

117TH CONGRESS
1ST SESSION

H. R. 2811

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

IN THE HOUSE OF REPRESENTATIVES

APRIL 22, 2021

Mr. SABLAN (for himself, Mr. MCCAUL, Mr. ALLRED, Mrs. AXNE, Mr. BEYER, Mr. BILIRAKIS, Mr. BISHOP of Georgia, Mr. BLUMENAUER, Ms. BLUNT ROCHESTER, Mr. BRENDAN F. BOYLE of Pennsylvania, Ms. BROWNLEY, Mr. BURCHETT, Mr. CALVERT, Mr. CÁRDENAS, Mr. CARTER of Georgia, Mr. CARTWRIGHT, Mr. CASE, Mr. CASTEN, Mr. CHABOT, Mr. COHEN, Mr. CONNOLLY, Mr. COOPER, Mr. RODNEY DAVIS of Illinois, Ms. DEAN, Mr. DEFazio, Ms. DEGETTE, Ms. DELBENE, Mr. DEUTCH, Ms. BARRAGÁN, Mrs. DINGELL, Mr. EMMER, Ms. ESCOBAR, Mr. FITZPATRICK, Mr. FLEISCHMANN, Mr. FOSTER, Mr. GALLEG0, Mr. GARAMENDI, Mr. VICENTE GONZALEZ of Texas, Ms. GRANGER, Mr. GRIJALVA, Mrs. HAYES, Mr. HIGGINS of New York, Ms. HOULAHAN, Mr. HUFFMAN, Ms. JACOBS of California, Ms. KAPTUR, Mr. KILMER, Ms. KUSTER, Mr. LANGEVIN, Mr. LARSEN of Washington, Mr. LEVIN of Michigan, Mr. LEVIN of California, Mr. LOWENTHAL, Ms. MACE, Mr. MALINOWSKI, Mrs. CAROLYN B. MALONEY of New York, Mrs. MCBATH, Ms. MCCOLLUM, Mr. MCEACHIN, Mr. MCGOVERN, Mr. MCNERNEY, Mr. MEEKS, Mr. MEUSER, Mr. MOULTON, Mrs. MURPHY of Florida, Mr. NORCROSS, Ms. NORTON, Mr. PAPPAS, Mr. PASCRELL, Mr. PENCE, Mr. PETERS, Mr. POCAN, Ms. PRESSLEY, Mr. QUIGLEY, Mrs. RADEWAGEN, Mr. RASKIN, Mr. RESCHENTHALER, Miss RICE of New York, Mr. RYAN, Ms. SÁNCHEZ, Ms. SCHAKOWSKY, Mr. SCHRADER, Mr. SCHWEIKERT, Mr. DAVID SCOTT of Georgia, Mr. SHERMAN, Mr. SIRES, Ms. SLOTKIN, Mr. SMITH of Washington, Mr. SOTO, Ms. STEVENS, Mr. SUOZZI, Mr. SWALWELL, Ms. TENNEY, Mr. TIMMONS, Mr. TONKO, Ms. UNDERWOOD, Ms. VELÁZQUEZ, Mrs. WALORSKI, Mr. WELCH, Ms. WILD, Ms. WILSON of Florida, Mr. ZELDIN, Mr. SAN NICOLAS, Mr. ISSA, and Mr. BUCHANAN) introduced the following bill; which was referred to the Committee on Natural Resources, and in addition to the Committee on the Budget, 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 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 Elimination Act of 2021”.

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

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

10 (b) PENALTY.—For purposes of section 308(a) of the
11 Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1858(a)), a violation of this section
12 shall be treated as an act prohibited by section 307 of
13 that Act.
14 that Act.

15 **SEC. 3. EXEMPTION FOR TRADITIONAL FISHERIES, EDUCATION, AND SCIENCE.**

16 Section 2 shall not apply with respect to possession
17 of a shark fin that was taken lawfully under a State, territorial, or Federal license or permit to take or land sharks,
18 if the shark fin is separated from the shark in a manner
19 consistent with the license or permit and is—
20 consistent with the license or permit and is—
21 consistent with the license or permit and is—

22 (1) destroyed or discarded upon separation;

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

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

7 (4) retained by the license or permit holder for
8 a noncommercial purpose.

9 **SEC. 4. EXEMPTION FOR DOGFISH.**

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

15 (b) REPORT.—By not later than January 1, 2027,
16 the Secretary of Commerce should review the exemption
17 in subsection (a) and should prepare and submit to the
18 Congress a report that includes a recommendation on
19 whether the exemption should continue or be terminated.
20 In preparing such report and making such recommenda-
21 tion, the Secretary should analyze factors including—

22 (1) the economic viability of dogfish fisheries
23 with and without the continuation of the exemption;

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

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

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

5 **SEC. 5. INCLUSION OF RAYS AND SKATES IN SEAFOOD**
6 **TRACEABILITY PROGRAM.**

7 Not later than 1 year after the date of the enactment
8 of this Act, the Secretary of Commerce shall revise section
9 300.324 of title 50, Code of Federal Regulations, to in-
10 clude rays and skates in the species and species groups
11 specified in subsection (a)(2) of such section.

12 **SEC. 6. DEFINITIONS.**

13 In this Act:

14 (1) SHARK.—The term “shark” means any spe-
15 cies of the orders Pristiophoriformes,
16 Squatiniiformes, Squaliformes, Hexanchiiformes,
17 Lamniformes, Carchariniiformes, Orectolobiformes,
18 and Heterodontiformes.

19 (2) SHARK FIN.—The term “shark fin” means
20 the raw, dried, or otherwise processed detached fin,
21 or the raw, dried, or otherwise processed detached
22 tail, of a shark.

23 **SEC. 7. STATE AUTHORITY.**

24 Nothing in this Act affects any right of a State or
25 territory of the United States to adopt or enforce any reg-

1 ulation or standard that is more stringent than a regula-
2 tion or standard in effect under this Act.

3 **SEC. 8. DETERMINATION OF BUDGET EFFECTS.**

4 The budgetary effects of this Act, for the purpose of
5 complying with the Statutory Pay-As-You-Go Act of 2010,
6 shall be determined by reference to the latest statement
7 titled “Budgetary Effects of PAYGO Legislation” for this
8 Act, submitted for printing in the Congressional Record
9 by the Chairman of the House Budget Committee, pro-
10 vided that such statement has been submitted prior to the
11 vote on passage.

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