

the rights of local people to manage, or benefit directly and indirectly from wildlife and other natural resources in a long-term biologically viable manner and includes—

(A) devolving management and governance to local communities to create positive conditions for resource use that takes into account current and future ecological requirements; and

(B) building the capacity of communities for conservation and natural resource management.

(4) Country of concern

The term “country of concern” refers to a foreign country specially designated by the Secretary of State pursuant to subsection (b) of section 7621 of this title as a major source of wildlife trafficking products or their derivatives, a major transit point of wildlife trafficking products or their derivatives, or a major consumer of wildlife trafficking products, in which the government has actively engaged in or knowingly profited from the trafficking of endangered or threatened species.

(5) Focus country

The term “focus country” refers to a foreign country determined by the Secretary of State to be a major source of wildlife trafficking products or their derivatives, a major transit point of wildlife trafficking products or their derivatives, or a major consumer of wildlife trafficking products.

(6) Defense article; defense service; significant military equipment; training

The terms “defense article”, “defense service”, “significant military equipment”, and “training” have the meanings given such terms in section 2794 of title 22.

(7) Implementation Plan

The term “Implementation Plan” means the Implementation Plan for the National Strategy for Combating Wildlife Trafficking released on February 11, 2015, a modification of that plan, or a successor plan.

(8) National Strategy

The term “National Strategy” means the National Strategy for Combating Wildlife Trafficking published on February 11, 2014, a modification of that strategy, or a successor strategy.

(9) National wildlife services

The term “national wildlife services” refers to the ministries and government bodies designated to manage matters pertaining to wildlife management, including poaching or trafficking, in a focus country.

(10) Security force

The term “security force” means a military, law enforcement, gendarmerie, park ranger, or any other security force with a responsibility for protecting wildlife and natural habitats.

(11) Task Force

The term “Task Force” means the Presidential Task Force on Wildlife Trafficking, as established by Executive Order 13648 (78 Fed.

Reg. 40621) and modified by section 7621¹ of this title.

(12) Wildlife trafficking

The term “wildlife trafficking” refers to the poaching or other illegal taking of protected or managed species and the illegal trade in wildlife and their related parts and products.

(Pub. L. 114–231, §2, Oct. 7, 2016, 130 Stat. 949.)

Editorial Notes

REFERENCES IN TEXT

This chapter, referred to in text, was in the original “this Act”, meaning Pub. L. 114–231, Oct. 7, 2016, 130 Stat. 949, known as the Eliminate, Neutralize, and Disrupt Wildlife Trafficking Act of 2016, which is classified principally to this chapter. For complete classification of this Act to the Code, see Short Title note below and Tables.

Executive Order 13648, referred to in pars. (2) and (11), is Ex. Ord. No. 13648, July 1, 2013, 78 F.R. 40621, which is set out as a note under section 1531 of this title.

Section 7621 of this title, referred to in par. (11), was in the original a reference to “section 201” but probably should be a reference “section 301”, meaning section 301 of Pub. L. 114–231, which is classified to section 7631 of this title and relates to the Presidential Task Force on Wildlife Trafficking.

Statutory Notes and Related Subsidiaries

SHORT TITLE

Pub. L. 114–231, §1(a), Oct. 7, 2016, 130 Stat. 949, provided that: “This Act [enacting this chapter and amending section 1956 of Title 18, Crimes and Criminal Procedure, and section 1978 of Title 22, Foreign Relations and Intercourse] may be cited as the ‘Eliminate, Neutralize, and Disrupt Wildlife Trafficking Act of 2016.’”

SUBCHAPTER I—PURPOSES AND POLICY

§ 7611. Purposes

The purposes of this chapter are—

(1) to support a collaborative, interagency approach to address wildlife trafficking;

(2) to protect and conserve the remaining populations of wild elephants, rhinoceroses, and other species threatened by poaching and the illegal wildlife trade;

(3) to disrupt regional and global transnational organized criminal networks and to prevent the illegal wildlife trade from being used as a source of financing for criminal groups that undermine United States and global security interests;

(4) to prevent wildlife poaching and trafficking from being a means to make a living in focus countries;

(5) to support the efforts of, and collaborate with, individuals, communities, local organizations, and foreign governments to combat poaching and wildlife trafficking;

(6) to assist focus countries in implementation of national wildlife anti-trafficking and poaching laws; and

(7) to ensure that United States assistance to prevent and suppress illicit wildlife trafficking is carefully planned and coordinated, and that it is systematically and rationally

¹ See References in Text note below.

prioritized on the basis of detailed analysis of the nature and severity of threats to wildlife and the willingness and ability of foreign partners to cooperate effectively toward these ends.

(Pub. L. 114-231, title I, §101, Oct. 7, 2016, 130 Stat. 951.)

Editorial Notes

REFERENCES IN TEXT

This chapter, referred to in text, was in the original “this Act”, meaning Pub. L. 114-231, Oct. 7, 2016, 130 Stat. 949, known as the Eliminate, Neutralize, and Disrupt Wildlife Trafficking Act of 2016, which is classified principally to this chapter. For complete classification of this Act to the Code, see Short Title note under section 7601 of this title and Tables.

§ 7612. Statement of United States policy

It is the policy of the United States—

(1) to take immediate actions to stop the illegal global trade in wildlife and wildlife products and associated transnational organized crime;

(2) to provide technical and other forms of assistance to help focus countries halt the poaching of elephants, rhinoceroses, and other imperiled species and end the illegal trade in wildlife and wildlife products, including by providing training and assistance in—

(A) wildlife protection and management of wildlife populations;

(B) anti-poaching and effective management of protected areas including community managed and privately-owned lands;

(C) local engagement of security forces in anti-poaching responsibilities, where appropriate;

(D) wildlife trafficking investigative techniques, including forensic tools;

(E) transparency and corruption issues;

(F) management, tracking, and inventory of confiscated wildlife contraband;

(G) demand reduction strategies in countries that lack the means and resources to conduct them; and

(H) bilateral and multilateral agreements and cooperation;

(3) to employ appropriate assets and resources of the United States Government in a coordinated manner to curtail poaching and disrupt and dismantle illegal wildlife trade networks and the financing of those networks in a manner appropriate for each focus country;

(4) to build upon the National Strategy and Implementation Plan to further combat wildlife trafficking in a holistic manner and guide the response of the United States Government to ensure progress in the fight against wildlife trafficking; and

(5) to recognize the ties of wildlife trafficking to broader forms of transnational organized criminal activities, including trafficking, and where applicable, to focus on those crimes in a coordinated, cross-cutting manner.

(Pub. L. 114-231, title I, §102, Oct. 7, 2016, 130 Stat. 951.)

SUBCHAPTER II—REPORT ON MAJOR WILDLIFE TRAFFICKING COUNTRIES

§ 7621. Report

(a) Report

Not later than one year after October 7, 2016, and annually thereafter, the Secretary of State, in consultation with the Secretary of the Interior and the Secretary of Commerce, shall submit to Congress a report that lists each country determined by the Secretary of State to be a focus country within the meaning of this chapter.

(b) Special designation

In each report required under subsection (a), the Secretary of State, in consultation with the Secretary of the Interior and the Secretary of Commerce, shall identify each country of concern listed in the report the government of which has actively engaged in or knowingly profited from the trafficking of endangered or threatened species.

(c) Sunset

This section shall terminate on the date that is 5 years after October 7, 2016.

(Pub. L. 114-231, title II, §201, Oct. 7, 2016, 130 Stat. 952.)

TERMINATION OF SECTION

For termination of section 5 years after Oct. 7, 2016, see subsec. (c) of this section.

Editorial Notes

REFERENCES IN TEXT

This chapter, referred to in subsec. (a), was in the original “this Act”, meaning Pub. L. 114-231, Oct. 7, 2016, 130 Stat. 949, known as the Eliminate, Neutralize, and Disrupt Wildlife Trafficking Act of 2016, which is classified principally to this chapter. For complete classification of this Act to the Code, see Short Title note under section 7601 of this title and Tables.

SUBCHAPTER III—FRAMEWORK FOR INTERAGENCY RESPONSE

§ 7631. Presidential Task Force on Wildlife Trafficking

(a) Responsibilities

In addition to the functions required by Executive Order 13648 (78 Fed. Reg. 40621), the Task Force shall be informed by the Secretary of State’s annual report required under section 7621 of this title and considering all available information, ensure that relevant United States Government agencies—

(1) collaborate, to the greatest extent practicable, with the national wildlife services, or other relevant bodies of each focus country to prepare, not later than 90 days after the date of submission of the report required under section 7621(a) of this title, a United States mission assessment of the threats to wildlife in that focus country and an assessment of the capacity of that country to address wildlife trafficking;

(2) collaborate, to the greatest extent practicable, with relevant ministries, national wildlife services, or other relevant bodies of