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