

116TH CONGRESS
1ST SESSION

H. R. 5489

To amend the Marine Mammal Protection Act of 1972 to allow importation of polar bear trophies taken in sport hunts in Canada before the date the polar bear was determined to be a threatened species under the Endangered Species Act of 1973, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 18, 2019

Mr. YOUNG (for himself and Mr. SMUCKER) introduced the following bill;
which was referred to the Committee on Natural Resources

A BILL

To amend the Marine Mammal Protection Act of 1972 to allow importation of polar bear trophies taken in sport hunts in Canada before the date the polar bear was determined to be a threatened species under the Endangered Species Act of 1973, 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 “Polar Bear Conserva-
5 tion and Fairness Act”.

1 **SEC. 2. PERMITS FOR IMPORTATION OF POLAR BEAR TRO-**
2 **PHIES TAKEN IN SPORT HUNTS IN CANADA.**

3 Section 104(c)(5)(D) of the Marine Mammal Protec-
4 tion Act of 1972 (16 U.S.C. 1374(c)(5)(D)) is amended
5 to read as follows:

6 “(D)(i) The Secretary of the Interior shall, ex-
7 peditiously after the expiration of the applicable 30-
8 day period under subsection (d)(2), issue a permit
9 for the importation of any polar bear part (other
10 than an internal organ) from a polar bear taken in
11 a sport hunt in Canada to any person—

12 “(I) who submits, with the permit applica-
13 tion, proof that the polar bear was legally har-
14 vested by the person before February 18, 1997;
15 or

16 “(II) who has submitted, in support of a
17 permit application submitted before May 15,
18 2008, proof that the polar bear was legally har-
19 vested by the person before May 15, 2008, from
20 a polar bear population from which a sport-
21 hunted trophy could be imported before that
22 date in accordance with section 18.30(i) of title
23 50, Code of Federal Regulations.

24 “(ii) The Secretary shall issue permits under
25 clause (i)(I) without regard to subparagraphs (A)
26 and (C)(ii) of this paragraph, subsection (d)(3), and

1 sections 101 and 102. Sections 101(a)(3)(B) and
2 102(b)(3) shall not apply to the importation of any
3 polar bear part authorized by a permit issued under
4 clause (i)(I). This clause shall not apply to polar
5 bear parts that were imported before June 12, 1997.

6 “(iii) The Secretary shall issue permits under
7 clause (i)(II) without regard to subparagraph (C)(ii)
8 of this paragraph or subsection (d)(3). Sections
9 101(a)(3)(B) and 102(b)(3) shall not apply to the
10 importation of any polar bear part authorized by a
11 permit issued under clause (i)(II). This clause shall
12 not apply to polar bear parts that were imported be-
13 fore the date of enactment of the Polar Bear Con-
14 servation and Fairness Act.”

○