

111TH CONGRESS
2^D SESSION

H. R. 5804

To prohibit trade in billfish.

IN THE HOUSE OF REPRESENTATIVES

JULY 21, 2010

Mr. SHADEGG (for himself, Ms. ROS-LEHTINEN, Ms. WASSERMAN SCHULTZ, Mr. CAO, and Mr. MARIO DIAZ-BALART of Florida) introduced the following bill; which was referred to the Committee on Natural Resources, and in addition to the Committees on Foreign Affairs and Ways and Means, 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 trade in billfish.

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 “Billfish Conservation
5 Act of 2010”.

6 **SEC. 2. STATEMENT OF CONSTITUTIONAL AUTHORITY.**

7 The Congress enacts this Act pursuant to clause 3
8 of section 8 of article I of the United States Constitution.

1 **SEC. 3. PROHIBITION ON TRADE IN BILLFISH.**

2 (a) PROHIBITION.—No person shall offer for sale,
3 sell, import, or export, or have custody, control, or posses-
4 sion of for purposes of offering for sale, selling, importing,
5 or exporting, billfish or products containing billfish.

6 (b) PENALTY.—For purposes of section 308(a) of the
7 Magnuson-Stevens Fishery Conservation and Manage-
8 ment Act (16 U.S.C. 1858(a)), a violation of this section
9 shall be treated as an act prohibited by section 307 of
10 that Act (16 U.S.C. 1857).

11 (c) BILLFISH DEFINED.—In this section the term
12 “billfish”—

13 (1) means any fish of the species—

14 (A) *Makaira nigricans* (blue marlin);

15 (B) *Kajikia audax* (striped marlin);

16 (C) *Istiompax indica* (black marlin);

17 (D) *Istiophorus platypterus* (sailfish);

18 (E) *Tetrapturus angustirostris* (shortbill
19 spearfish);

20 (F) *Kajikia albida* (white marlin);

21 (G) *Tetrapturus georgii* (roundscale spear-
22 fish);

23 (H) *Tetrapturus belone* (Mediterranean
24 spearfish); and

25 (I) *Tetrapturus pfluegeri* (longbill spear-
26 fish); and

- 1 (2) does not include the species *Xiphias gladius*
- 2 (swordfish).

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