**Subject**: S. 1106 & H.R. 2811 - *Shark Fin Sales Elimination Acts*

**To**: ASMFC Commissioners & Proxies

**From**: Bob Beal & Deke Tompkins

**Date**: June 21, 2021

**Shark Fin Sales Elimination Act Summary**

[S. 1106](https://www.congress.gov/bill/117th-congress/senate-bill/1106) and [H.R. 2811](https://www.congress.gov/bill/117th-congress/house-bill/2811), the *Shark Fin Sales Elimination Acts* prohibit possession, sale, and purchase of shark fins/tails or products containing shark fins/tails. Both bills exempt fresh or frozen raw spiny and smooth dogfish fins and tails; however, the Secretary of Commerce is required to report to Congress by January 1, 2027 with a recommendation on whether the exemption should continue.

Additional exemptions are made for shark fins and tails taken under a state, territorial, or federal license/permit *and* are destroyed upon separation; used for noncommercial subsistence purposes; used for display/research purposes; or retained by a license/permit holder for a noncommercial purpose. S. 1106 does not include a definition for sharks.

H.R. 2811 applies to Pristiophoriformes, Squatiniformes, Squaliformes, Hexanchiformes, Lamniformes, Carchariniformes, Orectolobiformes, and Heterodontiformes.

S1106 was introduced by Sen Corey Booker (D-NJ) on April 28, 2021 and is under the jurisdiction of the Senate Commerce, Science and Transportation Committee. It has 11 cosponsors.

H.R. 2811 was introduced by Rep Gregorio Kilili Camacho Sablan (D-MP) on April 22, 2021 and is under the jurisdiction of the House Natural Resources Committee. It has 140 cosponsors.

**Other Shark Fin Legislation**

Three other bills relating to shark conservation have been introduced in the 117th Congress (2021-2022).

* [H.R. 406](https://www.congress.gov/bill/117th-congress/house-bill/406), the *Shark Sales Elimination Act,* would prohibit the possession and sale of *all* shark parts.
* [S. 1372](https://www.congress.gov/bill/117th-congress/senate-bill/1372) and [H.R. 3360](https://www.congress.gov/bill/117th-congress/house-bill/3360), the *Sustainable Shark Fisheries and Trade Acts* require certification that a nation prohibits shark finning and has sustainable management policies before such products can be imported to the U.S.

None of the bills have advanced through the regular legislative process beyond introduction, however the Senate Commerce Committee included S. 1106, the *Shark Fin Sales Elimination Act* as an amendment to an omnibus technology/manufacturing bill (see below).

**Senate Action on *Shark Fin Sales Elimination Act***

During a May 12, 2021 meeting of the Senate Commerce Committee (Executive Session #7), Sen Emanuel Schatz (D-HI) offered an amendment to S.1260, the [S.1260](https://www.congress.gov/bill/117th-congress/senate-bill/1260), the *Endless Frontier Act,* adding the text of the *Shark Fin Sales Elimination Act* (with dogfish exemption). The Schatz amendment was approved 22-6. Subsequently, Sen Rick Scott (R-FL) attempted to substitute the Schatz amendment for the *Sustainable Shark Fisheries and Trade Act*. The Scott substitute failed 6-22. The Committee approved the *Endless Frontier Act* by a vote of 24-4. Debate on the two amendments can be found [here](https://www.commerce.senate.gov/2021/5/executive-session), beginning at 1:58:00. The full Senate approved the *Endless Frontier Act* on June 8, 2021 by a vote of 68 - 32; it awaits action in the House.