

(6) TRANSPORT.—The term “transport” means to move, convey, carry, or ship by any means, or to deliver or receive for the purpose of movement, conveyance, carriage, or shipment.

SEC. 5. PROHIBITED ACTS.

(a) IN GENERAL.—Except as provided in subsection (b), a person shall not—

(1) import into, or export from, the United States bear viscera or any product, item, or substance containing, or labeled or advertised as containing, bear viscera; or

(2) sell or barter, offer to sell or barter, purchase, possess, transport, deliver, or receive, in interstate or foreign commerce, bear viscera or any product, item, or substance containing, or labeled or advertised as containing, bear viscera.

(b) EXCEPTION FOR WILDLIFE LAW ENFORCEMENT PURPOSES.—A person described in subparagraph (B) or (C) of section 4(3) may import into, or export from, the United States, or transport between States, bear viscera or any product, item, or substance containing, or labeled or advertised as containing, bear viscera if the importation, exportation, or transportation—

(1) is solely for wildlife law enforcement purposes; and

(2) is authorized by a valid permit issued under Appendix I or II of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (27 UST 1087; TIAS 8249), in any case in which such a permit is required under the Convention.

SEC. 6. PENALTIES AND ENFORCEMENT.

(a) CRIMINAL PENALTIES.—A person that knowingly violates section 5 shall be fined under title 18, United States Code, imprisoned not more than 1 year, or both.

(b) CIVIL PENALTIES.—

(1) AMOUNT.—A person that knowingly violates section 5 may be assessed a civil penalty by the Secretary of not more than \$25,000 for each violation.

(2) MANNER OF ASSESSMENT AND COLLECTION.—A civil penalty under this subsection shall be assessed, and may be collected, in the manner in which a civil penalty under the Endangered Species Act of 1973 may be assessed and collected under section 11(a) of that Act (16 U.S.C. 1540(a)).

(c) PRODUCTS, ITEMS, AND SUBSTANCES.—Any bear viscera, or any product, item, or substance sold, imported, or exported, or attempted to be sold, imported, or exported, in violation of this section (including any regulation issued under this section) shall be seized and forfeited to the United States.

(d) REGULATIONS.—After consultation with the Secretary of the Treasury, the Secretary of Health and Human Services, and the United States Trade Representative, the Secretary shall issue such regulations as are necessary to carry out this section.

(e) ENFORCEMENT.—The Secretary, the Secretary of the Treasury, and the Secretary of the department in which the Coast Guard is operating shall enforce this section in the manner in which the Secretaries carry out enforcement activities under section 11(e) of the Endangered Species Act of 1973 (16 U.S.C. 1540(e)).

(f) USE OF PENALTY AMOUNTS.—Amounts received as penalties, fines, or forfeiture of property under this section shall be used in accordance with section 6(d) of the Lacey Act Amendments of 1981 (16 U.S.C. 3375(d)).

SEC. 7. DISCUSSIONS CONCERNING TRADE PRACTICES.

The Secretary and the Secretary of State shall discuss issues involving trade in bear viscera with the appropriate representatives of countries trading with the United States that are determined by the Secretary and the United States Trade Representative to be the leading importers, exporters, or con-

sumers of bear viscera, and attempt to establish coordinated efforts with the countries to protect bears.

SEC. 8. REPORT.

Not later than 1 year after the date of enactment of this Act, the Secretary, in cooperation with appropriate State agencies, shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Resources of the House of Representatives a report detailing the progress of efforts to end the illegal trade in bear viscera.

NATIONAL MARINE SANCTUARIES AMENDMENTS ACT OF 2000

Mr. COCHRAN. Mr. President, I ask unanimous consent that the Senate now proceed to the consideration of Calendar No. 702, S. 1482.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 1482) to amend the National Marine Sanctuaries Act, and for other purposes.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Commerce, Science, and Transportation, with amendments, as follows:

(Omit the parts in boldface brackets and insert the parts printed in italic:)

S. 1482

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 “National Marine Sanctuaries Amendments Act of [1999”.] 2000”.

SEC. 2. AMENDMENT OF NATIONAL MARINE SANCTUARIES ACT.

Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment or repeal to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the National Marine Sanctuaries Act (16 U.S.C. 1431 et seq.).

SEC. 3. CHANGES IN FINDINGS, PURPOSES, AND POLICIES.

(a) AMENDMENT OF FINDINGS.—Section 301(a) (16 U.S.C. 1431(a)) is amended—

(1) by striking “research, educational, or aesthetic” in paragraph (2) and inserting “scientific, educational, cultural, archaeological, or aesthetic”;

(2) by inserting “ecosystem” after “comprehensive” in paragraph (3);

(3) by striking “wise use” in paragraph (5) and inserting “sustainable use”; and

[(4) by striking “and” after the semicolon in paragraph (5);

[(5)] (4) by striking “protection of these” in paragraph (6) and inserting “protecting the biodiversity, habitats, and qualities of such”; and

[(6)] (5) by inserting “and the values and ecological services they provide” in paragraph (6) after “living resources”.

(b) AMENDMENT OF PURPOSES AND POLICIES.—Section 301(b) (16 U.S.C. 1431(b)) is amended—

(1) by striking “significance;” in paragraph (1) and inserting “significance and to manage these areas as the National Marine Sanctuary System;”;

(2) by striking paragraph (3) and inserting the following:

“(3) to maintain natural biodiversity and biological communities, and to protect, and

where appropriate, [restore.] restore and enhance natural habitats, populations, and ecological processes;”;

(3) by striking “understanding, appreciation, and wise use of the marine environment;” in paragraph (4) and inserting “understanding, and appreciation of the natural, historical, cultural, and archaeological resources of national marine sanctuaries;”;

(4) by redesignating paragraphs (5) through (9) as paragraphs (6) through (10), and inserting after paragraph (4) the following:

“(5) to support, promote, and coordinate scientific research on, and long-term monitoring of, the resources of these marine areas;”;

(5) by striking “areas;” in paragraph (8), as redesignated, and inserting “areas, including the application of innovative management techniques; and”;

(6) by striking “marine resources; and” in paragraph (9), as redesignated, and inserting “marine and coastal resources.”; and

(7) by striking paragraph (10), as redesignated.

SEC. 4. CHANGES IN DEFINITIONS.

Section 302 (16 U.S.C. 1432) is amended—

(1) by striking “304(a)(1)(C)(v)” in paragraph (1) and inserting “304(a)(2)(A)”;

(2) by striking “Magnuson” in paragraph (2) and inserting “Magnuson-Stevens”;

(3) by striking “and” after the semicolon in subparagraph (B) of paragraph (6);

(4) by striking “resources;” in subparagraph (C) of paragraph (6) and inserting “resources; and”;

(5) by inserting after paragraph (6)(C) the following:

“(D) the cost of curation and conservation of archaeological, historical, and cultural sanctuary resources;”;

(6) by striking “injury;” in paragraph (7) and inserting “injury, including enforcement activities related to any incident;”

(7) by striking “educational, or ” in paragraph (8) and inserting “educational, cultural, archaeological,;”;

(8) by striking “and” after the semicolon in paragraph (8);

(9) by striking “Magnuson Fishery Conservation and Management Act.” in paragraph (9) and inserting “Magnuson-Stevens Act;”;

(10) by adding at the end thereof the following:

“(10) ‘system’ means the National Marine Sanctuary System established by section 303; and

“(11) ‘person’ has the meaning given that term by section 1 of title 1, United States Code, but includes a department, agency, and instrumentality of the government of the United States, a State, or a foreign Nation.”.

SEC. 5. CHANGES IN SANCTUARY DESIGNATION STANDARDS.

Section 303 (16 U.S.C. 1433) is amended—

(1) by striking the section caption and inserting the following:

“SEC. 303. NATIONAL MARINE SANCTUARY SYSTEM.”;

(2) by striking subsection (a) and inserting the following:

“(a) ESTABLISHMENT OF SYSTEM.—There is established the National Marine Sanctuary System, which shall consist of national marine sanctuaries designated by the Secretary in accordance with this title.”;

(3) by striking paragraph (3) of subsection (b), and redesignating paragraphs (1) and (2) as paragraphs (2) and (3);

(4) by striking so much of subsection (b) as precedes paragraph (2), as redesignated, and inserting the following:

“(b) SANCTUARY DESIGNATION STANDARDS.—

“(1) IN GENERAL.—Before designating an area of the marine environment as a national marine sanctuary, the Secretary shall find that—