



Homeland Security Investigations Commercial Fraud Unit



WILDLIFE TRAFFICKING PROGRAM

The Homeland Security Investigations (HSI) Commercial Fraud Unit (CFU) oversees the wildlife trafficking program. HSI special agents have primary jurisdiction and authority among all federal law enforcement officials to investigate cross-border violations including, but not limited to, violations of Chapter 27 of Title 18 of the U.S. Code (18 U.S.C. § 541 et seq.) and Title 19 – Customs Duties. HSI has the authority to enforce the Lacey Act (16 U.S.C. §§ 3371–3378), making it unlawful to import, export, sell, acquire, or purchase fish, wildlife, or plants that are taken, possessed, transported, or sold. A Lacey Act or Endangered Species Act (ESA) violation often serves as a predicate offense for 18 U.S.C. § 541 (misclassification), 18 U.S.C. § 542 (fraudulent importation documentation), 18 U.S.C. § 545 (importation contrary to law), or 18 U.S.C. § 554 (exportation contrary to law) which are charges more likely to result in criminal convictions than a standalone Lacey Act or ESA violation.



Domestically, HSI is uniquely positioned with full law enforcement and customs authorities at and beyond the border. HSI is the only U.S. agency with the combination of border search authority and full access to trade data and bank secrecy act data. These are powerful tools for conducting complex criminal investigations. HSI's skillset includes investigations of entities that exploit vulnerabilities in the commercial supply chain for illicit financial gain. HSI has 93 foreign offices in 56 countries facilitating investigations of transnational criminal organizations, supporting capacity building, and assisting foreign law enforcement investigations. HSI Attachés work in partnership with our foreign national and regional police partners utilizing its customs and immigration authorities to combat transnational organized crime, including wildlife and other natural capital trafficking.



In 2013, the Executive Order, “Combating Wildlife Trafficking,” created a task force to develop a U.S. Government National Strategy and subsequent implementation plan. HSI was active in building the implementation plan and focused input on existing HSI resources and expertise capable of executing the plan's enforcement and investigative fundamentals. More recently, on February 9, 2017, another Executive Order, “Enforcing Federal Law with Respect to Transnational Criminal Organizations and Preventing International Trafficking,” recognized the connection between wildlife trafficking and transnational criminal networks and placed emphasis on impeding “the illegal concealment or transfer of proceeds derived from such illicit activities.” This emphasis on identifying illicit proceeds plays directly to HSI's strength in conducting financial investigations. Additionally, criminal violations of customs law like 18 U.S.C. § 541 (goods falsely classified), 18 U.S.C. § 542 (entry of goods by means of false statements), 18 U.S.C. § 545 (smuggling goods into the United States), and 18 U.S.C. § 554 (smuggling goods from the United States) are all effective predicate offenses or specified unlawful activities (SUAs), for charging money laundering.