

104TH CONGRESS
1ST SESSION

S. 968

To require the Secretary of the Interior to prohibit the import, export, sale, purchase, and possession of bear viscera or products that contain or claim to contain bear viscera, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JUNE 27 (legislative day, JUNE 19), 1995

Mr. McCONNELL introduced the following bill; which was read twice and referred to the Committee on Finance

A BILL

To require the Secretary of the Interior to prohibit the import, export, sale, purchase, and possession of bear viscera or products that contain or claim to contain bear viscera, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Bear Protection Act”.

5 **SEC. 2. DEFINITION OF BEAR VISCERA.**

6 In this Act, the term “bear viscera” means the body
7 fluids or internal organs (including the gallbladder) of a
8 species of bear.

1 **SEC. 3. PROHIBITED ACTS.**

2 The Secretary of the Interior shall prohibit—

3 (1) the import into the United States, or export
4 from the United States, of bear viscera or products
5 that contain or claim to contain bear viscera; and

6 (2) the sale, barter, offer of sale or barter, pur-
7 chase, or possession with intent to sell or barter, in
8 interstate or foreign commerce, of bear viscera or
9 products that contain or claim to contain bear
10 viscera.

11 **SEC. 4. REPORT BY SECRETARY OF THE INTERIOR.**

12 Not later than 180 days after the date of enactment
13 of this Act, the Secretary of the Interior, in consultation
14 with the Secretary of the Treasury, shall prepare and sub-
15 mit to Congress a report that describes—

16 (1) how to improve the effectiveness of the wild-
17 life monitoring and inspection program of the De-
18 partment of the Interior (including the computerized
19 information system or any other system of the
20 United States Fish and Wildlife Service or the Unit-
21 ed States Customs Service that records data) with
22 respect to the importation or exportation of bear
23 viscera and other bear and other wildlife body parts
24 to and from the United States; and

25 (2) any plans of the United States Fish and
26 Wildlife Service to monitor the illegal movement of,

1 or commercial activity in, bear viscera or other bear
2 body parts.

3 **SEC. 5. DISCUSSIONS CONCERNING TRADE PRACTICES.**

4 The United States Trade Representative and the Sec-
5 retary of the Interior shall—

6 (1) discuss issues involving trade in bear viscera
7 with the appropriate representatives of such coun-
8 tries trading with the United States as are deter-
9 mined jointly by the Secretary of Commerce and the
10 Secretary of the Interior to be the leading importers,
11 exporters, or consumers of bear viscera; and

12 (2) attempt to establish coordinated efforts with
13 the countries to protect bears.

14 **SEC. 6. RELATIONSHIP TO STATE LAW.**

15 Nothing in this Act precludes the regulation under
16 State law of the sale, barter, offer of sale or barter, pur-
17 chase, or possession with intent to sell or barter, of bear
18 viscera or products that contain or claim to contain bear
19 viscera, if the regulation—

20 (1) does not authorize any sale, barter, offer of
21 sale or barter, purchase, or possession with intent to
22 sell or barter, of bear viscera or products that con-
23 tain or claim to contain bear viscera, that is prohib-
24 ited under this Act; and

1 (2) is consistent with the international obliga-
2 tions of the United States.

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