



**Committee of Advisors
to the
Great Lakes Fishery Commission**



**RESOLUTION CONCERNING INTERSTATE SHIPMENT OF
LIVE INJURIOUS ANIMALS**

WHEREAS, the U.S. Fish and Wildlife Service, since the 1960s, has interpreted the Lacey Act as giving them authority to prohibit interstate shipments of federally designated live injurious animals;

WHEREAS, a recent ruling by a Federal appeals court has set aside the traditional interpretation of the "shipment clause" of the Lacey Act;

WHEREAS, movement of live indigenous and non-indigenous species freely throughout the continental U.S. poses a provable threat to ecosystems, native species, humans, and local economies;

WHEREAS, the Great Lakes region is uniquely aware of the threat posed by the interstate transport and movement of live injurious species, such as Asian carp, into and throughout the Great Lakes basin;

WHEREAS, states can and do promulgate regulations against transport of live injurious animals into and within their jurisdictions, and these regulations are complemented by strong federal law enforcement, as it is desirable for enforcement to take place long before they are moved near the Great Lakes basin;

WHEREAS, federal-level regulations that provide blanket prohibition on the shipment of live injurious animals throughout the continental U.S. serve as incentive for businesses to use best practices when shipping non-injurious live animals;

WHEREAS, enforcement of these regulations, when used in conjunctions with state-level enforcement, can provide a much more efficient method of protection; and

WHEREAS, the ability of Great Lakes jurisdictions to prevent the interstate transport and movement of live injurious species into the Great Lakes basin is significantly hampered by this ruling.

THEREFORE, BE IT RESOLVED, the U.S. Committee of Advisors to the Great Lakes Fishery Commission recommend the Lacey Act be amended to adjust the wording of the "shipment clause" to give USFWS the authority to prohibit interstate shipment of live injurious animals;

FURTHER, BE IT RESOLVED, the U.S. Committee of Advisors ask that the U.S. commissioners and secretariat of the Great Lakes Fishery Commission to bring this issue before U.S. federal legislators either directly or in conjunction with other advocacy groups; and

BE IT FINALLY RESOLVED, the U.S. Committee of Advisors to the Great Lakes Fishery Commission urge the Council of Lake Committees to charge the Great Lakes Law Enforcement Committee with reviewing existing state laws and working with the USFWS enforcement branch to ensure state laws meet the criteria necessary for USFWS to take federal enforcement action when possible.

Passed unanimously
June 7, 2017
U.S. Committee of Advisors