

SUBCHAPTER II—REPORT ON MAJOR
WILDLIFE TRAFFICKING COUNTRIES

§ 7621. Report

(a) Report

Not later than one year after October 7, 2016, and biennially thereafter by June 1 of each year in which a report is required, the Secretary of State, in consultation with the Secretary of the Interior and the Secretary of Commerce, shall submit to Congress a report that lists each country determined by the Secretary of State to be a focus country within the meaning of this chapter.

(b) Special designation

In each report required under subsection (a), the Secretary of State, in consultation with the Secretary of the Interior and the Secretary of Commerce, shall also list each country determined by the Secretary of State to be a country of concern within the meaning of this chapter¹

(c) Procedure for removing countries from list

Concurrently with the first report required under this section and submitted after December 23, 2022, the Secretary of State, in consultation with the Secretary of the Interior and the Secretary of Commerce, shall publish in the Federal Register a procedure for removing from the list described in subsection (b) any country that no longer meets the definition of country of concern under section 7601(4) of this title.

(d) Sunset

This section shall cease to have force or effect on September 30, 2028.

(Pub. L. 114-231, title II, §201, Oct. 7, 2016, 130 Stat. 952; Pub. L. 117-263, div. E, title LIX, §5943(c)(1), Dec. 23, 2022, 136 Stat. 3470.)

TERMINATION OF SECTION

*For termination of section on Sept. 30, 2028,
see subsec. (d) of this section.*

Editorial Notes

REFERENCES IN TEXT

This chapter, referred to in subsecs. (a) and (b), was in the original “this Act”, meaning Pub. L. 114-231, Oct. 7, 2016, 130 Stat. 949, known as the Eliminate, Neutralize, and Disrupt Wildlife Trafficking Act of 2016, which is classified principally to this chapter. For complete classification of this Act to the Code, see Short Title note under section 7601 of this title and Tables.

AMENDMENTS

2022—Subsec. (a). Pub. L. 117-263, §5943(c)(1)(A), substituted “biennially thereafter by June 1 of each year in which a report is required” for “annually thereafter”.

Subsec. (b). Pub. L. 117-263, §5943(c)(1)(B), substituted “shall also list each country determined by the Secretary of State to be a country of concern within the meaning of this chapter” for “shall identify each country of concern listed in the report the government of which has actively engaged in or knowingly profited from the trafficking of endangered or threatened species.”

Subsecs. (c), (d). Pub. L. 117-263, §5943(c)(1)(C), added subsecs. (c) and (d) and struck out former subsec. (c).

¹ So in original. Probably should be followed by a period.

Prior to amendment, text of subsec. (c) read as follows: “This section shall terminate on the date that is 5 years after October 7, 2016.”

SUBCHAPTER III—FRAMEWORK FOR
INTERAGENCY RESPONSE

§ 7631. Presidential Task Force on Wildlife Trafficking

(a) Responsibilities

In addition to the functions required by Executive Order 13648 (78 Fed. Reg. 40621), the Task Force shall be informed by the Secretary of State’s annual report required under section 7621 of this title and considering all available information, ensure that relevant United States Government agencies—

(1) collaborate, to the greatest extent practicable, with the national wildlife services, or other relevant bodies of each focus country to prepare, not later than 90 days after the date of submission of the report required under section 7621(a) of this title, a United States mission assessment of the threats to wildlife in that focus country and an assessment of the capacity of that country to address wildlife trafficking;

(2) collaborate, to the greatest extent practicable, with relevant ministries, national wildlife services, or other relevant bodies of each focus country to prepare, not later than 180 days after preparation of the assessment referred to in paragraph (1), a United States mission strategic plan that includes recommendations for addressing wildlife trafficking, taking into account any regional or national strategies for addressing wildlife trafficking in a focus country developed before the preparation of such assessment;

(3) coordinate efforts among United States Federal agencies and non-Federal partners, including missions, domestic and international organizations, the private sector, and other global partners, to implement the strategic plans required by paragraph (2) in each focus country;

(4) not less frequently than annually, consult and coordinate with stakeholders qualified to provide advice, assistance, and information regarding effective support for anti-poaching activities, coordination of regional law enforcement efforts, development of and support for effective legal enforcement mechanisms, and development of strategies to reduce illicit trade and reduce consumer demand for illegally traded wildlife and wildlife products, and other relevant topics under this chapter;

(5) pursue programs and develop a strategy—

(A) to expand the role of technology for anti-poaching and anti-trafficking efforts, in partnership with the private sector, foreign governments, academia, and nongovernmental organizations (including technology companies and the transportation and logistics sectors); and

(B) to enable local governments to develop and use such technologies;

(6) consider programs and initiatives that address the expansion of the illegal wildlife trade to digital platforms, including the use of

digital currency and payment platforms for transactions by collaborating with the private sector, academia, and nongovernmental organizations, including social media, e-commerce, and search engine companies, as appropriate;

(7)(A) implement interventions to address the drivers of poaching, trafficking, and demand for illegal wildlife and wildlife products in focus countries and countries of concern;

(B) set benchmarks for measuring the effectiveness of such interventions; and

(C) consider alignment and coordination with indicators developed by the Task Force;

(8) consider additional opportunities to increase coordination between law enforcement and financial institutions to identify trafficking activity; and

(9) coordinate or carry out other functions as are necessary to implement this chapter.

(b) Duplication and efficiency

The Task Force shall—

(1) ensure that the activities of the Federal agencies involved in carrying out efforts under this chapter are coordinated and not duplicated; and

(2) encourage efficiencies and coordination among the efforts of Federal agencies and interagency initiatives ongoing as of October 7, 2016, to address trafficking activities, including trafficking of wildlife, humans, weapons, and narcotics, illegal trade, transnational organized crime, or other illegal activities.

(c) Consistency with agency responsibilities

The Task Force shall carry out its responsibilities under this chapter in a manner consistent with the authorities and responsibilities of agencies represented on the Task Force.

(d) Task Force strategic review

One year after October 7, 2016, and biennially thereafter, the Task Force shall submit a strategic assessment of its work and provide a briefing to the appropriate congressional committees that shall include—

(1) a review and assessment of the Task Force’s implementation of this chapter, identifying successes, failures, and gaps in its work, or that of agencies represented on the Task Force, including detailed descriptions of—

(A) what approaches, initiatives, or programs have succeeded best in increasing the willingness and capacity of focus countries to suppress and prevent illegal wildlife trafficking, and what approaches, initiatives, or programs have not succeeded as well as hoped; and

(B) which foreign governments subject to subsections (a) and (b) of section 7621 of this title have proven to be the most successful partners in suppressing and preventing illegal wildlife trafficking, which focus countries have not proven to be so, and what factors contributed to these results in each country discussed;

(2) a description of each Task Force member agency’s priorities and objectives for combating wildlife trafficking;

(3) an account of total United States funding each year since fiscal year 2014 for all govern-

ment agencies and programs involved in countering poaching and wildlife trafficking;

(4) an account of total United States funding since fiscal year 2014 to support the activities of the Task Force, including administrative overhead costs and congressional reporting;

(5) recommendations for how to improve United States and international efforts to suppress and prevent illegal wildlife trafficking in the future, based upon the Task Force’s experience as of the time of the review; and

(6) an analysis of the indicators developed by the Task Force, and recommended by the Government Accountability Office, to track and measure inputs, outputs, law enforcement outcomes, and the market for wildlife products for each focus country listed in the report, including baseline measures, as appropriate, for each indicator in each focus country to determine the effectiveness and appropriateness of such indicators to assess progress and whether additional or separate indicators, or adjustments to indicators, may be necessary for focus countries.

(e) Termination of Task Force

The statutory authorization for the Task Force provided by this chapter shall terminate on September 30, 2028¹

(Pub. L. 114–231, title III, §301, Oct. 7, 2016, 130 Stat. 952; Pub. L. 117–263, div. E, title LIX, §5943(c)(2), (3), Dec. 23, 2022, 136 Stat. 3471.)

Editorial Notes

REFERENCES IN TEXT

Executive Order 13648, referred to in subsec. (a), is Ex. Ord. No. 13648, July 1, 2013, 78 F.R. 40621, which is set out as a note under section 1531 of this title.

This chapter, referred to in text, was in the original “this Act”, meaning Pub. L. 114–231, Oct. 7, 2016, 130 Stat. 949, known as the Eliminate, Neutralize, and Disrupt Wildlife Trafficking Act of 2016, which is classified principally to this chapter. For complete classification of this Act to the Code, see Short Title note under section 7601 of this title and Tables.

AMENDMENTS

2022—Subsec. (a)(5) to (9). Pub. L. 117–263, §5943(c)(2), added pars. (5) to (8) and redesignated former par. (5) as (9).

Subsec. (d). Pub. L. 117–263, §5943(c)(3)(A)(i), substituted “biennially” for “annually” in introductory provisions.

Subsec. (d)(6). Pub. L. 117–263, §5943(c)(3)(A)(ii)–(iv), added par. (6).

Subsec. (e). Pub. L. 117–263, §5943(c)(3)(B), substituted “on September 30, 2028” for “5 years after October 7, 2016, or such earlier date that the President terminates the Task Force by rescinding, superseding, or otherwise modifying relevant portions of Executive Order 13648.”

SUBCHAPTER IV—PROGRAMS TO ADDRESS THE ESCALATING WILDLIFE TRAFFICKING CRISIS

§ 7641. Anti-poaching programs

(a) Wildlife law enforcement professional training and coordination activities

The Secretary of State and the Administrator of the United States Agency for International

¹ So in original. Probably should be followed by a period.