To amend the Marine Mammal Protection Act of 1972 to strengthen polar bear conservation efforts, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MAY 16, 2007

Mr. KERRY (for himself and Ms. SNOWE) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

A BILL

To amend the Marine Mammal Protection Act of 1972 to strengthen polar bear conservation efforts, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Polar Bear Protection Act of 2007”.

SEC. 2. FINDINGS AND PURPOSES.

(a) FINDINGS.—Congress finds that—

(1) section 101 of the Marine Mammal Protection Act of 1972 (16 U.S.C. 1371) establishes a
moratorium relating to the importation of marine mammals and marine mammal products, including the importation of all sport-hunted marine mammal trophies;

(2) in 1994, that Act was amended to create an exemption from the moratorium that allows the importation of sport-hunted polar bear trophies from Canada;

(3) this exemption has increased Canadian polar bear mortalities from United States sport hunters;

(4) polar bears—

(A) have low reproductive rates;

(B) have long lives;

(C) rely on high adult survival rates to maintain population numbers; and

(D) are under stress from climate change and habitat degradation;

(5) in July 2005, the World Conservation Union Polar Bear Specialist Group released a quadrennial report, in which the Group—

(A) reviewed the status of polar bears; and

(B) concluded that the species should be upgraded from “a species of least concern” to “vulnerable” based on the “likelihood of an
overall decline in the size of the total population
of more than 30 percent within the next 35 to
50 years’; and

(6) based on threats posed to polar bears, on
December 27, 2006, the Department of the Interior
proposed that polar bears be listed under the En-
dangered Species Act of 1973 (16 U.S.C. 1531 et
seq.) as a threatened species.

(b) PURPOSES.—The purposes of this Act are—

(1) to ensure that citizens of the United States
do not contribute to polar bear mortalities in Can-
da by removing the exemption in the Marine Mammal Protection Act of 1972 (16 U.S.C. 1361 et seq.)
that allows for the Secretary of the Interior to issue
permits to United States trophy hunters for the im-
portation of polar bear trophies from Canada;

(2) to heed the warnings of the Department of
the Interior and the World Conservation Union
Polar Bear Specialist Group that polar bears are at
risk and could become endangered by prohibiting the
importation of polar bear trophies from Canada; and

(3) to further the goals of the International
Agreement on the Conservation of Polar Bears, done
at Oslo, November 15, 1973 (27 UST 3918), to
which all 5 countries with polar bears within the
borders of the countries are a party.

SEC. 3. PROHIBITION OF THE IMPORTATION OF POLAR
BEARS AND POLAR BEAR PARTS.

The Marine Mammal Protection Act of 1972 (16
U.S.C. 1361 et seq.) is amended—

(1) in section 101(a)(1) (16 U.S.C. 1371(a)(1))—

(A) in the first sentence, by striking ‘‘, or
for importation of polar bear parts (other than
internal organs) taken in sport hunts in Can-
ad’’ and inserting ‘‘, except that no permit
may be issued under this Act for the importa-
tion of polar bear parts taken in a sport hunt’’;

(B) in the second sentence, by striking ‘‘,
except permits issued under section 104(e)(5),’’;
and

(C) in the third sentence, by striking ‘‘,
other than importation under section
104(e)(5),’’; and

(2) in section 104 (16 U.S.C. 1374)—

(A) in subsection (e)—

(i) in paragraph (2)(E), by striking
‘‘paragraph (10)’’ and inserting ‘‘para-
graph (9)’’;
(ii) in paragraph (8)(B)(ii), by striking “paragraph (10)” and inserting “paragraph (9)”;

(iii) by striking paragraph (5); and

(iv) by redesignating paragraphs (6) through (10) as paragraphs (5) through (9), respectively; and

(B) in subsection (e)(1)—

(i) in subparagraph (A), by striking the comma and inserting “; or”;

(ii) in subparagraph (B), by striking “, or” and inserting a period; and

(iii) by striking subparagraph (C).