

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.

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## 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

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## 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(e) of the Marine Mammal  
9                   Protection Act of 1972 (16 U.S.C. 1376(e));

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,”.

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