

17 (B) by striking “marine turtle” each place
18 it appears and inserting “marine turtle, fresh-
19 water turtle, or tortoise”; and

20 (5) in subsection (d)—

21 (A) by inserting “or territories of the
22 United States” after “foreign countries”; and

23 (B) by striking “marine turtle” and insert-
24 ing “marine turtle, freshwater turtle, or tor-
25 toise”.

1 (d) MARINE TURTLE CONSERVATION FUND.—Sec-
 2 tion 5 of the Marine Turtle Conservation Act of 2004 (16
 3 U.S.C. 6604) is amended—

4 (1) in the section heading, by striking “**MA-**
 5 **RINE TURTLE**” and inserting “**TURTLE AND TOR-**
 6 **TOISE**”; and

7 (2) in subsection (a)—

8 (A) in the matter preceding paragraph (1),
 9 by striking “Marine Turtle” and inserting
 10 “Turtle and Tortoise”;

11 (B) in paragraph (2), by striking “and” at
 12 the end;

13 (C) in paragraph (3), by striking the pe-
 14 riod at the end and inserting “; and”; and

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

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

23 “(A) fines or penalties;

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

1 “(C) restitution to the Federal Govern-
2 ment.”.

3 (e) ADVISORY GROUP.—Section 6(a) of the Marine
4 Turtle Conservation Act of 2004 (16 U.S.C. 6605(a)) is
5 amended by striking “marine turtles” and inserting “ma-
6 rine turtles, freshwater turtles, or tortoises”.

7 (f) AUTHORIZATION OF APPROPRIATIONS.—Section 7
8 of the Marine Turtle Conservation Act of 2004 (16 U.S.C.
9 6606) is amended—

10 (1) by striking “There is” and inserting the fol-
11 lowing:

12 “(a) IN GENERAL.—There is”; and

13 (2) by adding at the end following:

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

16 “(1) not more than \$1,510,000 is authorized
17 only for use by the Secretary for marine turtle con-
18 servation purposes under this Act; and

19 “(2) of the amount appropriated in excess of
20 \$1,510,000, not less than 40 percent is authorized
21 only for use by the Secretary for freshwater turtle
22 and tortoise conservation purposes under this Act.”.

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

24 All amounts collected by the Secretary of Commerce,
25 including fines, penalties, and proceeds from sales of for-

1 feited assets or cargo, for violations of the Marine Mam-
2 mal Protection Act of 1972 (16 U.S.C. 1361 et seq.) or
3 regulations implementing that Act shall be used by the
4 Secretary of Commerce for—

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

8 (2) marine mammal conservation purposes, as
9 determined by the Secretary of Commerce;

10 (3) responding to marine mammal strandings,
11 entanglements, or unusual mortality events, includ-
12 ing activities under the John H. Prescott Marine
13 Mammal Rescue Assistance Grant Program under
14 section 408 of the Marine Mammal Protection Act
15 of 1972 (16 U.S.C. 1421f–1);

16 (4) payment of awards to whistleblowers on an
17 applicable violation under section 4(d); or

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

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

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)(P) of the

1 Magnuson-Stevens Fishery Conservation and Manage-
 2 ment Act (16 U.S.C. 1857(1)(P)) or violations of any fish-
 3 ery management plan for sharks prepared under title III
 4 of that Act (16 U.S.C. 1851 et seq.) shall be used by the
 5 Secretary of Commerce for—

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

8 (2) shark conservation purposes, including to
 9 carry out amendments made by the Shark Conserva-
 10 tion Act of 2010 (Public Law 111–348; 124 Stat.
 11 3668);

12 (3) payment of awards to whistleblowers on an
 13 applicable violation under section 4(d); or

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

18 **SEC. 10. FUNDING FOR ILLEGAL, UNREPORTED, AND UN-**
 19 **REGULATED FISHING ENFORCEMENT.**

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)(Q) of the
 24 Magnuson-Stevens Fishery Conservation and Manage-
 25 ment Act (16 U.S.C. 1857(1)(Q)) shall be used by the

1 Secretary of Commerce for fisheries enforcement, includ-
 2 ing to carry out amendments made by the Illegal, Unre-
 3 ported, and Unregulated Fishing Enforcement Act of
 4 2015 (Public Law 114–81; 129 Stat. 649).

5 **SEC. 11. WILDLIFE TRAFFICKING VIOLATIONS AS PREDI-**
 6 **CATE OFFENSES UNDER TRAVEL ACT AND**
 7 **RACKETEERING STATUTE.**

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

10 (1) in subsection (b)—

11 (A) by striking “or (3)” and inserting
 12 “(3)”; and

13 (B) by striking “of this title and (ii)” and
 14 inserting the following: “of this title, or (4) any
 15 act that is a criminal violation of subparagraph
 16 (A), (B), (C), (D), (E), or (F) of section
 17 9(a)(1) of the Endangered Species Act of 1973
 18 (16 U.S.C. 1538(a)(1)), section 2203 of the Af-
 19 rican Elephant Conservation Act (16 U.S.C.
 20 4223), or section 7(a) of the Rhinoceros and
 21 Tiger Conservation Act of 1994 (16 U.S.C.
 22 5305a(a)), if the endangered or threatened spe-
 23 cies of fish or wildlife, products, items, or sub-
 24 stances involved in the violation and relevant

1 conduct, as applicable, have a total value of
2 more than \$10,000 and (ii)”; and

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

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

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

12 (1) in section 1961(1)—

13 (A) by striking “or (G)” and inserting
14 “(G)”; and

15 (B) by inserting before the semicolon at
16 the end the following: “, or (H) any act that is
17 a criminal violation of subparagraph (A), (B),
18 (C), (D), (E), or (F) of section 9(a)(1) of the
19 Endangered Species Act of 1973 (16 U.S.C.
20 1538(a)(1)), section 2203 of the African Ele-
21 phant Conservation Act (16 U.S.C. 4223), or
22 section 7(a) of the Rhinoceros and Tiger Con-
23 servation Act of 1994 (16 U.S.C. 5305a(a)), if
24 the endangered or threatened species of fish or
25 wildlife, products, items, or substances involved

1 in the violation and relevant conduct, as appli-
2 cable, have a total value of more than
3 \$10,000”; and

4 (2) in section 1963, by adding at the end the
5 following:

6 “(n) The Secretary of the Treasury shall transfer to
7 the Secretary of the Interior 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 of section 1962 that is based on racket-
11 eering activity described in section 1961(1)(H).”.

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

14 (1) nullifies or supersedes any other provision
15 of Federal law or any regulation pertaining to the
16 import of sport-hunted wildlife trophies;

17 (2) prohibits any citizen, national, or legal resi-
18 dent of the United States, or an agent of such an
19 individual, from importing a lawfully taken sport-
20 hunted trophy for personal or similar noncommercial
21 use if the importation is in compliance with sections
22 4(d) and 10 of the Endangered Species Act of 1973
23 (16 U.S.C. 1533(d), 1539), section 3(a) of the
24 Lacey Act Amendments of 1981 (16 U.S.C.

1 3372(a)), and regulations implementing those sec-
 2 tions; or

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

13 **SEC. 12. ILLEGAL, UNREPORTED, AND UNREGULATED FISH-**
 14 **ING AS PREDICATE OFFENSES UNDER MONEY**
 15 **LAUNDERING STATUTE.**

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

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

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

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

23 “(H) any act that is a violation of section
 24 307(1)(Q) of the Magnuson-Stevens Fishery
 25 Conservation and Management Act (16 U.S.C.

1 1857(1)(Q)), if the fish involved in the violation
2 and relevant conduct, as applicable, have a total
3 value of more than \$10,000;”.

4 **SEC. 13. FUNDS FROM WILDLIFE TRAFFICKING AND ILLE-**
5 **GAL, UNREPORTED, AND UNREGULATED**
6 **FISHING VIOLATIONS OF MONEY LAUN-**
7 **DERING STATUTE.**

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

10 “(j) 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 (c)(7)(G).

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

1 **SEC. 14. USES OF TRANSFERRED FUNDS FOR CONSERVA-**
2 **TION.**

3 (a) DEPARTMENT OF THE INTERIOR.—All amounts
4 made available to the Secretary of the Interior under the
5 amendments made by sections 11 and 13 shall be used—

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

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

10 (3) to carry out—

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

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

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

17 (D) the Great Ape Conservation Act of
18 2000 (16 U.S.C. 6301 et seq.);

19 (E) the Marine Turtle Conservation Act of
20 2004 (16 U.S.C. 6601 et seq.);

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

23 (G) the Wild Bird Conservation Act of
24 1992 (16 U.S.C. 4901 et seq.);

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

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

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 (b) DEPARTMENT OF COMMERCE.—All amounts
9 made available to the Secretary of Commerce under the
10 amendments made by sections 12 and 13 shall be used
11 for fisheries enforcement purposes, including to carry out
12 the Illegal, Unreported, and Unregulated Fishing Enforce-
13 ment Act of 2015 (Public Law 114–81; 129 Stat. 649).

14 **SEC. 15. TECHNICAL AND CONFORMING AMENDMENTS.**

15 (a) USE OF AMOUNTS FROM FINES.—Section
16 1402(b)(1)(A) of the Victims of Crime Act of 1984 (34
17 U.S.C. 20101(b)(1)(A)) is amended—

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

19 and

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

21 “(iii) section 1952(f), subsections (j)
22 and (k) of section 1956, and section
23 1963(n) of title 18, United States Code;
24 and”.

1 (b) USE OF AMOUNTS FROM FORFEITURES.—Sec-
2 tion 524(c)(4)(A) of title 28, United States Code, is
3 amended by inserting “the Secretary of the Treasury pur-
4 suant to section 1952(f), subsection (j) or (k) of section
5 1956, or section 1963(n) of title 18,” before “or the Post-
6 master General”.

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