

END Wildlife Trafficking Reauthorization and Improvements Act of 2021

Senators Chris Coons (D-DE) and Rob Portman (R-OH), and Representatives Jeff Fortenberry (R-NE) and Grace Meng (D-NY)

Section-by-Section

Sec. 1: Title – *Eliminate, Neutralize, and Disrupt (END) Wildlife Trafficking Reauthorization and Improvements Act of 2021*

Sec. 2: Sense of Congress

- The United States should continue to work with international partners to identify wildlife poaching and trafficking across global supply chains.
- The activities of the Presidential Task Force on Wildlife Trafficking should be reauthorized.

Sec. 3: Definitions

- Amends the *END Wildlife Trafficking Act of 2016*'s definition of “country of concern” to include a foreign country designated by the Secretary of State as a major source of wildlife trafficking products or their derivatives, a major transit point of wildlife trafficking products, or a major consumer of wildlife trafficking products in which the government has actively engaged in, profited from, or failed to prevent trafficking.

Sec. 4: Framework for Interagency Response and Reporting

- Reauthorizes the Report on Major Wildlife Trafficking Countries and requires it to be published biennially.
- Requires the Presidential Task Force on Wildlife Trafficking to work with the private sector, academia, and NGOs to:
 - Expand the role of technology in anti-poaching and anti-trafficking efforts.
 - Consider actions to address the expansion of illegal wildlife trade to digital platforms, including the use of digital currency and payment platforms for transactions.
 - Establish procedures for removing countries from the list of “countries of concern” and to publish these procedures in the next report.
 - Implement programs in countries of concern to address the drivers of poaching, trafficking, and demand for illegal wildlife and wildlife products in focus countries and countries of concern
- Requires the Strategic Review of the Presidential Task Force to include:
 - An analysis of the indicators developed by the Task Force to track and measure inputs, outputs, law enforcement outcomes, and the market for wildlife products in each focus country.

Sec. 5: Funding Safeguards

- Amends the *Foreign Assistance Act* to require the Department of State to work with relevant agencies to evaluate foreign entities that are seeking assistance from the United States for anti-trafficking and anti-poaching efforts to ensure that countries have not committed violations of human rights.

Sec. 6: Issuance of Subpoenas in Wildlife Trafficking Civil Penalty Enforcement Actions

- Amends the *Endangered Species Act* (ESA), *Lacey Act*, and *Bald and Golden Eagle Protection Act* to allow the U.S. Fish and Wildlife Service (USFWS) and the National Oceanic and Atmospheric Administration (NOAA) to issue subpoenas for witnesses and the production of any records relevant to investigations related to the import or export any fish, wildlife, or plants in violation of those laws.
- Specifies that the USFWS and NOAA will only be permitted to use the new administrative subpoena authority when investigating violations of the *ESA*, *Lacey Act*, and *Bald and Golden Eagle Protection Act*.