

118TH CONGRESS  
1ST SESSION

# H. R. 6546

To amend the Endangered Species Act of 1973 to allow certain activities to be carried out with regard to certain fish held in captivity or a controlled environment.

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## IN THE HOUSE OF REPRESENTATIVES

DECEMBER 1, 2023

Mr. BENTZ 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 allow certain activities to be carried out with regard to certain fish held in captivity or a controlled environment.

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. FISH HELD IN CAPTIVITY OR CONTROLLED EN-**  
4 **VIRONMENT.**

5 Section 9(b) of the Endangered Species Act of 1973  
6 (16 U.S.C. 1538(b)) is amended by adding at the end the  
7 following:

8 “(3) FISH HELD IN CAPTIVITY OR CONTROLLED EN-  
9 VIRONMENT.—

1           “(A) EXCEPTION.—The provisions of sub-  
2 section (a)(1) and section 7(a)(2) do not apply to—

3           “(i) a fish legally held in captivity or in a  
4 controlled environment in a manner that main-  
5 tains physical separation of such fish from any  
6 wild population of the same species on the date  
7 of the enactment of this paragraph; or

8           “(ii) progeny of a fish described in clause  
9 (i) legally held in the manner described in  
10 clause (i),

11 until such time as any such fish or progeny is inten-  
12 tionally released from such captivity or controlled  
13 environment to live in the wild.

14           “(B) REQUIREMENT.—

15           “(i) IN GENERAL.—A person that holds a  
16 fish or progeny described in subparagraph (A)  
17 shall be able to demonstrate to the Secretary  
18 that such fish or progeny qualifies as a fish or  
19 progeny described in subparagraph (A).

20           “(ii) FULFILLMENT OF REQUIREMENT.—A  
21 person that holds a fish or progeny described in  
22 subparagraph (A) may fulfill the demonstration  
23 requirement described in clause (i) through

1 compliance with the applicable provisions of the  
2 Convention.”.

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