

113TH CONGRESS
2^D SESSION

H. R. 5052

To amend the Endangered Species Act of 1973 to protect and conserve species and the lawful possession of certain ivory in the United States, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 10, 2014

Mr. DAINES (for himself and Mr. MILLER of Florida) introduced the following bill; which was referred to the Committee on Natural Resources

A BILL

To amend the Endangered Species Act of 1973 to protect and conserve species and the lawful possession of certain ivory in the United States, 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 “Lawful Ivory Protec-
5 tion Act of 2014”.

6 **SEC. 2. AMENDMENT TO ENDANGERED SPECIES ACT OF**

7 **1973.**

8 Section 11(f) of the Endangered Species Act of 1973
9 (16 U.S.C. 1540(f)) is amended—

1 (1) by inserting “(1)” after the subsection
2 heading; and

3 (2) by adding at the end the following:

4 “(2)(A) Except as provided in this paragraph, regula-
5 tions promulgated under paragraph (1), including policies,
6 orders, or practices pursuant to such regulations, may
7 not—

8 “(i) prohibit or restrict the possession, sale, de-
9 livery, receipt, shipping, or transportation, within
10 the United States, of elephant ivory that has been
11 lawfully imported into the United States;

12 “(ii) change any methods of, or standards for,
13 determining if such ivory has been lawfully imported
14 that were in effect on February 24, 2014, including
15 any applicable presumptions and burdens of proof
16 with respect to such determinations;

17 “(iii) prohibit or restrict the importation of
18 such ivory that was lawfully importable into the
19 United States on February 24, 2014; or

20 “(iv) prohibit or restrict the possession of such
21 ivory that was lawfully possessable in the United
22 States on February 24, 2014.

23 “(B) Subparagraph (A) does not apply to regulations,
24 including policies, orders, or practices pursuant to such
25 regulations, that were in effect on February 24, 2014.

1 “(C) Regulations promulgated under paragraph (1),
2 including policies, orders, or practices pursuant to such
3 regulations, that became effective during the period begin-
4 ning on February 25, 2014, and ending on the date of
5 enactment of this paragraph, shall be revised, as nec-
6 essary, to comply with the requirements specified in sub-
7 paragraph (A) for regulations promulgated after such date
8 of enactment.”.

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