To end the use of steel jaw leghold traps on animals in the United States, and for other purposes.

IN THE SENATE OF THE UNITED STATES

APRIL 24, 1996

Mr. PELL introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

A BILL

To end the use of steel jaw leghold traps on animals in the United States, and for other purposes.

1 Be it enacted by the Senate and House of Representa-
2 tives of the United States of America in Congress assembled,

3 SECTION 1. DECLARATION OF POLICY.

4 It is the policy of the United States to end the need-
5 less maiming and suffering inflicted on animals through the use of steel jaw leghold traps by prohibiting the ship-
6 ment in interstate commerce or foreign commerce of the traps and articles of fur from animals that were trapped in the traps.
SEC. 2. DEFINITIONS.

In this Act:

(1) ARTICLE OF FUR.—

(A) IN GENERAL.—The term “article of fur” means—

(i) any furskin bearing hair, whether raw or not dressed, or dressed; or

(ii) any article, however produced, that consists in whole or part of a furskin.

(B) OTHER TERMS.—In subparagraph (A), the terms “furskin”, “raw or not dressed”, and “dressed” have the meanings provided in headnote 2 of subpart B of part 5 of schedule 1 of the Tariff Schedules of the United States (19 U.S.C. 1202).

(2) FOREIGN COMMERCE.—The term “foreign commerce” has the meaning provided in section 10 of title 18, United States Code.

(3) IMPORT.—The term “import” means to land on, bring into, or introduce into, any place subject to the jurisdiction of the United States, regardless of whether the landing, bringing, or introduction constitutes an importation within the meaning of the customs laws of the United States.
(4) INTERSTATE COMMERCE.—The term “inter-
state commerce” has the meaning provided in sec-
tion 10 of title 18, United States Code.

(5) PERSON.—The term “person” includes—

(A) any individual, partnership, associa-
tion, corporation, or trust;

(B) any officer, employee, agent, depart-
ment, or instrumentality of the Federal Govern-
ment or of any State or political subdivision of
a State; and

(C) any other entity subject to the jurisdic-
tion of the United States.

(6) SECRETARY.—The term “Secretary” means
the Secretary of the Interior.

(7) STEEL JAW LEGHOLD TRAP.—The term
“steel jaw leghold trap” means any spring-powered
pan-activated or sear-activated device with 2 oppos-
ing steel jaws that is designed to capture an animal
by snapping closed on a limb or part of a limb of
the animal.

SEC. 3. PROHIBITED ACTS AND PENALTIES.

(a) ACTS INVOLVING ARTICLES OF FUR.—An article
of fur may not be imported, exported, shipped, or received
in interstate commerce or foreign commerce if any part
of the article is derived from an animal the trapping of
which in a steel jaw leghold trap permitted the production
of the article.

(b) Acts by Persons.—It is unlawful for a person
knowingly—

(1) to import, export, ship, or receive an article
of fur in violation of subsection (a);
(2) to deliver, carry, transport, or ship by any
means, in interstate commerce or foreign commerce,
a steel jaw leghold trap;
(3) to sell, receive, acquire, or purchase a steel
jaw leghold trap that was delivered, carried, trans-
ported, or shipped in violation of paragraph (2); or
(4) to violate a regulation issued by the Sec-
retary under this section.

(c) Penalties.—A person who knowingly commits
an act that violates subsection (a) or (b), shall, on convic-
tion—

(1) for the first violation, be fined not more
than $1,000; and
(2) for the second and each subsequent viola-
tion, be fined not more than $5,000, imprisoned not
more than 2 years, or both.

SEC. 4. REWARDS.

(a) In General.—
(1) Basis.—Except as provided in subsection (b), the Secretary shall pay a reward to a person who provides information that leads to a conviction under section 3.

(2) Amount.—The amount of the reward shall be equal to 50 percent of the fine assessed against the person convicted.

(b) Governmental Employees.—An officer or employee of the United States or of a State or local government who provides information or renders service in the performance of the official duties of the officer or employee shall not be eligible for an award under subsection (a).

SEC. 5. ENFORCEMENT.

(a) In General.—In enforcing this Act, the Secretary may use by agreement, with or without reimbursement, the personnel, services, and facilities of any other Federal agency or a State agency.

(b) Warrants.—The judges of the district courts of the United States and the United States magistrates may, within their respective jurisdictions, on proper oath or affirmation showing probable cause, issue such warrants or other process as may be required for enforcement of this Act.

(c) Other Enforcement Authority.—
(1) IN GENERAL.—To the maximum extent permitted by Federal law, an individual having authority to enforce this Act may, in the course of enforcement—

(A) detain for inspection, search, and seize a package, crate, or other container, including its contents, and all accompanying documents; 

(B) make an arrest without a warrant for a violation of this Act; and 

(C) execute and serve an arrest warrant, search warrant, or other warrant or criminal process issued by a judge or magistrate of a court of competent jurisdiction for a violation of this Act.

(2) HANDLING OF ITEMS SEIZED.—

(A) IN GENERAL.—Except as provided in subparagraph (B), an item seized under this Act shall be held by a person authorized by the Secretary, pending the disposition of criminal proceedings or the institution of an action in rem for forfeiture of the item under subsection (d).

(B) POSTING OF BOND.—In lieu of holding an item described in subparagraph (A), the Secretary may return the item to the owner or con-
signee in exchange for the posting of a bond or other surety satisfactory to the Secretary.

(C) Disposition.—On forfeiture of an item described in subparagraph (A) to the Unit-
ed States, or the abandonment or waiver of any claim to such an item, the item shall be dis-
posed of (other than by sale to the general pub-
lic) by the Secretary in such manner, consistent with this Act, as the Secretary shall require by regulation.

(d) Forfeiture.—An article of fur or steel jaw leghold trap taken, possessed, sold, purchased, offered for sale or purchase, transported, delivered, received, carried, shipped, exported, or imported in violation of this Act shall be subject to forfeiture to the United States.

(e) Injunctions.—The Attorney General of the United States may seek to enjoin a person from engaging in a violation of this Act.

SEC. 6. REGULATIONS.

The Secretary shall issue such regulations as are nec-
essary to carry out this Act.

SEC. 7. EFFECTIVE DATE.

This Act shall take effect on the date that is 1 year after the date of enactment of this Act.