

Union Calendar No. 471

110TH CONGRESS
2D SESSION

H. R. 5741

[Report No. 110-740]

To amend the High Seas Driftnet Fishing Moratorium Protection Act and the Magnuson-Stevens Fishery Conservation and Management Act to improve the conservation of sharks.

IN THE HOUSE OF REPRESENTATIVES

APRIL 9, 2008

Ms. BORDALLO (for herself, Mr. FALEOMAVAEGA, Mr. ABERCROMBIE, Mr. FARR, Mr. PALLONE, Mr. HINCHEY, Mrs. CHRISTENSEN, and Mr. GONZALEZ) introduced the following bill; which was referred to the Committee on Natural Resources

JULY 8, 2008

Additional sponsors: Mr. WAXMAN, Mr. ALLEN, Mrs. CAPPS, Mr. GILCHREST, Mr. GRIJALVA, Mr. INSLEE, and Ms. LEE

JULY 8, 2008

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in *italic*]

[For text of introduced bill, see copy of bill as introduced on April 9, 2008]

A BILL

To amend the High Seas Driftnet Fishing Moratorium Protection Act and the Magnuson-Stevens Fishery Conservation and Management Act to improve the conservation of sharks.

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 Conservation Act*
5 *of 2008”.*

6 **SEC. 2. AMENDMENT OF HIGH SEAS DRIFTNET FISHING**
7 **MORATORIUM PROTECTION ACT.**

8 *Section 610(a) of the High Seas Driftnet Fishing Mor-*
9 *atorium Protection Act (16 U.S.C. 1826k(a)) is amended—*
10 *(1) by striking so much as precedes paragraph*
11 *(1) and inserting the following:*

12 *“(a) IDENTIFICATION.—The Secretary shall identify,*
13 *and list in the report under section 607—*

14 *“(1) a nation if—”;*

15 *(2) in paragraph (1) by redesignating subpara-*
16 *graphs (A) and (B) as clauses (i) and (ii), respec-*
17 *tively;*

18 *(3) by redesignating paragraphs (1) through (3)*
19 *as subparagraphs (A) through (C), respectively;*

20 *(4) by moving subparagraphs (A) through (C)*
21 *(as so redesignated) 2 ems to the right;*

22 *(5) in subparagraph (C) (as so redesignated) by*
23 *striking the period at the end and inserting “; and”;*
24 *and*

25 *(6) by adding at the end the following:*

1 “(2) a nation if—

2 “(A) fishing vessels of that nation are en-
3 gaged, or have been engaged during the preceding
4 calendar year, in fishing activities or practices
5 that target or incidentally catch sharks; and

6 “(B) the nation has not adopted a regu-
7 latory program to provide for the conservation of
8 sharks, including measures to prohibit removal
9 any of the fins of a shark (including the tail)
10 and discarding the carcass of the shark at sea,
11 that is comparable to that of the United States,
12 taking into account different conditions.”.

13 **SEC. 3. AMENDMENT OF MAGNUSON-STEVENSON FISHERY**
14 **CONSERVATION AND MANAGEMENT ACT.**

15 Section 307(1) of Magnuson-Stevens Fishery Conserva-
16 tion and Management Act (16 U.S.C. 1857(1)) is amend-
17 ed—

18 (1) by amending subparagraph (P) to read as
19 follows:

20 “(P)(i) to remove any of the fins of a shark
21 (including the tail) at sea;

22 “(ii) to have custody, control, or possession
23 of any shark fin aboard a fishing vessel unless
24 it is naturally attached to the corresponding car-
25 cass;

1 “(iii) to transfer any shark fin from one
2 vessel to another vessel at sea, or to receive any
3 shark fin in such transfer, without the fin natu-
4 rally attached to the corresponding carcass; or

5 “(iv) to land any shark fin that is not nat-
6 urally attached to the corresponding carcass, or
7 to land any shark carcass without the fins (in-
8 cluding the tail) naturally attached;”;

9 (2) by striking the matter following subpara-
10 graph (R).

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