

These excerpts from the United States "Endangered Species Act" and "the United States Code of Federal Regulations" are provided for information only. Before relying on any portion of the Act as it appears here, reference should be made to the official report of the Act in the United States Code. NOAA Fisheries is responsible for conservation, recovery and enforcement activities for most marine species under this statute.

ENDANGERED SPECIES ACT

CONGRESSIONAL FINDINGS AND DECLARATIONS OF PURPOSES AND POLICY (16 U.S.C. 1531)

(a) Findings - The Congress finds and declares that -

- (1)** various species of fish, wildlife, and plants in the United States have been rendered extinct as a consequence of economic growth and development untempered by adequate concern and conservation;
- (2)** other species of fish, wildlife, and plants have been so depleted in numbers that they are in danger of or threatened with extinction;
- (3)** these species of fish, wildlife, and plants are of esthetic, ecological, educational, historical recreational, and scientific value to the Nation and its people;

(b) Purposes

The purposes of this Act are to provide a means whereby the ecosystems upon which endangered species and threatened species depend may be conserved, to provide a program for the conservation of such endangered species and threatened species, and to take such steps as may be appropriate to achieve the purposes of the treaties and conventions set forth in subsection (a) of this section.

(c) Policy

- (1)** It is further declared to be the policy of Congress that all Federal departments and agencies shall seek to conserve endangered species and threatened species and shall utilize their authorities in furtherance of the purposes of the Act.
- (2)** It is further declared to be the policy of Congress that Federal agencies shall cooperate with State and local agencies to resolve water resource issues in concert with conservation of endangered species.

DEFINITIONS (16 U.S.C. 1532)

For purposes of this Act -

(6) The term "endangered species" means any species which is in danger of extinction throughout all or a significant portion of its range—

(8) The term "fish or wildlife" means any member of the animal kingdom, including without limitations any mammal, fish, bird (including any migratory, nonmigratory, or endangered bird for which protection is also afforded by treaty or other international agreement), amphibian, reptile, mollusk, crustacean, arthropod, or other invertebrate, and includes any part, product, egg, or offspring thereof, or the dead body or parts thereof.

(19) The term "take" means to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct.

(20) The term "threatened species" means any species which is likely to become an endangered species within the foreseeable future throughout all or a significant portion of its range.

PROHIBITED ACTS (16 U.S.C. 1538)

(a) Generally

(1) Except as provided in sections 1535(g)(2) and 1539 of this Act, with respect to any endangered species of fish or wildlife listed pursuant to section 1533 of this Act it is unlawful for any person subject to the jurisdiction of the United States to—

(A) import any such species into, or export any such species from the United States;

(B) take any such species within the United States or territorial sea of the United States;

(C) take any such species upon the high seas;

(D) possess, sell, deliver, carry, transport, or ship, by any means whatsoever, any such species taken in violation of subparagraphs (B) and (C);

(E) deliver, receive, carry, transport, or ship in interstate or foreign commerce, by any means whatsoever and in the course of commercial activity, any such species;

(F) sell or offer for sale in interstate or foreign commerce any such species; or

(G) violate any regulation pertaining to such species or to any threatened species of fish or wildlife listed pursuant to section 1533 of this title and promulgated by the Secretary pursuant to authority provided by this chapter.