

116TH CONGRESS
1ST SESSION

H. R. 737

To prohibit the sale of shark fins, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 23, 2019

Mr. SABLAN (for himself, Mr. McCAUL, Mr. BISHOP of Georgia, Ms. BONAMICI, Mr. BLUMENAUER, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. BUCHANAN, Mr. CALVERT, Mr. CARTWRIGHT, Mr. CHABOT, Mr. CRIST, Ms. DEGETTE, Mr. FITZPATRICK, Mr. GALLEGO, Mr. GARAMENDI, Ms. HILL of California, Mr. HUFFMAN, Mr. JOHNSON of Georgia, Ms. KAPTUR, Mr. KATKO, Mr. KEATING, Mr. KENNEDY, Mr. KINZINGER, Ms. KUSTER of New Hampshire, Mr. LIPINSKI, Mr. LOWENTHAL, Mr. McNERNEY, Mr. MITCHELL, Ms. NORTON, Mr. PANETTA, Mr. PERLMUTTER, Mr. QUIGLEY, Mrs. RADEWAGEN, Mr. RASKIN, Mr. RESCHENTHALER, Ms. ROYBAL-ALLARD, Mr. RYAN, Mr. SCHWEIKERT, Mr. SMITH of Washington, Mr. SOTO, Mr. SUOZZI, Ms. TITUS, Mr. THOMPSON of California, Mrs. TORRES of California, Mr. VELA, Mrs. WATSON COLEMAN, Ms. WILSON of Florida, Mr. AGUILAR, Mr. RODNEY DAVIS of Illinois, Mr. GOMEZ, and Mr. WEBER of Texas) introduced the following bill; which was referred to the Committee on Natural Resources

A BILL

To prohibit the sale of shark fins, 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 “Shark Fin Sales Elimi-
5 nation Act of 2019”.

1 **SEC. 2. PROHIBITION ON SALE OF SHARK FINS.**

2 (a) PROHIBITION.—Except as provided in sections 3
3 and 4, no person shall possess, offer for sale, sell, or pur-
4 chase any shark fin or product containing any shark fin.

5 (b) PENALTY.—For purposes of section 308(a) of the
6 Magnuson-Stevens Fishery Conservation and Manage-
7 ment Act (16 U.S.C. 1858(a)), a violation of this section
8 shall be treated as an act prohibited by section 307 of
9 that Act.

10 **SEC. 3. EXEMPTION FOR TRADITIONAL FISHERIES, EDU-**
11 **CATION, AND SCIENCE.**

12 Section 2 shall not apply with respect to possession
13 of a shark fin that was taken lawfully under a State, terri-
14 torial, or Federal license or permit to take or land sharks,
15 if the shark fin is separated from the shark in a manner
16 consistent with the license or permit and is—

17 (1) destroyed or discarded upon separation;

18 (2) used for noncommercial subsistence pur-
19 poses in accordance with State or territorial law;

20 (3) used solely for display or research purposes
21 by a museum, college, or university, or by any other
22 person under a State or Federal permit to conduct
23 noncommercial scientific research; or

24 (4) retained by the license or permit holder for
25 a noncommercial purpose.

1 **SEC. 4. EXEMPTION FOR DOGFISH.**

2 (a) IN GENERAL.—It shall not be a violation of sec-
3 tion 2 for any person to possess, offer for sale, sell, or
4 purchase any fresh or frozen raw fin or tail from any stock
5 of the species *Mustelus canis* (smooth dogfish) or *Squalus*
6 *acanthias* (spiny dogfish).

7 (b) REPORT.—By not later than January 1, 2027,
8 the Secretary of Commerce shall review the exemption in
9 subsection (a) and shall prepare and submit to the Con-
10 gress a report that includes a recommendation on whether
11 the exemption should continue or be terminated. In pre-
12 paring such report and making such recommendation, the
13 Secretary shall analyze factors including—

14 (1) the economic viability of dogfish fisheries
15 with and without the continuation of the exemption;

16 (2) the impact to ocean ecosystems of con-
17 tinuing or terminating the exemption;

18 (3) the impact on enforcement of the ban con-
19 tained in section 3 caused by the exemption; and

20 (4) the impact of the exemption on shark con-
21 servation.

22 **SEC. 5. DEFINITIONS.**

23 In this Act:

24 (1) SHARK.—The term “shark” means any spe-
25 cies of the orders Pristiophoriformes, Squatini-
26 formes, Squaliformes, Hexanchiformes, Lamni-

1 formes, Carchariniformes, Orectolobiformes, and
2 Heterodontiformes.

3 (2) SHARK FIN.—The term “shark fin” means
4 the raw, dried, or otherwise processed detached fin,
5 or the raw, dried, or otherwise processed detached
6 tail, of a shark.

7 **SEC. 6. STATE AUTHORITY.**

8 Nothing in this Act affects any right of a State or
9 territory of the United States to adopt or enforce any reg-
10 ulation or standard that is more stringent than a regula-
11 tion or standard in effect under this Act.

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