

104TH CONGRESS
1ST SESSION

H. R. 2240

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 HOUSE OF REPRESENTATIVES

AUGUST 4, 1995

Mr. PORTER (for himself, Mr. FALEOMAVAEGA, Mr. RICHARDSON, Mr. BEIL-ENSON, Mr. EHLERS, Mr. OBERSTAR, Mr. YATES, Mr. KASICH, Mr. TALENT, Mrs. MALONEY, Mr. FARR, Mr. GEJDENSON, Ms. RIVERS, and Mr. JACOBS) introduced the following bill; which was referred to the Committee on Resources, and in addition to the Committees on International Relations, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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”.

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

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

5 **SEC. 3. PROHIBITED ACTS.**

6 The Secretary of the Interior shall prohibit—

7 (1) the import into the United States, or export
8 from the United States, of bear viscera or products
9 that contain or claim to contain bear viscera; and

10 (2) the sale, barter, offer of sale or barter, pur-
11 chase, or possession with intent to sell or barter, in
12 interstate or foreign commerce, of bear viscera or
13 products that contain or claim to contain bear
14 viscera.

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

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

20 (1) how to improve the effectiveness of the wild-
21 life monitoring and inspection program of the De-
22 partment of the Interior (including the computerized
23 information system or any other system of the
24 United States Fish and Wildlife Service or the Unit-
25 ed States Customs Service that records data) with
26 respect to the importation or exportation of bear

1 viscera and other bear and other wildlife body parts
2 to and from the United States; and

3 (2) any plans of the United States Fish and
4 Wildlife Service to monitor the illegal movement of,
5 or commercial activity in, bear viscera or other bear
6 body parts.

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

8 The United States Trade Representative and the Sec-
9 retary of the Interior shall—

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

16 (2) attempt to establish coordinated efforts with
17 the countries to protect bears.

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

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

24 (1) does not authorize any sale, barter, offer of
25 sale or barter, purchase, or possession with intent to

1 sell or barter, of bear viscera or products that con-
2 tain or claim to contain bear viscera, that is prohib-
3 ited under this Act; and

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

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