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§ 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 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.
- (5) In response to the significant illegal trade in African elephant ivory, the parties to CITES established the CITES Ivory Control System to curtail the illegal trade and to encourage African countries to manage, conserve, and protect their African elephant populations.
- (6) The CITES Ivory Control System entered into force recently and should be allowed to continue in force for a reasonable period of time to assess its effectiveness in curtailing the illegal trade in African elephant ivory.
- (7) Although some African countries have effective African elephant conservation pro-

grams, many do not have sufficient resources to properly manage, conserve, and protect their elephant populations.

(8) The United States, as a party to CITES and a large market for worked ivory, shares responsibility for supporting and implementing measures to stop the illegal trade in African elephant ivory and to provide for the conservation of the African elephant.

(9) There is no evidence that sport hunting is part of the poaching that contributes to the illegal trade in African elephant ivory, and there is evidence that the proper utilization of well-managed elephant populations provides an important source of funding for African elephant conservation programs.

(Pub. L. 100-478, title II, §2003, Oct. 7, 1988, 102 Stat. 2315.)

REFERENCES IN TEXT

The Endangered Species Act of 1973, referred to in par. (3), is Pub. L. 93-205, Dec. 28, 1973, 87 Stat. 884, as amended, which is classified generally to chapter 35 (§1531 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 1531 of this title and Tables.

§ 4203. Statement of policy

It is the policy of the United States—

- (1) to assist in the conservation and protection of the African elephant by supporting the conservation programs of African countries and the CITES Secretariat; and
- (2) to provide financial resources for those programs.

(Pub. L. 100-478, title II, §2004, Oct. 7, 1988, 102 Stat. 2316.)

SUBCHAPTER I—AFRICAN ELEPHANT
CONSERVATION ASSISTANCE

SUBCHAPTER REFERRED TO IN OTHER SECTIONS

This subchapter is referred to in section 4246 of this title.

§ 4211. Provision of assistance**(a) In general**

The Secretary may provide financial assistance under this subchapter from the African Elephant Conservation Fund for approved projects for research, conservation, management, or protection of African elephants.

(b) Project proposal

Any African government agency responsible for African elephant conservation and protection, the CITES Secretariat, and any organization or individual with experience in African elephant conservation may submit to the Secretary a project proposal under this section. Each such proposal shall contain—

- (1) the name of the person responsible for conducting the project;
- (2) a succinct statement of the need for and purposes of the project;
- (3) a description of the qualifications of the individuals who will be conducting the project;
- (4) an estimate of the funds and time required to complete the project;
- (5) evidence of support of the project by governmental entities of countries within which