

S 263

Paleontological Resources Preservation Act

Congress: 109 (2005–2007, Ended)

Chamber: Senate

Policy Area: Public Lands and Natural Resources

Introduced: Feb 2, 2005

Current Status: Referred to the Subcommittee on Forests and Forest Health.

Latest Action: Referred to the Subcommittee on Forests and Forest Health. (Aug 8, 2005)

Official Text: https://www.congress.gov/bill/109th-congress/senate-bill/263

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 | | Feb 2, 2005 |
| Sen. Durbin, Richard J. [D-IL] | D · IL | | Feb 2, 2005 |
| Sen. Feinstein, Dianne [D-CA] | D · CA | | Feb 2, 2005 |
| Sen. Inouye, Daniel K. [D-HI] | D · HI | | Feb 2, 2005 |
| Sen. Roberts, Pat [R-KS] | R · KS | | Feb 2, 2005 |
| Sen. Bunning, Jim [R-KY] | R · KY | | Feb 9, 2005 |
| Sen. Wyden, Ron [D-OR] | D · OR | | Feb 9, 2005 |
| Sen. McCain, John [R-AZ] | R · AZ | | Mar 10, 2005 |

Committee Activity

| Committee | Chamber | Activity | Date |
|--|---------|-------------|--------------|
| Agriculture Committee | House | Referred to | Aug 4, 2005 |
| Energy and Natural Resources Committee | Senate | Reported By | Mar 11, 2005 |
| Natural Resources Committee | House | Referred to | Aug 8, 2005 |
| Natural Resources Committee | House | Referred to | Aug 8, 2005 |
| Natural Resources Committee | House | Referred to | Aug 8, 2005 |

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 the Secretary of the Interior or the Secretary of Agriculture (the Secretary) 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 Secretary to establish a program to increase public awareness about such resources.

(Sec. 5) Prohibits a person from collecting a paleontological resource from federal land without a permit issued under this Act by the Secretary. Authorizes the Secretary to allow casual collecting of a reasonable amount of common invertebrate and plant paleontological resources for non-commercial personal uses without a permit on certain federal lands. Recognizes as valid permits issued before enactment of this Act.

Sets forth criteria by which the Secretary 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 Secretary 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 Secretary may enter into agreements with non-federal repositories regarding the curation of paleontological resources, data, and records.

(Sec. 7) Prohibits: (1) evacuating, removing or altering a paleontological resource located on federal lands, except in accordance with this Act; (2) exchanging or receiving a paleontological 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 Secretary 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 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 Secretary 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 Secretary 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 activities 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

- **Aug 8, 2005:** Referred to the Subcommittee on National Parks.
- **Aug 8, 2005:** Referred to the Subcommittee on Fisheries and Oceans.
- **Aug 8, 2005:** Referred to the Subcommittee on Forests and Forest Health.
- **Aug 4, 2005:** Referred to the Subcommittee on Department Operations, Oversight, Nutrition and Forestry.
- **Jul 27, 2005:** Received in the House.
- **Jul 27, 2005:** Message on Senate action sent to the House.
- **Jul 27, 2005:** 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 26, 2005:** Passed/agreed to in Senate: Passed Senate with amendments by Unanimous Consent.(consideration: CR S9018-9052; text of measure in Senate: CR S9035-9037; text as passed Senate: CR S9037-9039)
- **Jul 26, 2005:** Passed Senate with amendments by Unanimous Consent. (consideration: CR S9018-9052; text of measure in Senate: CR S9035-9037; text as passed Senate: CR S9037-9039)
- **Mar 11, 2005:** Committee on Energy and Natural Resources. Reported by Senator Domenici with amendments. With written report No. 109-36.
- **Mar 11, 2005:** Committee on Energy and Natural Resources. Reported by Senator Domenici with amendments. With written report No. 109-36.
- **Mar 11, 2005:** Placed on Senate Legislative Calendar under General Orders. Calendar No. 50.
- **Feb 9, 2005:** Committee on Energy and Natural Resources. Ordered to be reported with amendments favorably.
- **Feb 2, 2005:** Introduced in Senate
- **Feb 2, 2005:** Sponsor introductory remarks on measure. (CR S891-892)
- **Feb 2, 2005:** Read twice and referred to the Committee on Energy and Natural Resources. (text of measure as introduced: CR S892-893)