

**Suspend the Rules and Pass the Bill, H. R. 2706, With an  
Amendment**

**(The amendment strikes all after the enacting clause and inserts a  
new text)**

112TH CONGRESS  
1ST SESSION

# H. R. 2706

To prohibit the sale of billfish.

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## IN THE HOUSE OF REPRESENTATIVES

JULY 29, 2011

Mr. MILLER of Florida (for himself, Mr. ROSS of Arkansas, Mr. SHULER, Mr. LATTA, Mr. DUNCAN of South Carolina, Mr. WITTMAN, Mr. BOREN, Mr. MICHAUD, and Mr. BONNER) introduced the following bill; which was referred to the Committee on Natural Resources

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## A BILL

To prohibit the sale of 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 2012”.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

1           (1) The United States carefully regulates its  
2 domestic fisheries for billfish and participates in  
3 international fishery management bodies in the At-  
4 lantic and Pacific.

5           (2) Global billfish populations have declined sig-  
6 nificantly, however, because of overfishing primarily  
7 through retention of bycatch by non-United States  
8 commercial fishing fleets.

9           (3) Ending the importation of foreign-caught  
10 billfish for sale in the United States aligns with U.S.  
11 management measures of billfish and protects the  
12 significant economic benefits to the U.S. economy of  
13 recreational fishing and marine commerce and the  
14 traditional cultural fisheries.

15 **SEC. 3. STATEMENT OF CONSTITUTIONAL AUTHORITY.**

16       The Congress enacts this Act pursuant to clause 3  
17 of section 8 of article I of the Constitution.

18 **SEC. 4. PROHIBITION ON SALE OF BILLFISH.**

19       (a) PROHIBITION.—No person shall offer for sale,  
20 sell, or have custody, control, or possession of for purposes  
21 of offering for sale or selling billfish or products con-  
22 taining billfish.

23       (b) PENALTY.—For purposes of section 308(a) of the  
24 Magnuson-Stevens Fishery Conservation and Manage-  
25 ment Act (16 U.S.C. 1858(a)), a violation of this section

1 shall be treated as an act prohibited by section 307 of  
2 that Act (16 U.S.C. 1857).

3 (c) EXEMPTIONS FOR TRADITIONAL FISHERIES AND  
4 MARKETS.—

5 (1) Subsection (a) does not apply to billfish  
6 caught by US fishing vessels and landed in the State  
7 of Hawaii or Pacific Insular Areas as defined in sec-  
8 tion 3(35) of the Magnuson-Stevens Fishery Con-  
9 servation and Management Act (16 U.S.C.  
10 1802(35)).

11 (2) Subsection (a) does not apply to billfish  
12 landed by foreign fishing vessels in the Pacific Insu-  
13 lar Areas when the foreign caught billfish is ex-  
14 ported to non-US markets or retained within Hawaii  
15 and the Pacific Insular Areas for local consumption.

16 (d) BILLFISH DEFINED.—In this section the term  
17 “billfish”—

18 (1) means any fish of the species—

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

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

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

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

23 (E) *Tetrapturus angustirostris* (shortbill  
24 spearfish);

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

1                   (G) *Tetrapturus georgii* (roundscale spear-  
2                   fish);

3                   (H) *Tetrapturus belone* (Mediterranean  
4                   spearfish); and

5                   (I) *Tetrapturus pfluegeri* (longbill spear-  
6                   fish); and

7                   (2) does not include the species *Xiphias gladius*  
8                   (swordfish).