

116TH CONGRESS
1ST SESSION

H. R. 864

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

IN THE HOUSE OF REPRESENTATIVES

JANUARY 30, 2019

Mr. GARAMENDI (for himself and Mr. YOUNG) 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 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; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “Wildlife Conservation and Anti-Trafficking Act of 2019”.

6 (b) TABLE OF CONTENTS.—The table of contents for
7 this Act is the following:

Sec. 1. Short title; table of contents.

Sec. 2. Purposes.

Sec. 3. Definitions.

TITLE I—WILDLIFE TRAFFICKING WHISTLEBLOWERS

Sec. 101. Definition of Secretary concerned.

Sec. 102. Plan of action.

Sec. 103. Awards to whistleblowers.

TITLE II—WILDLIFE CONSERVATION

Sec. 201. International Wildlife Conservation Program.

Sec. 202. Amendments to Great Ape Conservation Act of 2000.

Sec. 203. Amendments to Marine Turtle Conservation Act of 2004.

Sec. 204. Funding for marine mammal conservation.

Sec. 205. Funding for shark conservation.

Sec. 206. Uses of transferred funds for wildlife conservation.

TITLE III—ANTI-TRAFFICKING AND POACHING

Sec. 301. United States Fish and Wildlife Service officers abroad.

Sec. 302. Wildlife trafficking violations as predicate offenses under Travel Act and racketeering statute.

Sec. 303. Funds from wildlife trafficking violations of money laundering statute.

Sec. 304. Technical and conforming amendments.

TITLE IV—ILLEGAL, UNREPORTED, AND UNREGULATED FISHING

Sec. 401. Funding for illegal, unreported, and unregulated fishing enforcement.

Sec. 402. Illegal, unreported, and unregulated fishing as predicate offenses under money laundering statute.

Sec. 403. Funds from illegal, unreported, and unregulated fishing violations of money laundering statute.

Sec. 404. Uses of transferred funds for illegal, unreported, and unregulated fishing enforcement.

1 **SEC. 2. PURPOSES.**

2 The purposes of this Act are—

3 (1) to direct Federal agencies to develop a plan
 4 of action to implement authorities under existing law
 5 to reward whistleblowers who furnish information
 6 that leads to an arrest, criminal conviction, civil pen-
 7 alty assessment, or forfeiture of property for any
 8 wildlife trafficking violation;

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

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

7 (4) to amend the Great Ape Conservation Act
8 of 2000 (16 U.S.C. 6301 et seq.)—

9 (A) to authorize the awarding of multiyear
10 grants from the Great Ape Conservation Fund;
11 and

12 (B) to provide dedicated funding under
13 that Act at no cost to taxpayers;

14 (5) to amend the Marine Turtle Conservation
15 Act of 2004 (16 U.S.C. 6601 et seq.)—

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

18 (B) to support the conservation of fresh-
19 water turtles and tortoises; and

20 (C) to provide dedicated funding at no cost
21 to taxpayers under that Act;

22 (6) to direct any fines, penalties, and forfeitures
23 of property from violations of the Marine Mammal
24 Protection Act of 1972 (16 U.S.C. 1361 et seq.) to
25 support marine mammal conservation;

1 (7) to direct any fines, penalties, and forfeitures
2 of property from shark finning or fishery violations
3 under the Magnuson-Stevens Fishery Conservation
4 and Management Act (16 U.S.C. 1801 et seq.) to
5 support shark conservation;

6 (8) to provide dedicated funding for inter-
7 national wildlife conservation at no cost to tax-
8 payers;

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

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

19 (11) to direct any civil penalties, fines, forfeit-
20 ures, and restitution from wildlife trafficking viola-
21 tions under section 1952 of title 18, United States
22 Code (commonly known as the Travel Act), and the
23 racketeering prohibitions of chapter 96 of title 18,
24 United States Code (commonly known as the Rack-

1 eteer Influenced and Corrupt Organizations Act), to
2 support wildlife conservation;

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

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

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

22 (15) to provide dedicated funding for improved
23 enforcement against illegal, unreported, and unregu-
24 lated fishing at no cost to taxpayers.

1 **SEC. 3. DEFINITIONS.**

2 In this Act:

3 (1) CITES.—The term “CITES” means the
4 Convention on International Trade in Endangered
5 Species of Wild Fauna and Flora (27 UST 1087;
6 TIAS 8249).

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

12 (3) SHARK.—The term “shark” means any spe-
13 cies of the orders Hexanchiformes, Pristiophori-
14 formes, Squaliformes, Squatiniformes, Heterodonti-
15 formes, Orectolobiformes, Lamniformes, and Car-
16 chariniformes.

17 (4) SPECIES; TAKE; WILDLIFE.—Each of the
18 terms “species”, “take”, and “wildlife” has the
19 meaning given that term in section 3 of the Endan-
20 gered Species Act of 1973 (16 U.S.C. 1532).

21 **TITLE I—WILDLIFE TRAFFICK-**
22 **ING WHISTLEBLOWERS**

23 **SEC. 101. DEFINITION OF SECRETARY CONCERNED.**

24 In this title, the term “Secretary concerned” means,
25 as applicable—

26 (1) the Attorney General;

- 1 (2) the Secretary of the Interior;
- 2 (3) the Secretary of Commerce;
- 3 (4) the Secretary of State; and
- 4 (5) the Secretary of the Treasury.

5 **SEC. 102. PLAN OF ACTION.**

6 (a) IN GENERAL.—In coordination with other Fed-
7 eral agencies as appropriate, not later than 1 year after
8 the date of enactment of this Act, the Secretaries con-
9 cerned shall develop a plan of action to fully carry out
10 existing authorities for rewards to whistleblowers of viola-
11 tions of anti-wildlife-trafficking laws.

12 (b) REQUIREMENTS.—The plan of action under sub-
13 section (a) shall—

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

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

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

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

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

1 (E) section 7(f) of the Rhinoceros and
2 Tiger Conservation Act of 1994 (16 U.S.C.
3 5305a(f)); and

4 (F) other applicable anti-wildlife-traf-
5 ficking laws;

6 (2) delineate short-term and long-term goals for
7 increasing anti-wildlife-trafficking enforcement, in-
8 cluding recruitment of whistleblowers, as appro-
9 priate;

10 (3) describe specific actions to be taken to
11 achieve the goals under paragraph (2) and the
12 means necessary to do so, including—

13 (A) formal partnerships with nongovern-
14 mental organizations; and

15 (B) the establishment of Whistleblower Of-
16 fices—

17 (i) to coordinate the receipt of whistle-
18 blower disclosures;

19 (ii) to ensure referrals to the appro-
20 priate law enforcement offices; and

21 (iii) to communicate with whistle-
22 blowers regarding the status of the respec-
23 tive cases referred by the whistleblowers
24 and potential rewards;

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

4 (5) not later than 90 days after the end of the
5 period described in paragraph (4), be finalized and
6 made readily available on a public Federal Govern-
7 ment internet website.

8 (c) UPDATES TO PLAN OF ACTION.—In coordination
9 with other Federal agencies as appropriate, not less fre-
10 quently than once every 5 years, the Secretaries concerned
11 shall review the plan of action under this section and, as
12 necessary, revise the plan of action following public notice
13 and comment.

14 **SEC. 103. AWARDS TO WHISTLEBLOWERS.**

15 (a) AWARD.—

16 (1) IN GENERAL.—Subject to paragraphs (2)
17 and (3), if a Secretary concerned proceeds with any
18 administrative or judicial action under any of the
19 laws described in section 102(b)(1) based on infor-
20 mation brought to the attention of the Secretary
21 concerned by a person qualified to receive an award
22 under this section, the Secretary concerned shall pay
23 that person an award.

24 (2) AWARD AMOUNT.—

1 (A) IN GENERAL.—Subject to subpara-
2 graph (B), the Secretary concerned shall deter-
3 mine the amount of the award under paragraph
4 (1) based on the extent to which the person
5 substantially contributed to the action.

6 (B) REQUIREMENT.—The award under
7 paragraph (1) shall be not less than 15 percent,
8 and not more than 50 percent, of the amounts
9 received by the United States as penalties, in-
10 terest, fines, forfeitures, community service pay-
11 ments, restitution payments, and additional
12 amounts in the action (including any related
13 civil or criminal actions) or any under settle-
14 ment or plea agreement in response to that ac-
15 tion.

16 (C) TIMELINE.—The amount of the award
17 under paragraph (1) shall be—

18 (i) determined not later than 90 days
19 after the date of the applicable plea agree-
20 ment, judgment, or settlement in that ac-
21 tion; and

22 (ii) paid from the amounts so received
23 by the United States.

24 (3) APPLICATION.—A Secretary concerned may
25 make an award under this subsection only in a case

1 in which the total sanction from all penalties, fines,
2 community service payments, restitution, interest,
3 forfeitures, or civil or criminal recoveries (including
4 in related actions) exceeds \$100,000.

5 (b) REDUCTION IN OR DENIAL OF AWARD.—

6 (1) REDUCTION OF AWARD.—If the applicable
7 Secretary concerned determines that the claim for
8 an award under subsection (a) is brought by a per-
9 son who planned and initiated the actions that led
10 to the violation, the Secretary concerned may appro-
11 priately reduce the amount of the award.

12 (2) DENIAL OF AWARD.—If the person de-
13 scribed in paragraph (1) is convicted of criminal
14 conduct arising from the role described in that para-
15 graph, the applicable Secretary concerned shall deny
16 any award under this subsection.

17 (c) APPEAL OF AWARD DETERMINATION.—Any de-
18 termination with respect to an award under subsection (a)
19 may be appealed to the appropriate court of appeals of
20 the United States pursuant to section 706 of title 5,
21 United States Code, not later than 30 days after the date
22 of the determination.

23 (d) SUBMISSION OF INFORMATION.—The Secretaries
24 concerned shall permit the submission of confidential and
25 anonymous reports under this subsection consistent with

1 the procedures set forth in subsections (d)(2) and (h) of
2 section 21F of the Securities Exchange Act of 1934 (15
3 U.S.C. 78u-6).

4 (e) LIMITATION ON APPLICATION.—This section
5 shall apply only with respect to amounts received by the
6 United States described in subsection (a) on or after the
7 date of enactment of this Act.

8 (f) ANNUAL REPORT.—

9 (1) IN GENERAL.—The Secretaries concerned
10 shall each year conduct a study on, and submit to
11 Congress a report describing the use of, authorities,
12 claims filed, awards paid, and outreach conducted
13 under this section.

14 (2) INCORPORATION ALLOWED.—The require-
15 ment under paragraph (1) may be satisfied by incor-
16 porating the report into the plan of action required
17 under section 102 or a revision under section 102(c).

18 **TITLE II—WILDLIFE**

19 **CONSERVATION**

20 **SEC. 201. INTERNATIONAL WILDLIFE CONSERVATION PRO-**
21 **GRAM.**

22 (a) DEFINITIONS.—In this section:

23 (1) PROGRAM.—The term “Program” means
24 the International Wildlife Conservation Program es-
25 tablished under subsection (b).

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

8 (3) SECRETARY.—The term “Secretary” means
9 the Secretary of the Interior.

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

13 (1) to implement global habitat and conserva-
14 tion initiatives under the jurisdiction of the Sec-
15 retary;

16 (2) to address global conservation threats;

17 (3) to combat wildlife trafficking, poaching, and
18 trade in illegal wildlife products;

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

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

1 (6) to carry out other international wildlife con-
2 servation and habitat activities authorized by Fed-
3 eral law, as the Secretary determines to be appro-
4 priate.

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

7 (1) REGIONAL COMPONENT.—A regional com-
8 ponent that shall—

9 (A) address grassroots conservation prob-
10 lems through capacity building within regions of
11 range states to achieve comprehensive landscape
12 or ecosystem-level fish or wildlife conservation;
13 and

14 (B) develop and implement a plan—

15 (i) to expand existing regional wildlife
16 conservation programs as the Secretary de-
17 termines to be appropriate; and

18 (ii) to establish new regional conserva-
19 tion programs in other critical landscapes
20 and wildlife habitat globally.

21 (2) SPECIES COMPONENT.—A species compo-
22 nent that shall consist of administration of the pro-
23 grams authorized under—

24 (A) the African Elephant Conservation Act
25 (16 U.S.C. 4201 et seq.);

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

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

5 (D) the Great Ape Conservation Act of
6 2000 (16 U.S.C. 6301 et seq.);

7 (E) the Marine Turtle Conservation Act of
8 2004 (16 U.S.C. 6601 et seq.);

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

11 (G) the Wild Bird Conservation Act of
12 1992 (16 U.S.C. 4901 et seq.);

13 (H) the Critically Endangered Animals
14 Conservation Fund established by the Secretary
15 and administered by the United States Fish
16 and Wildlife Service; and

17 (I) any similar authority provided to the
18 Secretary relating to international wildlife con-
19 servation.

20 (3) ANTI-TRAFFICKING COMPONENT.—An anti-
21 trafficking component that shall consist of adminis-
22 tration of the programs authorized under—

23 (A) the Endangered Species Act of 1973
24 (16 U.S.C. 1531 et seq.);

1 (B) subsections (a) and (d) of section 8 of
2 the Fishermen’s Protective Act of 1967 (22
3 U.S.C. 1978);

4 (C) the Eliminate, Neutralize, and Disrupt
5 Wildlife Trafficking Act of 2016 (16 U.S.C.
6 7601 et seq.);

7 (D) the Lacey Act Amendments of 1981
8 (16 U.S.C. 3371 et seq.);

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

11 (F) activities authorized under section 301.

12 (4) CONVENTION COMPONENT.—A convention
13 component that shall consist of the Division of Man-
14 agement Authority and the Division of Scientific Au-
15 thority of the United States Fish and Wildlife Serv-
16 ice to implement CITES and carry out other related
17 duties, as the Secretary determines to be appro-
18 priate.

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

22 (d) RELATIONSHIP TO OTHER LAW.—Nothing in this
23 section alters the responsibilities of the Secretary under
24 section 8 of the Fish and Wildlife Act of 1956 (16 U.S.C.

1 742g) and the Endangered Species Act of 1973 (16
2 U.S.C. 1531 et seq.).

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

5 (1) accept donations of funds, gifts, and in-kind
6 contributions; and

7 (2) use those donations, without further appro-
8 priation, for capacity building, grants, and other on-
9 the-ground uses under the program components de-
10 scribed in subsection (c).

11 **SEC. 202. AMENDMENTS TO GREAT APE CONSERVATION**
12 **ACT OF 2000.**

13 (a) MULTIYEAR GRANTS.—Section 4 of the Great
14 Ape Conservation Act of 2000 (16 U.S.C. 6303) is amend-
15 ed—

16 (1) by adding at the end the following:

17 “(j) MULTIYEAR GRANTS.—

18 “(1) IN GENERAL.—The Secretary may award
19 a multiyear grant under this section to a person who
20 is otherwise eligible for a grant under this section to
21 carry out a project that the person demonstrates is
22 an effective, long-term conservation strategy for
23 great apes and their habitats.

24 “(2) ANNUAL GRANTS NOT AFFECTED.—This
25 subsection shall not be construed as precluding the

1 Secretary from awarding grants on an annual
2 basis.”.

3 (b) GREAT APE CONSERVATION FUND.—Section 5 of
4 the Great Ape Conservation Act of 2000 (16 U.S.C. 6304)
5 is amended—

6 (1) in subsection (a)—

7 (A) in paragraph (2), by striking “and” at
8 the end;

9 (B) in paragraph (3), by striking the pe-
10 riod at the end and inserting “; and”; and

11 (C) by adding at the end the following:

12 “(4) any amounts received by the United States
13 for any violation of law pertaining to great apes
14 under the Endangered Species Act of 1973 (16
15 U.S.C. 1531 et seq.), the Lacey Act Amendments of
16 1981 (16 U.S.C. 3371 et seq.), or regulations imple-
17 menting those Acts, including any of those amounts
18 received as—

19 “(A) fines or penalties;

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

22 “(C) restitution to the Federal Govern-
23 ment.”; and

24 (2) in subsection (b)(2)—

1 (A) by striking “3 percent” and inserting
2 “5 percent”; and

3 (B) by striking “\$100,000” and inserting
4 “\$150,000”.

5 **SEC. 203. AMENDMENTS TO MARINE TURTLE CONSERVA-**
6 **TION ACT OF 2004.**

7 (a) PURPOSES.—Section 2(b) of the Marine Turtle
8 Conservation Act of 2004 (16 U.S.C. 6601(b)) is amended
9 to read as follows:

10 “(b) PURPOSES.—The purposes of this Act are to as-
11 sist in the conservation of marine turtles, freshwater tur-
12 tles, and tortoises in foreign countries and territories of
13 the United States, the conservation of the nesting habitats
14 of marine turtles, and the conservation of the habitats of
15 freshwater turtles and tortoises, by supporting and pro-
16 viding financial resources for projects—

17 “(1) to conserve those nesting habitats and
18 habitats in foreign countries and territories of the
19 United States;

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

22 “(3) to address other threats to the survival of
23 marine turtles, freshwater turtles, and tortoises in
24 foreign countries and territories of the United
25 States.”.

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

3 (1) by amending paragraph (2) to read as fol-
4 lows:

5 “(2) CONSERVATION.—The term ‘conservation’
6 means the use of all methods and procedures nec-
7 essary to protect marine turtles, freshwater turtles,
8 or tortoises in foreign countries and territories of the
9 United States, including—

10 “(A) protection, restoration, and manage-
11 ment of nesting habitats and other habitats;

12 “(B) onsite research and monitoring of
13 populations, habitats, annual reproduction, and
14 species population trends;

15 “(C) assistance in the development, imple-
16 mentation, and improvement of national, re-
17 gional, and territorial management plans for
18 habitat ranges;

19 “(D) enforcement and implementation of
20 CITES and laws of foreign countries and terri-
21 tories of the United States to—

22 “(i) protect and manage populations
23 and habitats; and

24 “(ii) prevent illegal trade of marine
25 turtles, freshwater turtles, or tortoises;

1 “(E) training of local law enforcement offi-
2 cials in the interdiction and prevention of—

3 “(i) the illegal killing of marine tur-
4 tles, freshwater turtles, or tortoises; and

5 “(ii) illegal trade in marine turtles,
6 freshwater turtles, or tortoises;

7 “(F) initiatives to resolve conflicts between
8 humans and marine turtles, freshwater turtles,
9 or tortoises over habitat;

10 “(G) community outreach and education;
11 and

12 “(H) strengthening of the ability of local
13 communities to implement population and habi-
14 tat conservation programs.”;

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) by amending subsection (b)(1) to read as
12 follows:

13 “(1) ELIGIBLE APPLICANTS.—A proposal for a
14 project for the conservation of marine turtles, fresh-
15 water turtles, or tortoises may be submitted to the
16 Secretary by—

17 “(A) any wildlife management authority of
18 a foreign country or territory of the United
19 States that has within its boundaries marine
20 turtle nesting habitat, freshwater turtle habitat,
21 or tortoise habitat, if the activities of the au-
22 thority directly or indirectly affect marine tur-
23 tle, freshwater turtle, or tortoise conservation;
24 or

1 “(B) any other person with the dem-
2 onstrated expertise required for the conserva-
3 tion of marine turtles, freshwater turtles, or
4 tortoises.”;

5 (4) in subsection (d)—

6 (A) by inserting “or territories of the
7 United States” after “foreign countries”;

8 (B) by striking “marine turtles’” and in-
9 serting “marine turtles, freshwater turtles, or
10 tortoises”; and

11 (C) by striking “marine turtle” and insert-
12 ing “marine turtle, freshwater turtle, or tor-
13 toise”; and

14 (5) in subsection (e)—

15 (A) by striking “marine turtles” and in-
16 serting “marine turtles, freshwater turtles, or
17 tortoises”; and

18 (B) by striking “and their nesting habi-
19 tats” and inserting “and marine turtle nesting
20 habitats, freshwater turtle habitats, or tortoise
21 habitats”.

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

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

4 (2) in subsection (a)—

5 (A) in the matter preceding paragraph (1),
6 by striking “Marine Turtle” and inserting
7 “Turtle and Tortoise”;

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

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

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

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

20 “(A) fines or penalties;

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

23 “(C) restitution to the Federal Govern-
24 ment.”; and

25 (3) in subsection (b)(2)—

1 (A) by striking “3 percent” and inserting
2 “5 percent”; and

3 (B) by striking “\$80,000” and inserting
4 “\$150,000”.

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

9 (f) AUTHORIZATION OF APPROPRIATIONS.—Section 7
10 of the Marine Turtle Conservation Act of 2004 (16 U.S.C.
11 6606) is amended—

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

14 “(a) IN GENERAL.—There is”; and

15 (2) by adding at the end following:

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

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

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

1 **SEC. 204. FUNDING FOR MARINE MAMMAL CONSERVATION.**

2 All amounts collected by the Secretary of Commerce,
3 including fines, penalties, and proceeds from sales of for-
4 feited assets or cargo, for violations of the Marine Mam-
5 mal Protection Act of 1972 (16 U.S.C. 1361 et seq.) or
6 regulations implementing that Act shall be used by the
7 Secretary of Commerce for—

8 (1) the benefit of the marine mammal species
9 impacted by the applicable violation, to the extent
10 practicable;

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

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

19 (4) payment of awards to whistleblowers on an
20 applicable violation under section 103; or

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

24 **SEC. 205. FUNDING FOR SHARK CONSERVATION.**

25 All amounts available to the Secretary of Commerce
26 that are attributable to fines, penalties, and forfeitures of

1 property (or proceeds from the sale of that forfeited prop-
2 erty) imposed for violations under section 307(1)(P) of the
3 Magnuson-Stevens Fishery Conservation and Manage-
4 ment Act (16 U.S.C. 1857(1)(P)) or violations of any fish-
5 ery management plan for sharks prepared under title III
6 of that Act (16 U.S.C. 1851 et seq.) shall be used by the
7 Secretary of Commerce for—

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

10 (2) shark conservation purposes, including to
11 carry out amendments made by the Shark Conserva-
12 tion Act of 2010 (Public Law 111–348; 124 Stat.
13 3668);

14 (3) payment of awards to whistleblowers on an
15 applicable violation under section 103; or

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

20 **SEC. 206. USES OF TRANSFERRED FUNDS FOR WILDLIFE**
21 **CONSERVATION.**

22 All amounts made available to the Secretary of the
23 Interior under the amendments made by sections 302 and
24 303 shall be used—

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

3 (2) for payment of rewards under section 103
4 on the applicable violation; or

5 (3) to carry out—

6 (A) the African Elephant Conservation Act
7 (16 U.S.C. 4201 et seq.);

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

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

12 (D) the Great Ape Conservation Act of
13 2000 (16 U.S.C. 6301 et seq.);

14 (E) the Marine Turtle Conservation Act of
15 2004 (16 U.S.C. 6601 et seq.);

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

18 (G) the Wild Bird Conservation Act of
19 1992 (16 U.S.C. 4901 et seq.);

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

24 (I) any other wildlife conservation pro-
25 grams or activities authorized by Federal law,

1 as considered appropriate by the Secretary, in-
2 cluding activities pursuant to sections 201 and
3 301 of this Act.

4 **TITLE III—ANTI-TRAFFICKING**
5 **AND POACHING**

6 **SEC. 301. UNITED STATES FISH AND WILDLIFE SERVICE OF-**
7 **FICERS ABROAD.**

8 (a) DEFINITIONS.—In this section:

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

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

14 (b) PLACEMENT OF OFFICERS.—The Secretary, in
15 consultation with the Secretary of State, may station not
16 less than one United States Fish and Wildlife Service offi-
17 cer in the primary diplomatic or consular post of the
18 United States in—

19 (1) a focus country;

20 (2) a country that has a national who has been
21 certified by the Secretary under section 8(a)(2) of
22 the Fishermen’s Protective Act of 1967 (22 U.S.C.
23 1978(a)(2)) as engaging in trade or taking which di-
24 minishes the effectiveness of any international pro-
25 gram for endangered or threatened species; or

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

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

5 (1) assist local agencies or officials responsible
6 for the protection of wildlife in the protection of
7 wildlife and on-the-ground conservation;

8 (2) facilitate apprehension of individuals who il-
9 legally kill or take, or assist in the illegal killing or
10 taking of, wildlife;

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

15 (4) support wildlife trafficking investigations
16 based in the United States with a nexus to a host
17 country or region;

18 (5) provide technical assistance and support to
19 build capacity in the host country for wildlife con-
20 servation and anti-trafficking enforcement by agen-
21 cies that partner with the host country;

22 (6) advise on leveraging the assets of the
23 United States Government to combat wildlife traf-
24 ficking;

1 (7) support effective implementation of CITES
2 and other international agreements relating to wild-
3 life conservation, in coordination with the Secretary
4 of State;

5 (8) work to reduce global demand for illegally
6 traded wildlife products and illegally taken wildlife;
7 and

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

12 **SEC. 302. WILDLIFE TRAFFICKING VIOLATIONS AS PREDI-**
13 **CATE OFFENSES UNDER TRAVEL ACT AND**
14 **RACKETEERING STATUTE.**

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

17 (1) in subsection (b)—

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

20 (B) by striking “of this title and (ii)” and
21 inserting the following: “of this title, or (4) any
22 act that is a criminal violation of subparagraph
23 (A), (B), (C), (D), (E), or (F) of section
24 9(a)(1) of the Endangered Species Act of 1973
25 (16 U.S.C. 1538(a)(1)), section 2203 of the Af-

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

10 “(f) 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 (b)(i)(4).”.

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

18 (1) in section 1961(1)—

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

21 (B) by inserting before the semicolon at
22 the end the following: “, or (H) any act that is
23 a criminal violation of subparagraph (A), (B),
24 (C), (D), (E), or (F) of section 9(a)(1) of the
25 Endangered Species Act of 1973 (16 U.S.C.

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

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

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

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

20 (1) nullifies or supersedes any other provision
21 of Federal law or any regulation pertaining to the
22 import of sport-hunted wildlife trophies;

23 (2) prohibits any citizen, national, or legal resi-
24 dent of the United States, or an agent of such an
25 individual, from importing a lawfully taken sport-

1 hunted trophy for personal or similar noncommercial
2 use if the importation is in compliance with sections
3 4(d) and 10 of the Endangered Species Act of 1973
4 (16 U.S.C. 1533(d), 1539), section 3(a) of the
5 Lacey Act Amendments of 1981 (16 U.S.C.
6 3372(a)), and regulations implementing those sec-
7 tions; or

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

18 **SEC. 303. FUNDS FROM WILDLIFE TRAFFICKING VIOLA-**
19 **TIONS OF MONEY LAUNDERING STATUTE.**

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

22 “(j) The Secretary of the Treasury shall transfer to
23 the Secretary of the Interior any amounts received by the
24 United States as civil penalties, fines, forfeitures of prop-
25 erty or assets, or restitution to the Federal Government

1 for any violation under this section that involves an unlaw-
2 ful activity described in subsection (c)(7)(G).”.

3 **SEC. 304. TECHNICAL AND CONFORMING AMENDMENTS.**

4 (a) USE OF AMOUNTS FROM FINES.—Section
5 1402(b)(1)(A) of the Victims of Crime Act of 1984 (34
6 U.S.C. 20101(b)(1)(A)) is amended—

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

8 and

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

10 “(iii) section 1952(f), section 1956(j),
11 and section 1963(n) of title 18, United
12 States Code; and”.

13 (b) USE OF AMOUNTS FROM FORFEITURES.—Sec-
14 tion 524(c)(4)(A) of title 28, United States Code, is
15 amended by inserting “the Secretary of the Treasury pur-
16 suant to section 1952(f), section 1956(j), or section
17 1963(n) of title 18,” before “or the Postmaster General”.

18 **TITLE IV—ILLEGAL, UNREPORT-**
19 **ED, AND UNREGULATED FISH-**
20 **ING**

21 **SEC. 401. FUNDING FOR ILLEGAL, UNREPORTED, AND UN-**
22 **REGULATED FISHING ENFORCEMENT.**

23 All amounts available to the Secretary of Commerce
24 that are attributable to fines, penalties, and forfeitures of
25 property (or proceeds from the sale of that forfeited prop-

1 erty) imposed for violations under section 307(1)(Q) of the
2 Magnuson-Stevens Fishery Conservation and Manage-
3 ment Act (16 U.S.C. 1857(1)(Q)) shall be used by the
4 Secretary of Commerce for fisheries enforcement, includ-
5 ing to carry out amendments made by the Illegal, Unre-
6 ported, and Unregulated Fishing Enforcement Act of
7 2015 (Public Law 114–81; 129 Stat. 649).

8 **SEC. 402. ILLEGAL, UNREPORTED, AND UNREGULATED**
9 **FISHING AS PREDICATE OFFENSES UNDER**
10 **MONEY LAUNDERING STATUTE.**

11 Section 1956(e)(7) of title 18, United States Code,
12 is amended—

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

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

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

18 “(H) any act that is a violation of section
19 307(1)(Q) of the Magnuson-Stevens Fishery
20 Conservation and Management Act (16 U.S.C.
21 1857(1)(Q)), if the fish involved in the violation
22 and relevant conduct, as applicable, have a total
23 value of more than \$10,000;”.

1 **SEC. 403. FUNDS FROM ILLEGAL, UNREPORTED, AND UN-**
2 **REGULATED FISHING VIOLATIONS OF MONEY**
3 **LAUNDERING STATUTE.**

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

6 “(k) The Secretary of the Treasury shall transfer to
7 the Secretary of Commerce 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 under this section that involves an unlaw-
11 ful activity described in subsection (c)(7)(H).”.

12 **SEC. 404. USES OF TRANSFERRED FUNDS FOR ILLEGAL, UN-**
13 **REPORTED, AND UNREGULATED FISHING EN-**
14 **FORCEMENT.**

15 All amounts made available to the Secretary of Com-
16 merce under the amendments made by sections 402 and
17 403 shall be used for fisheries enforcement purposes, in-
18 cluding to carry out amendments made by the Illegal, Un-
19 reported, and Unregulated Fishing Enforcement Act of
20 2015 (Public Law 114–81; 129 Stat. 649).

○