

S 546

Paleontological Resources Preservation Act

Congress: 108 (2003–2005, Ended)

Chamber: Senate

Policy Area: Public Lands and Natural Resources

Introduced: Mar 6, 2003

Current Status: Executive Comment Requested from Interior, USDA.

Latest Action: Executive Comment Requested from Interior, USDA. (Jul 24, 2003)

Official Text: <https://www.congress.gov/bill/108th-congress/senate-bill/546>

Sponsor

Name: Sen. Akaka, Daniel K. [D-HI]

Party: Democratic • State: HI • Chamber: Senate

Cosponsors (8 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Baucus, Max [D-MT]	D · MT		Mar 6, 2003
Sen. Campbell, Ben Nighthorse [R-CO]	R · CO		Mar 6, 2003
Sen. Durbin, Richard J. [D-IL]	D · IL		Mar 6, 2003
Sen. Feinstein, Dianne [D-CA]	D · CA		Mar 6, 2003
Sen. Leahy, Patrick J. [D-VT]	D · VT		Mar 6, 2003
Sen. Roberts, Pat [R-KS]	R · KS		Mar 6, 2003
Sen. Wyden, Ron [D-OR]	D · OR		Mar 10, 2003
Sen. Bunning, Jim [R-KY]	R · KY		May 19, 2003

Committee Activity

Committee	Chamber	Activity	Date
Agriculture Committee	House	Referred to	Jul 22, 2003
Energy and Natural Resources Committee	Senate	Hearings By (subcommittee)	Jun 10, 2003
Natural Resources Committee	House	Referred to	Jul 24, 2003
Natural Resources Committee	House	Referred to	Jul 24, 2003
Natural Resources Committee	House	Referred to	Jul 24, 2003

Subjects & Policy Tags

Policy Area:

Public Lands and Natural Resources

Related Bills

No related bills are listed.

Paleontological Resources Preservation Act - (Sec. 3) Directs the Secretaries of the Interior and Agriculture (the Secretaries) to: (1) manage and protect paleontological resources on Federal land using scientific principles and expertise; and (2) develop plans for inventorying, monitoring, and deriving the scientific and educational use of such resources.

(Sec. 4) Directs the Secretaries to establish a program to increase public awareness about the significance of paleontological resources.

(Sec. 5) Prohibits a person from collecting a paleontological resource from Federal land without a permit issued under this Act by one of the Secretaries. Authorizes the Secretaries to allow casual collecting of common invertebrate and plant paleontological resources for scientific, educational, and recreational uses, without a permit, on certain Federal lands where not inconsistent with laws governing management of such lands and this Act. Recognizes as valid permits issued before enactment of this Act.

Sets forth criteria by which the Secretaries may issue permits for paleontological resources. Requires that any paleontological resource and associated records collected under a permit be deposited in an approved repository.

Allows the Secretaries to modify, suspend, or revoke a permit under specified circumstances, including if there is a violation of a term or a condition of a permit.

Declares that a permit shall be revoked if any person working under the authority of the permit is convicted of a criminal offense under this Act or assessed a civil penalty under this Act.

(Sec. 6) States that the Secretaries may enter into agreements with non-Federal repositories regarding the curation of paleontological resources, data, and records.

(Sec. 7) Prohibits: (1) excavating, removing, or altering a paleontological resource located on Federal lands, except in compliance with this Act; (2) exchanging or receiving such a resource, if the person knew or should have known such resource to have been illegally removed from Federal lands; (3) selling or purchasing a paleontological resource, if the person knew or should have known such resource to have been illegally removed from Federal lands; or (4) making or submitting false records, accounts, or identification of any paleontological resource excavated or removed from Federal lands. Imposes criminal penalties for violating this Act.

(Sec. 8) Sets forth requirements for the assessment of civil penalties by the Secretaries for violations of any prohibitions contained in regulations or permits issued under this Act. Requires any recovered amounts to be available for use: (1) to protect or restore the paleontological resources and sites which were the subject of the action, or to acquire sites with equivalent resources and to protect, monitor, and study the resources and sites; (2) to provide educational materials to the public about paleontological resources and sites; and (3) as a reward.

(Sec. 9) Allows the Secretaries to pay from penalties collected under this Act a reward to any person who furnishes information leading to the finding of a civil violation, or the conviction of criminal violation, with respect to which the penalty was paid. Provides for the civil or, as appropriate, the criminal forfeiture of all paleontological resources with respect to which a civil or criminal violation occurred, and of all vehicles and equipment that were used in connection with the violation. Allows the Secretary to transfer administration of seized paleontological resources to educational institutions for scientific or educational purposes.

(Sec. 10) Requires that information on the nature and specific location of a paleontological resource that requires a permit under this Act or other Federal law be withheld from the public, including under the Freedom of Information Act, except under specified conditions.

(Sec. 11) Directs the Secretaries to issue such regulations as are appropriate to carry out this Act, while providing opportunities for public notice and comment.

(Sec. 12) Declares that nothing in this Act shall be construed to do certain things, including to: (1) modify any activity under the general mining laws, the mineral or geothermal leasing laws, laws providing for minerals materials disposal, or laws providing for the management or regulation of the activities authorized by the aforementioned laws; (2) modify any activity under existing laws and authorities relating to reclamation and multiple uses of Federal lands; or (3) alter or diminish the authority of a Federal agency under any other law to provide protection for paleontological resources on Federal lands in addition to the protection provided under this Act.

(Sec. 13) Authorizes appropriations.

Actions Timeline

- **Jul 24, 2003:** Referred to the Subcommittee on National Parks, Recreation and Public Lands.
- **Jul 24, 2003:** Referred to the Subcommittee on Forests and Forest Health.
- **Jul 24, 2003:** Referred to the Subcommittee on Fisheries Conservation, Wildlife and Oceans.
- **Jul 24, 2003:** Executive Comment Requested from Interior, USDA.
- **Jul 22, 2003:** Referred to the Subcommittee on Department Operations, Oversight, Nutrition and Forestry.
- **Jul 18, 2003:** Received in the House.
- **Jul 18, 2003:** Message on Senate action sent to the House.
- **Jul 18, 2003:** Referred to the Committee on Resources, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.
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- **Jul 17, 2003:** Passed/agreed to in Senate: Passed Senate with an amendment by Unanimous Consent.(consideration: CR S9605-9618; text as passed Senate: CR S9610-9612; text of measure as reported in Senate: CR S9608-9610)
- **Jul 17, 2003:** Passed Senate with an amendment by Unanimous Consent. (consideration: CR S9605-9618; text as passed Senate: CR S9610-9612; text of measure as reported in Senate: CR S9608-9610)
- **Jul 11, 2003:** Committee on Energy and Natural Resources. Reported by Senator Domenici with an amendment in the nature of a substitute. With written report No. 108-93.
- **Jul 11, 2003:** Committee on Energy and Natural Resources. Reported by Senator Domenici with an amendment in the nature of a substitute. With written report No. 108-93.
- **Jul 11, 2003:** Placed on Senate Legislative Calendar under General Orders. Calendar No. 201.
- **Jun 25, 2003:** Committee on Energy and Natural Resources. Ordered to be reported with an amendment in the nature of a substitute favorably.
- **Jun 10, 2003:** Committee on Energy and Natural Resources Subcommittee on National Parks. Hearings held. With printed Hearing: S.Hrg. 108-69.
- **Mar 6, 2003:** Introduced in Senate
- **Mar 6, 2003:** Sponsor introductory remarks on measure. (CR S3265-3266)
- **Mar 6, 2003:** Read twice and referred to the Committee on Energy and Natural Resources. (text of measure as introduced: CR S3266-3268)