

1996—Subsec. (a). Pub. L. 104-297, § 402(a)(1), amended heading and text of subsec. (a) generally. Prior to amendment, text read as follows: “There are authorized to be appropriated to the Department of Commerce for apportionment to carry out the purposes of this chapter \$5,000,000 for each of the fiscal years 1989, 1990, 1991, 1992, 1993, 1994, and 1995.”

Subsec. (c). Pub. L. 104-297, § 402(a)(2), substituted “\$700,000 for fiscal year 1997, and \$750,000 for each of the fiscal years 1998, 1999, and 2000,” for “\$350,000 for each of the fiscal years 1989, 1990, 1991, 1992, and 1993, and \$600,000 for each of the fiscal years 1994 and 1995.”

Subsec. (d). Pub. L. 104-134, § 101[(a)] [title II, § 211(1)], substituted “Assistance” for “Grants” in heading.

Subsec. (d)(1). Pub. L. 104-134, § 101[(a)] [title II, § 211(2)], substituted “help persons engaged in commercial fisheries, either by providing assistance directly to those persons or by providing assistance indirectly through States and local government agencies and non-profit organizations, for projects or other measures to alleviate harm determined by the Secretary to have been incurred” for “award grants to persons engaged in commercial fisheries, for uninsured losses determined by the Secretary to have been suffered”.

Subsec. (d)(3). Pub. L. 104-134, § 101[(a)] [title II, § 211(3), (4)], substituted “direct assistance to a person” for “a grant” and “net revenues annually from commercial fishing,” for “gross revenues annually.”

Subsec. (d)(4). Pub. L. 104-134, § 101[(a)] [title II, § 211(5)], added par. (4) and struck former par. (4) which read as follows: “A person may receive a grant under this subsection for up to 75 percent of any uninsured commercial fishery loss resulting from such a fishery resource disaster (to the extent that such losses have not been compensated by other Federal and State programs), but shall receive no more than \$100,000 in the aggregate for all such losses suffered as a result of any particular fishery resource disaster.”

Subsec. (d)(5). Pub. L. 104-134, § 101[(a)] [title II, § 211(6)], substituted “for receiving assistance under this subsection” for “for awarding grants under this subsection, including provisions specifying the means by which applicants must demonstrate claimed losses and limiting the aggregate amounts that may be paid to persons that are affiliated with each other or under common ownership.”

Subsec. (d)(7). Pub. L. 104-297, § 402(b), added par. (7). 1994—Subsec. (b). Pub. L. 103-238 substituted “\$65,000,000 for each of the fiscal years 1994 and 1995” for “\$2,500,000 for each of the fiscal years 1989, 1990, 1991, 1992, 1993, 1994, and 1995”.

1993—Subsec. (c). Pub. L. 103-206 inserted “, and \$600,000 for each of the fiscal years 1994 and 1995,” after “and 1993”.

1992—Subsec. (d). Pub. L. 102-396 added subsec. (d). 1990—Subsec. (a). Pub. L. 101-627, § 503(1), substituted “the fiscal years 1989, 1990, 1991, 1992, 1993, 1994, and 1995” for “fiscal years 1987, 1988, and 1989”.

Subsec. (b). Pub. L. 101-627, §§ 502, 503(2), in introductory provisions substituted “the fiscal years 1989, 1990, 1991, 1992, 1993, 1994, and 1995” for “fiscal years 1988 and 1989” and added par. (3).

Subsec. (c). Pub. L. 101-627, § 503(3), substituted “the fiscal years 1989, 1990, 1991, 1992, and 1993” for “fiscal years 1988 and 1989”.

CHAPTER 62—AFRICAN ELEPHANT CONSERVATION

| | |
|-------|-----------------------|
| Sec. | |
| 4201. | Statement of purpose. |
| 4202. | Findings. |
| 4203. | Statement of policy. |

SUBCHAPTER I—AFRICAN ELEPHANT CONSERVATION ASSISTANCE

| | |
|-------|----------------------------------|
| 4211. | Provision of assistance. |
| 4212. | Acceptance and use of donations. |
| 4213. | Omitted. |
| 4214. | Advisory group. |

Sec. SUBCHAPTER II—MORATORIA AND PROHIBITED ACTS

| | |
|-------|---|
| 4221. | Review of African elephant conservation programs. |
| 4222. | Moratoria. |
| 4223. | Prohibited acts. |
| 4224. | Penalties and enforcement. |
| 4225. | Rewards. |

SUBCHAPTER III—MISCELLANEOUS

| | |
|-------|---|
| 4241. | Relationship to Endangered Species Act of 1973. |
| 4242. | Certification under Pelly amendment. |
| 4243. | Repealed. |
| 4244. | Definitions. |
| 4245. | Authorization of appropriations. |
| 4246. | Multinational Species Conservation Fund. |

§ 4201. Statement of purpose

The purpose of this chapter is to perpetuate healthy populations of African elephants.

(Pub. L. 100-478, title II, § 2002, Oct. 7, 1988, 102 Stat. 2315.)

SHORT TITLE OF 2007 AMENDMENT

Pub. L. 110-132, § 1, Dec. 6, 2007, 121 Stat. 1360, provided that: “This Act [amending sections 4211, 4245, 5304, and 5306 of this title] may be cited as the ‘Multinational Species Conservation Funds Reauthorization Act of 2007.’”

SHORT TITLE OF 2002 AMENDMENT

Pub. L. 107-111, § 1, Jan. 8, 2002, 115 Stat. 2095, provided that: “This Act [enacting section 4214 of this title, amending sections 4211, 4212, and 4244 to 4246 of this title, and repealing section 4243 of this title] may be cited as the ‘African Elephant Conservation Reauthorization Act of 2001.’”

SHORT TITLE OF 1998 AMENDMENT

Pub. L. 105-217, § 1, Aug. 5, 1998, 112 Stat. 911, provided that: “This Act [amending section 4245 of this title] may be cited as the ‘African Elephant Conservation Reauthorization Act of 1998.’”

SHORT TITLE

Section 2001 of title II of Pub. L. 100-478 provided that: “This title [enacting this chapter and amending section 1538 of this title] may be cited as the ‘African Elephant Conservation Act.’”

§ 4202. Findings

The Congress finds the following:

(1) Elephant populations in Africa have declined at an alarming rate since the mid-1970’s.

(2) The large illegal trade in African elephant ivory is the major cause of this decline and threatens the continued existence of the African elephant.

(3) The African elephant is listed as threatened under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) and its continued existence will be further jeopardized if this decline is not reversed.

(4) Because African elephant ivory is indistinguishable from Asian elephant ivory, there is a need to ensure that the trade in African elephant ivory does not further endanger the Asian elephant, which is listed as endangered under section 4 of the Endangered Species Act of 1973 (16 U.S.C. 1533) and under Appendix I of CITES.