

AMERICAN LEGION BOYS NATION

BILL SUMMARY

Note: This form must be completed and accompany all Bills submitted for consideration by The American Legion Boys Nation Senate.

DELEGATE NAME: James Mayclin

DELEGATE STATE: South Dakota

NAME OF BILL: An Act for the Beneficial Use of Seized Ivory

BRIEF SUMMARY OF BILL: Ivory that is seized will be sold instead of crushed, and the funds from selling it will be used to combat the illegal trading of it

To Be Completed By
The Clerk Of The Senate

BILL NO.

SB-68

AMERICAN LEGION BOYS NATION SENATE

IN THE SENATE OF AMERICAN LEGION BOYS NATION

Senator **James Mayclin** of **South Dakota** introduced the following Bill, which was read twice and referred to the following American Legion Boys Nation Senate Committee:

a Bill

1 to sell illegal ivory that has been seized instead of destroying it...

2

3 BE IT ENACTED BY THE AMERICAN LEGION BOYS NATION SENATE ASSEMBLED,

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5 PREAMBLE: Whereas from 1989 to 2007, ivory seized by the U.S. Fish and Wildlife Service
6 accounted for 30% of ivory seizures worldwide; whereas ivory seizures are done to protect
7 endangered African and Asian elephants; whereas the trade of ivory imported before the 1989
8 AfECA (African Elephant Conservation Act) is still legal; and whereas seized ivory is currently
9 destroyed with no benefit to conservation efforts, this act will allow seized ivory to be put to a
10 more beneficial use.

11

12 SECTION 1: Seizures of illegal ivory by the U.S. Fish and Wildlife Service will not be destroyed,
13 unless they are a threat to public health.

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15 SUB-SECTION A: Ivory, for the purpose of this bill, shall be defined as the tusks or teeth
16 taken from an endangered animal.

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18 SECTION 2: Seizures of illegal ivory shall be sold by the U.S. Fish and Wildlife Service in
19 auctions to the highest bidder.

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21 SUB-SECTION A: These auctions shall have a reserve to be set by the U.S. Fish and Wildlife
22 Service.

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24 SECTION 3: Ivory sold by the U.S. Fish and Wildlife Service will be marked with RFID (Radio
25 Frequency Identification) tags to distinguish between illegal ivory sold by smugglers and ivory
26 sold by the U.S. Fish and Wildlife Service. This seized ivory, once so marked, shall be
27 considered legal ivory with no penalties for the possession of it.

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29 SUB-SECTION A: This shall be done to prevent one problem experienced now by the
30 U.S. Fish and Wildlife Service, which is distinguishing between pre-1989 legal ivory and illegal
31 ivory that has been artificially weathered. The use of RFID tags would make it very difficult for
32 smugglers to cover illegal trade with that of a legal business.

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34 SUB-SECTION B: As technology develops further, simpler methods of marking seized ivory
35 may become available. The U.S. Fish and Wildlife Service will have the authority to mark
36 seized ivory in a different manner as long as it can still be easily distinguished from illegal ivory.

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38 SECTION 4: The proceeds of these auctions shall be split between the U.S. Fish and Wildlife
39 Service and anti-poaching conservation programs.

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41 SUB-SECTION A: 50% of the funds from the sale of seized ivory shall be given to the U.S.
42 Fish and Wildlife Service to combat the trade of illegal ivory.

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44 SUB-SECTION B: 50% of the funds from the sale of seized ivory shall be set aside for
45 anti-poaching, conservation programs in Africa and Asia. The U.S. Fish and Wildlife Service will
46 determine which programs will receive money and what amount they shall receive. The
47 programs will be selected on the basis of the ability to most efficiently use the funds.

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49 SECTION 5: This legislation shall go into effect 90 days from the date it is passed.