

115TH CONGRESS  
2D SESSION

# H. R. 5690

To amend the Endangered Species Act of 1973 to prohibit the taking for a trophy of any endangered or threatened species of fish or wildlife in the United States and the importation of endangered and threatened species trophies into the United States, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

MAY 7, 2018

Ms. JACKSON LEE (for herself, Mr. TED LIEU of California, Ms. NORTON, and Mr. MCNERNEY) introduced the following bill; which was referred to the Committee on Natural Resources

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## A BILL

To amend the Endangered Species Act of 1973 to prohibit the taking for a trophy of any endangered or threatened species of fish or wildlife in the United States and the importation of endangered and threatened species trophies into the United States, 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 “Prohibiting Threat-  
5 ened and Endangered Creature Trophies Act of 2018” or  
6 the “ProTECT Act of 2018”.

1 **SEC. 2. FINDINGS.**

2 The Congress finds the following:

3 (1) Trophy hunting of imperiled species under-  
4 mines efforts to conserve wildlife populations be-  
5 cause trophy hunters routinely target the biggest,  
6 strongest males, and removing those individuals  
7 from the population can decrease genetic variation,  
8 decrease reproduction, alter social structures, in-  
9 crease infanticide, and cause unnatural evolutionary  
10 impacts.

11 (2) When trophy hunting of imperiled species is  
12 sanctioned, poaching activity increases, further  
13 threatening the survival of wildlife populations.

14 (3) Legal trade in wildlife parts and products  
15 can provide cover for markets for illegal trade in  
16 wildlife products, which is worth up to  
17 \$20,000,000,000 annually and run by professional  
18 criminal networks linked to other transnational orga-  
19 nized criminal activities, including trafficking in nar-  
20 cotics, weapons, and humans.

21 (4) While the Endangered Species Act of 1973  
22 (16 U.S.C. 1531 et seq.) currently prohibits the take  
23 and import of species listed under that Act as en-  
24 dangered species, it does not automatically extend  
25 those protections to species listed as threatened spe-  
26 cies.

1 **SEC. 3. PROHIBITIONS REGARDING TAKING AND IMPORT-**  
2 **ING OF ENDANGERED SPECIES AND THREAT-**  
3 **ENED SPECIES TROPHIES.**

4 (a) PROHIBITION OF TAKING OR IMPORTING.—Sec-  
5 tion 9 of the Endangered Species Act of 1973 (16 U.S.C.  
6 1538) is amended by adding at the end the following:

7 “(h) TROPHIES.—It is unlawful for any person sub-  
8 ject to the jurisdiction of the United States—

9 “(1) to take for a trophy within the United  
10 States or the territorial sea of the United States any  
11 species of fish or wildlife listed under section 4 as  
12 a threatened species; or

13 “(2) to import into the United States any tro-  
14 phy of any species of fish or wildlife listed under sec-  
15 tion 4 as a threatened species.”.

16 (b) PROHIBITION OF PERMITS.—Section 10(a) of the  
17 Endangered Species Act of 1973 (16 U.S.C. 1539(a)) is  
18 amended—

19 (1) in paragraph (1), by striking “The Sec-  
20 retary may permit” and inserting “Except as other-  
21 wise provided in this subsection, the Secretary may  
22 permit”; and

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

24 “(3) The Secretary may not permit—

25 “(A) taking for a trophy any species of fish or  
26 wildlife listed under section 4; or

1           “(B) importing into the United States any tro-  
2           phy of any species of fish or wildlife listed under sec-  
3           tion 4, notwithstanding section 9(b).”.

4           (c) ANTIQUES.—Section 10(h)(1) of the Endangered  
5           Species Act of 1973 (16 U.S.C. 1539(h)(1)) is amended  
6           by striking “Sections 4(d), 9(a), and 9(c) do not apply”  
7           and inserting “Sections 4(d), 9(a), 9(c), and 9(h)(2) do  
8           not apply”.

9           (d) DEFINITION.—Section 3 of the Endangered Spe-  
10          cies Act of 1973 (16 U.S.C. 1532) is amended—

11           (1) by redesignating paragraph (21) as para-  
12          graph (22); and

13           (2) by inserting after paragraph (20) the fol-  
14          lowing:

15           “(21) The term ‘trophy’ means a whole dead  
16          animal, or a readily recognizable part or derivative  
17          of an animal, that—

18                   “(A) is raw, processed, or manufactured;

19                   and

20                   “(B) was obtained under a hunting license  
21                   or other authorization issued by any State, for-  
22                   eign government, or private landowner.”.

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