

[DISCUSSION DRAFT]

117TH CONGRESS
1ST SESSION

H. R. _____

To require the Secretary of the Treasury to conduct a study with respect to wildlife trafficking and submit a report, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

M. _____ introduced the following bill; which was referred to the
Committee on _____

A BILL

To require the Secretary of the Treasury to conduct a study with respect to wildlife trafficking and submit a report, 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 “Combating Wildlife
5 Trafficking and Proceeds Study Act”.

6 **SEC. 2. FINDINGS.**

7 The Congress finds the following:

1 (1) The report published in the year 2017 by
2 the Global Financial Integrity title “Transnational
3 Crime and the Developing World” determined that
4 the annual global retail value of illegal wildlife trade
5 is between \$5 billion to \$23 billion, and when losses
6 to ecosystem services are considered, the World
7 Bank estimates the cost of environmental crime is
8 between 1 trillion dollars and 2 trillion dollars, an-
9 nually.

10 (2) Wildlife traffickers do not prefer particular
11 species or commodities, but instead, according to the
12 non-governmental organization, United for Wildlife,
13 wildlife traffickers focus on the demand, availability,
14 profit potential, and risk associated with acquiring,
15 trading, and distributing wildlife globally.

16 (3) The trafficking of wildlife affects human
17 health because of undetected spread of zoonotic dis-
18 eases, scarcity in food resources, and the environ-
19 mental results of degraded ecosystems.

20 (4) The proceeds of the illicit wildlife trafficking
21 such as pangolins from Africa, macaws from Peru,
22 and rosewood species trafficked globally threaten our
23 national security at home and American interests
24 abroad because such trafficking provides financing
25 to terrorists and transnational criminal organiza-

1 tions which abuse wildlife trafficking to fund illegal
2 and violent acts throughout the world, corrupting
3 governments and criminal justice systems, weak-
4 ening the rule of law, robbing consumer states of
5 revenue, and distorting commercial markets.

6 (5) The Organized Crime Drug Enforcement
7 Task Forces conducted an investigation known as
8 “Operation Apex” which identified extensive overlaps
9 among drug trafficking organizations, professional
10 money launderers, and wildlife trafficking syn-
11 dicates.

12 (6) A study conducted by various Federal enti-
13 ties that examined wildlife trafficking networks de-
14 termined that—

15 (A) more than 75 percent of persons traf-
16 ficking wildlife also trafficked narcotics;

17 (B) 10 percent of persons trafficking wild-
18 life were doing so to finance terrorism; and

19 (C) a small percentage of persons traf-
20 ficking wildlife were doing so to finance the pro-
21 liferation of nuclear materials.

22 (7) Because wildlife trafficking is executed as
23 part of a commodity-agnostic global enterprise, the
24 United States and allies of the United States should
25 focus efforts to reduce wildlife trafficking on cur-

1 tailing the expansive networks that traffic wildlife
2 and other goods and on bringing enforcement ac-
3 tions against persons who launder the proceeds of
4 those persons who traffic wildlife rather than pursue
5 specific nations, groups, or commodities.

6 (8) In the past decade, the illicit wildlife trade
7 has moved online, mainly to social media platforms,
8 creating jurisdictional and technical challenges for
9 law enforcement.

10 **SEC. 3. STUDY.**

11 (a) IN GENERAL.—The Secretary of the Treasury
12 shall, not later than 2 years after the date of the enact-
13 ment of this Act, conduct a study with respect to wildlife
14 trafficking and submit a report as described in subsection
15 (c) to the—

16 (1) The Committee on Financial Services of the
17 House of Representatives;

18 (2) The Committee on Armed Services of the
19 House of Representatives;

20 (3) The Committee on Natural Resources of the
21 House of Representatives; and

22 (4) The Committee on Foreign Affairs of the
23 House of Representatives.

24 (b) CONSULTATION.—When conducting the study re-
25 quired under subsection (a), the Secretary of the Treasury

1 shall consult with other Federal officials as the Secretary
2 of the Treasury determines appropriate, including the Di-
3 rector of the Fish and Wildlife Service, the Secretary of
4 State, the Director of National Intelligence, and the Sec-
5 retary of Defense.

6 (c) INPUT.—When conducting the study required
7 under subsection (a), the Secretary of the Treasury shall
8 solict and incorporate, where possible and as determined
9 appropriate by the Secretary of the Treasury, input
10 from—

11 (1) domestic, foreign, and multilateral law en-
12 forcement organizations,

13 (2) the intelligence community;

14 (3) wildlife advocates;

15 (4) experts in transnational organized crime,
16 cyber crime, and illicit finance; and

17 (5) Nongovernmental organizations, academia,
18 foundations, and other public and private entities.

19 (d) CONTENTS OF REPORT.—The report submitted
20 by the Secretary of the Treasury pursuant to subsection
21 (a) shall include—

22 (1) an overview of the criminal and complicit
23 actors, including individuals, organizations, corrupt
24 networks, and States, that participate in wildlife

1 trafficking from source to market, both proactively
2 and permissively.

3 (2) an overview of the roles of professional
4 money launderers, corporate and trust formation
5 agents, kleptocrats, and other supply chain and fi-
6 nancial facilitators with respect to wildlife traf-
7 ficking;

8 (3) an overview of the types of wildlife traf-
9 ficked, for what purposes, and from where;

10 (4) a discussion, based on a consideration of
11 relevant prior studies and investigations, of the con-
12 vergence of wildlife trafficking with other types of
13 trafficking, including trafficking in persons and nar-
14 cotics trafficking, including shared supply chains
15 and financial facilitators;

16 (5) an overview of the national security implica-
17 tions associated with wildlife trafficking and the fi-
18 nancing of wildlife trafficking, including—

19 (A) potential threats to security, including
20 corruption and State instability resulting from
21 wildlife trafficking; and

22 (B) potential threats to public health, in-
23 cluding global pandemic and ecosystem collapse;

1 (6) an examination with respect to the ways in
2 which corrupt officials and politically exposed per-
3 sons enable and engage in wildlife trafficking;

4 (7) an examination of payments methods used
5 to facilitate the trafficking of wildlife;

6 (8) an examination of how online platforms are
7 used to facilitate trafficking and trafficking-related
8 payments that—

9 (A) describes the extent to which illicit
10 wildlife trade occurs online, including through
11 social media platforms, ecommerce sites, and
12 encrypted messaging and other surface web
13 platforms;

14 (B) identifies payments and proceeds re-
15 lated reasons that different online platforms
16 may be chosen by persons trafficking in wildlife;
17 and

18 (C) identifies which online platforms have
19 that are used most for transactions and pay-
20 ments involving trafficking in wildlife;

21 (9) examines private-sector best practices and
22 shortfalls for combating wildlife trafficking, includ-
23 ing those found in the financial services industry;

24 (10) discusses ways in which existing laws, mul-
25 tilateral agreements, and forums could be expanded

1 or modified to combat wildlife trafficking and its
2 proceeds;

3 (11) identifies tools of international and na-
4 tional engagement, including partnerships with pri-
5 vate sector and international financial institutions,
6 that could be coordinated to combat wildlife traf-
7 ficking and its proceeds;

8 (12) recommends ways in which interdiscipli-
9 nary collaboration across Federal agencies could be
10 incentivized to maximize information and analysis
11 from investigations into other types of trafficking
12 and which may benefit from the information and
13 analysis gleaned from wildlife trafficking investiga-
14 tions;

15 (13) examines how data collection, collabora-
16 tion, analysis, and technology tools, including artifi-
17 cial intelligence and machine learning might be le-
18 veraged to combat wildlife trafficking and its pro-
19 ceeds;

20 (14) recommends whether Congress should
21 renew the wildlife trafficking task force authorized
22 in the END Act and sunseting in December 2021;

23 (15) examines how anti-corruption activities
24 and practices could be included in existing Federal

1 and international wildlife trafficking prevention and
2 enforcement efforts.

3 (e) CLASSIFICATION OF REPORT.—The report may
4 be submitted in classified form but shall have an unclassi-
5 fied annex or executive summary.