

WILDLIFE CONSERVATION & ANTI-TRAFFICKING ACT SUMMARY

SPONSORS: Reps. John Garamendi (D-CA) and Don Young (R-AK)
Introduced to the House of Representatives on January 30, 2019

BILL SUMMARY WITH SECTIONS:

Strengthens Anti-Trafficking Enforcement:

- **Section 302:** Makes serious wildlife trafficking/poaching violations predicate offenses under the federal racketeering and organized crime statutes (*RICO Act and Travel Act*). **The House passed these same enforcement provisions, verbatim, by voice vote on 11/02/2015.**
- Builds upon success of the bipartisan [*Eliminate, Neutralize, and Disrupt \(END\) Wildlife Trafficking Act of 2016*](#) (Public Law 114-231), which made wildlife trafficking a predicate offense under the federal money laundering criminal statute.
- **Section 301:** Authorizes U.S. Fish and Wildlife Service (USFWS) law enforcement officials and agency personnel to be stationed abroad in [*high-intensity wildlife tracking*](#) areas, as embeds in American embassies and consulates.
- Empowers federal law enforcement to combat the global wildlife trafficking trade, linked to transnational criminal organizations, human rights violations, and extremist groups.
- **Section 302(c):** Makes clear that federal law enforcement should target wildlife traffickers and transnational organized crime, *not* Americans engaging in legitimate sport and trophy hunting abroad permitted under federal law.
- **Section 402:** Makes serious violations for [*illegal, unreported and unregulated \(IUU\) fishing*](#) by foreign vessels or fraudulent seafood imports a predicate offense under the federal money laundering criminal statute.
- [*According to the U.S. State Department*](#), IUU fishing often goes hand-in-hand with transnational crime, human rights abuses/forced labor, and weapons/drug trafficking.
- Builds upon the success of Congresswoman Bordallo's bipartisan [*Illegal, Unreported, and Unregulated Fishing Enforcement Act of 2015*](#) (Public Law 114-81) for which Congressman Young was an original cosponsor.
- Builds upon the strong history of Rep. Young's leadership on conservation issues and as a member of the Sportsmen's Caucus, and Rep. Garamendi's strengths as a conservationist and outdoorsman.

Incentivizes Whistleblowers on Wildlife Crimes (Title I)

- Directs federal agencies to finally implement authorities provided by current law to

reward whistleblowers for reporting wildlife crimes like trafficking, poaching, and black-market sales.

- To date, federal agencies have failed to take advantage of [whistleblower provisions in long-standing conservation laws](#) like the *Endangered Species Act* (ESA) and the *Lacey Act* to encourage those who could provide actionable information leading to criminal convictions for wildlife trafficking/poaching to come forward.
- Plan of Action required by the bill must include concrete steps to help recruit whistleblowers by increasing public awareness about monetary reward opportunities, particularly in [focus countries](#) for wildlife trafficking.
- Provides standardized process for Interior Department agencies to determine and adjudicate rewards to whistleblowers for wildlife crimes.
- Incentivizes whistleblowers to report wildlife crimes, leading to actionable intelligence and criminal convictions to confront the global poaching and wildlife trafficking crisis.
- Brings process for adjudicating whistleblower claims for reporting wildlife trafficking in line with other, successful federal whistleblower programs.
- Current federal law makes clear that U.S. government employees are *not* eligible for whistleblower rewards under wildlife conservation statutes.
- Authorizes agencies to deny whistleblower award to perpetrators instrumental in wildlife trafficking violation or criminal enterprise.
- Monetary rewards to wildlife crime whistleblowers come from partial share of penalty paid to U.S. government, *at no expense to American taxpayers*.

Funds Wildlife, Marine Mammal, Great Ape, Shark & Turtle/Tortoise Conservation at No Expense to Taxpayers

- **Sections 302 & 402:** Directs any penalties, fines, forfeitures, and restitution paid to the U.S. government for violations of federal organized crime, racketeering, and money laundering statutes to support wildlife conservation efforts around the globe, *at no expense to American taxpayers*.
- **Section 303:** Ensures dedicated funding for the USFWS-administered [Multinational Species Conservation Funds](#) and similar international wildlife conservation programs, *at no expense to American taxpayers*.
- **Section 204:** Directs any fines, penalties, and forfeitures to the U.S. government for violations of the *Marine Mammal Protection Act* to support marine mammal conservation and [Prescott Grants stranding response network](#), *at no expense to American taxpayers*.
- **Section 205:** Directs any fines, penalties, and forfeitures to the U.S. government for shark finning violations under the *Magnuson-Stevens Act* (or fishery management plans for sharks) to support [NOAA's shark conservation efforts](#), *at no expense to American taxpayers*.

- Builds upon success of Congresswoman Bordallo's [Shark Conservation Act of 2010](#) (Public Law 111-348).
- **Section 203:** Directs any fines, penalties, and forfeitures to the U.S. government for violations pertaining to marine turtles, freshwater turtles, or tortoises under the *Endangered Species Act* and the *Lacey Act Amendments of 1981* to support the [Marine Turtle Conservation Fund](#) (including freshwater turtles and tortoises), *at no expense to American taxpayers*.
- **Section 401, 403, and 404:** Directs funds from the *Magnuson-Stevens Act* to support fisheries enforcement, including IUU Fishing Enforcement Act of 2015 (Public Law 114-81).

Authorizes USFWS International Wildlife Conservation Program (Title 2, Section 201)

- Provides Congressional authorization for the USFWS International Wildlife Conservation Program, consolidating into a single, streamlined program at the current:
 - [International Affairs](#) and [Wildlife Without Borders](#) programs
 - Divisions of [Management Authority](#) and [Scientific Authority](#)
- Provides for comprehensive International Wildlife Conservation Program:
 - **Regional Component** to build capacity for wildlife conservation across a species' natural range, in-country at the grassroots.
 - **Species Component** to focus conservation efforts for wildlife most at risk.
 - **Anti-trafficking Component** to address global poaching crisis and reduce demand and trade in illegal wildlife products.
 - **Convention Component** to implement the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) authorized by federal law.
- Supports in-country conservation efforts for ESA-listed species and at-risk wildlife globally.
- Authorizes USFWS to station law enforcement officers and other agency personnel in [focus countries](#) for wildlife trafficking, as embeds in American embassies and consulates.

Amends the [Great Ape Conservation Act of 2000](#) (Section 202)

- Ensures dedicated funding for Great Ape Conservation Fund and other similar conservation programs, *at no expense to American taxpayers*.
- Allows the Secretary of the Interior to award multiyear grants to persons otherwise eligible for annual grants.
- **Section 206:** Authorizes funds available to the Secretary of the Interior for species

conservation programs, including payment of rewards to whistleblowers.

Expands the [Marine Turtle Conservation Fund](#) (Section 203)

- **Supports Conservation in U.S. Territories:** Amends the [Marine Turtle Conservation Act of 2004](#) to make U.S. territories and outlying areas eligible for federal funding, since state funding is unavailable.
 - This noncontroversial technical change to the statute has enjoyed bipartisan support in Congress since 2009.
 - Other Multinational Species Conservation Funds cover species not native to the United States. However, [all sea turtles found in U.S. territorial waters](#) are listed under the *Endangered Species Act*.
 - U.S. territories and outlying areas are home to numerous turtle species, including the [hawks bill](#) and [green sea turtles](#) native to the western Pacific Ocean.
- **Provides Funding for Endangered Freshwater Turtles and Tortoises:** Also amends the [Marine Turtle Conservation Act of 2004](#) to provide federal funding for freshwater turtles and tortoises listed under the *Endangered Species Act*.
 - According to the [International Union for Conservation of Nature](#)'s (IUCN), many of the world's terrestrial turtle species (both freshwater turtles and tortoises) could become *extinct* in the next few decades.
 - The USFWS cites freshwater turtles and tortoises as highly trafficked species globally.
 - Ensures that no current funding is diverted from marine turtle conservation projects.

Note: this document utilizes the 2018 summary provided by Rep. Bordallo's office for the WCAT Act (H.R. 5697), adding language on the changes made in the re-introduced version of the bill (H.R. 864).